

Be it remembered that on this Thirty First day of May, in the year nineteen hundred and fifty, a Fi Fa was filed for record, which is as follows, 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 First Monday of November in the year of our Lord, one thousand nine hundred and fifty a certain Ruth F. Price, Guardian of Virginia Sears Price, infant and Sterling Foster Price, Assignee of William R. Horney, Assignee of mortgage, by judgment of the same Court, recovered against a certain William R. Schuyler and Julia A. Schuyler, his wife, mortgagors, as well the sum of Fourteen hundred and fifty dollars and ---- cents, with interest from the 12th. day of November 1943 and eleven dollars and fifty cents for her costs and charges by her about her suit laid out and expended, whereof the said William R. Schuyler and Julia A. Schuyler, his wife, are convict, as it appears of record:

THEREFORE, you are hereby commanded, that of the goods and chattels, lands and tenements of the said William R. Schuyler and Julia A. Schuyler, his wife, 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 June next, to render unto the said Ruth F. Price, Guardian of Virginia Sears Price, infant, & Sterling Foster Price 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 1st. day of May in the year of our Lord, nineteen hundred and fifty.

Issued this 2nd. day of May 1950

Plaintiff's Attorney
Gibson and Wood
Centreville, Maryland

NELLIE B. WHITELEY Clerk

SCHEDULE
Filed May 31, 1950.

A SCHEDULE of the goods and chattels, lands and tenements of William R. Schuyler 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, and to me directed at the suit of Ruth F. Price, Guardian et al. vs. William R. Schuyler I have seized and levied on the following property to wit:

ALL that lot or tract of land situate in the village of Starr, in the Third Election District of Queen Anne's County, Maryland, beginning on the left side of the public road leading through said village of Starr from Centreville to Hillsborough, adjoining the George W. Legg property, and running with said Legg property 29 yards, thence north 20 yards, thence west 29 yards to said public road, thence with said road a distance of 20 yards to the place of beginning, containing 19 square perches of land, more or less, and being the same land which was granted and conveyed to William R. Schuyler and Julia A. Schuyler, his wife, as tenants by the entireties (Julia A. Schuyler having heretofore departed this life) by deed dated April 24, 1920, and recorded among the land records of Queen Anne's County, aforesaid, in Liber J.F.R. No. 4, folios 373, etc., saving and excepting, however, the parts of said land which were conveyed therefrom by William R. Schuyler to the State of Maryland for highway purposes by the two following deeds, viz: (1) the deed recorded on January 30, 1929, in Liber B.H.T. No. 9, folio 177, a Land Record Book for said County, and (2) the deed recorded on August 9, 1948, in Liber N. B. W. No. 1, folio 293, a Land Record Book for said 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.

SUBJECT, however, to the easements granted by the terms of the two deeds to the State of Maryland, above referred to.

Levy made May 4 - 1950
at 1130 o'clock A.M.

OSCAR W. TARR
Sheriff

And on the back of the foregoing is the following endorsement, to wit:-

Levy made as per schedule May 4 - 1950 at 1130 o'clock A.M. Scheulde May 4 - 1950
1130 A.M. OSCAR W. TARR Sheriff

Property sold and proceeds ready to be turned over to Plaintiffs, as per Report of Sale filed this 10th day of July, 1950. OSCAR W. TARR Sheriff. Filed July 10, 1950

REPORT OF SALE
Filed July 10, 1950

Ruth F. Price, Guardian of
Virginia Sears Price, infant,
et al.,

vs.

William R. Schuyler

In the Circuit Court for
QUEEN ANNE'S COUNTY

No. 14 Trials,
Nov. Term 1943

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the land sold by the undersigned, Oscar W. Tarr, Sheriff of Queen Anne's County, Maryland, in these proceedings, respectfully shows:

That by virtue of a writ of fieri facias issued out of the Circuit Court for Queen Anne's County aforesaid, at the suit of Ruth F. Price, Guardian of Virginia Sears Price, infant and Sterling Foster Price, Assignee of William R. Horney, Assignee of mortgage, vs. William R. Schuyler, dated the 2nd day of May, 1950, on judgment entered in No. 14 Trials, November Term, 1943, the said Oscar W. Tarr, Sheriff as aforesaid, seized, entered upon, levied upon and took possession of the property described in the advertisement hereinafter mentioned.

And having given notice of the time, place, manner and terms of sale by advertisement inserted in the Queen Anne Record-Observer, a newspaper printed and published in Queen Anne's County, Maryland, for more than 20 days previous to the sale, (a copy of said advertisement being attached to the printer's certificate filed with this Report and asked to be taken as a part hereof), the said Oscar W. Tarr, as the Sheriff aforesaid, offered the said land at public sale in front of the Court House Door in Centreville, Queen Anne's County, Maryland, on Tuesday, June 27, 1950, at the hour of 1:40 P. M. (Eastern Daylight Saving Time) for cash, and then and there sold same to Dorothy L. Foster and William B. Foster, her husband, they being then and there the highest bidders therefor, at and for the sum of Six Hundred Dollars (\$600.00) which has been paid in full, and the said real estate was sold to pay and satisfy the said writ, interest and costs thereon, and the abovementioned judgment on which the same was issued.

OSCAR W. TARR
Sheriff of Queen Anne's County

State of Maryland, Queen Anne's County, To Wit:

I Hereby Certify that on this 8th day of July, 1950, before the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Oscar W. Tarr, Sheriff of Queen Anne's County, Maryland, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true as therein stated, to the best of his knowledge and belief, and that the sale was fairly made.

NELLIE B. WHITELEY
Clerk of Court

Filed July 10, 1950

CERTIFICATE OF PUBLICATION OF
ADVERTISEMENT OF SALE
Filed July 10, 1950.

Sheriff's Sale

Under and by virtue of a writ of fieri facias on judgment issued out of the Circuit Court for Queen Anne's County at the suit of Ruth F. Price, Guardian of Virginia Sears Price, infant, and Sterling Foster Price vs. William R. Schuyler, I have seized and taken in execution,

ALL that lot or tract of land situate in the village of Starr, in the Third Election District of Queen Anne's County, Maryland, beginning on the left side of the public road leading through Starr from Centreville to Hillsboro, adjoining the George W. Legg property, and running with said Legg property 29 yards, thence north 20 yards, thence west 29 yards to said public road, thence with said road a distance of 20 yards to the place of beginning, containing 19 square perches of land, more or less, and being the same land which was granted and conveyed to William R. Schuyler and Julia A. Schuyler, his wife, as tenants by the entireties (Julia A. Schuyler having heretofore departed this life) by deed dated April 24, 1920, and recorded among the land records of Queen Anne's County in Liber J.F.R. No. 4, folio 373; EXCEPTING the parts of said land conveyed by William R. Schuyler to the State of Maryland for highway purposes by the two following deeds: (1) deed recorded January 30, 1929 in Liber B.H.T. No. 9, folio 177 and (2) deed recorded August 9, 1948 in Liber N.B.W. No. 1, folio 293, land record books for said County. TOGETHER with the buildings and improvements thereon, and all the rights, roads, ways, waters, privileges, appurtenances and advantages to the same belonging or in any way appertaining. Subject, however, to the easements granted by the two above deeds to the State of Maryland.

IMPROVED BY A FRAME DWELLING HOUSE.

AND I hereby give notice that I will sell said property at the Court House door in Centreville, Maryland, on Tuesday, June 27, 1950 Commencing at 1:40 o'clock, P.M. Daylight Saving Time

TERMS: CASH.

OSCAR W. TARR, Sheriff.

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD - OBSERVER



Centreville, Md. July 7, 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 Ruth F. Price, guardian of Virginia Sears Price, infant, and Sterling Foster Price vs. William R. Schuyler, 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 June 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 1st day of June 1950, and the last insertion on the 22nd. day of June 1950.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By BARBARA L. BINEBRINK

Filed July 10, 1950



.....
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-sixth day of May, in the year nineteen hundred and fifty two, the following
Bill of Complaint was filed for record, to wit:

WILLIAM E. NICKERSON
Box 45, Chestertown
R.F.D. #1,
Queen Anne's County, Md.
Complainant

IN THE

vs.

ANNIE HYNSON
Chestertown, Maryland

CIRCUIT COURT

AND ALL PERSONS HAVING OR
CLAIMING ANY INTEREST IN THE
PROPERTY LYING IN THE SEVENTH ELECTION
DISTRICT OF QUEEN ANNE'S COUNTY,
MARYLAND, ON LODGE LANE, ADJOINING
ISIAH BROWN ON THE NORTH AND WILLIAM
E. NICKERSON ON THE SOUTH CONSISTING
OF A LOT AND BUILDING ASSESSED TO
JAMES F. HYNSON FOR \$200.00 AND THE
UNKNOWN OWNER OF SAID PROPERTY, HIS
HEIRS, DEVISEES, AND PERSONAL REP-
RESENTATIVES, AND THEIR OR ANY OF
THEIR HEIRS, DEVISEES, EXECUTORS,
ADMINISTRATORS, GRANTEEES, ASSIGNS,
OR SUCCESSORS IN RIGHT, TITLE AND
INTEREST.

FOR
QUEEN ANNE'S COUNTY

IN EQUITY

NO. 3793

Defendants

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining says:

1.- That on the 15th day of May, 1951, at a public tax sale held in front of the Court House, in Centreville, Maryland, your Orator being then and there the highest bidder for the hereinafter described property, was issued by C. Percy Arrington, Treasurer and Collector of Taxes for Queen Anne's County, Maryland, a body politic, a Certificate of Sale, as will more fully appear by reference to the same, being filed herewith as a part hereof and marked, Complainant's Exhibit A.

2.- That the land so purchased is described as follows, to wit:

ALL that lot or parcel of land situate in Ewington in the Seventh Election District of Queen Anne's County, State of Maryland, lying near and east of the county road leading from Forman's Branch to Church Hill and located on the south side of a road or lane, now or formerly known as Lodge Lane, which lot is bounded on the north by said lane, on the east by the lands of Isiah Brown, on lands of one Wilmer, and is more particularly described as follows, to wit:

BEGINNING for the same at a point in the middle of a road known as Lodge Lane and at the northwest corner of the land hereby intended to be conveyed and running with said road south 89 degrees 30 minutes east 12 53/100 perches, thence south 30 minutes west 19 1/2 perches, thence north 89 degrees 30 minutes west 12 53/100 perches, thence north 30 minutes east 19 1/2 perches to the place of beginning, containing 1 1/2 acres of land, more or less, and adjoining the lands of Adaline Wright and Margaret Hynson, et. al., being Lot #3 and half of lot 4 of the old Perry Wilson property as divided by Thomas B. Jolius, surveyor.

3.- That an examination of the title of the hereinabove described lot or parcel, and according to the best information obtainable, is vested in Annie Hynson, wife of James F. Hynson, deceased, and the unknown child, children or descendants of Ben Hynson, a deceased, son of James F. Hynson.

4.- That said property has not been redeemed by any party in interest although more than a year and a day has expired since said sale.

5.- That Thirty-five Dollars and eighty four cents (\$35.84) with interest at six percent per annum, from May 15, 1951, is the amount necessary for the redemption of said lot or parcel of land.

TO THE END, THEREFORE:

(1) That the Honorable Court may pass a final decree foreclosing all rights of redemption of the defendants in and to the property above described.

(2) That your Orator may have such other and further relief as his cause may require.

MAY IT PLEASE YOUR HONORS to grant unto your Orator an Order of Publication giving notice to all persons having, or claiming to have, any interest in

property lying in the Seventh Election District of QUEEN Anne's County, on Lodge Lane, adjoining the land of Isiah Brown on the north and William E. Nickerson on the south, consisting of a lot and building assessed at \$200.00 to James F. Hynson, and the unknown owner of said property; his heirs, devisees, executors, administrators, grantees, assigns, or successors in right, title and interest, or any of them, 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.

JOHN PALMER SMITH
Solicitor for Complainant

Filed May 26, 1952

WILLIAM E. NICKERSON

vs.

ANNIE HYNSON, et. al.

IN THE CIRCUIT

COURT FOR QUEEN

ANNE'S COUNTY

IN EQUITY

No. 3793

Mr. Clerk:

Please enter the appearance of Vachel A. Downes, Jr., for the Complainant, William E. Nickerson.

JOHN PALMER SMITH
John Palmer Smith
Solicitor for Complainant

Filed May 26, 1952

Certificate of Title
Filed May 27, 1952

THIS IS TO CERTIFY that I have examined title to all that lot or parcel of land situate in Ewingtown, in the Seventh Election District of Queen Anne's County, State of Maryland, lying near and east of the county public road leading from Forman's Branch to Church Hill and located on the south side of a road or lane, now or formerly known as Lodge Lane, leading easterly from said public road, which lot or parcel is bounded on the north thereby, on the east by the lands of Isiah Brown, on the south by the lands of Edward Miller and on the West by the Walmer lands, assessed to James F. Hynson, at Two Hundred Dollars (\$200.00). The period of this examination has been for a period of approximately fifty years, that is to say: from the 4th day of March, 1902, to the 21 day of May, 1952. In my opinion, fee simple title, according to the Land Records of Queen Anne's County, was vested in James F. Hynson, his heirs and assigns, in fee simple, by virtue of a deed to him from The Male and Female Beneficial Association of Colored People of Union, Queen Anne's County, a body corporate, dated March 4, 1902 and recorded among the Land Records of the county aforesaid in Liber J.E.G. No. 4, folio 74.

The records of the office of the Clerk of Court and Register of Wills for the county aforesaid, reveal no further instruments affecting the title to the hereinabove described property.

It appears that James F. Hynson died intestate in Queen Anne's County prior to May 15, 1951, survived only by his wife, Annie Hynson, who now resides in Chestertown, Maryland, and the unknown child, children or descendants of Ben Hynson, a deceased son, who predeceased his father, James F. Hynson.

That your affiant has neither learned or heard of any other claimants to the aforesaid property except Annie Hynson, aforesaid, and the unknown child, children or descendants of Ben Hynson, a deceased son.

Given under my hand and seal this day of , 1952.

JOHN PALMER SMITH
Attorney at Law

Subscribed and sworn before me this 16th day of June, 1952.

T. SORDEN PIPPIN
Clerk

Filed May 27, 1952, Nunc pro tunc

Order of Publication
Filed May 27, 1952

WILLIAM E. NICKERSON
Box 45, Chestertown, Md.
R.F.D. #1
Queen Anne's County, Md.
Complainant

vs.

ANNIE HYNSON
Chestertown, Maryland

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN THE PROPERTY LYING IN THE SEVENTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, ON LODGE LANE, ADJOINING ISIAH BROWN ON THE NORTH AND WILLIAM E. NICKERSON ON THE SOUTH CONSISTING OF A LOT AND BUILDING ASSESSED TO JAMES F. HYNSON FOR \$200.00 AND THE UNKNOWN OWNER OF SAID PROPERTY, HIS 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

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3793

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to James F. Hynson, situate in the Seventh Election District of Queen Anne's County, Maryland, and sold by C. Percy Arrington, Treasurer and Collector of taxes for the county aforesaid, a body politic, to William E. Nickerson, complainant.

"All that lot or parcel of land, with the improvements thereon, located in Ewingtown, on Lodge Lane, adjoining the lands of Isiah Brown, Edward Miller, and William E. Nickerson, and assessed to James F. Hynson for \$200.00."

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 sale have expired.

IT IS THEREUPON this 27th day of May, 1952, 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 said property to be and appear in this Court by the 26th day of July, 1952, and redeem the property assessed to James F. Hynson 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 Complainants a title, free and clear of all encumbrances.

WM. R. HORNEY
Judge

Filed May 27, 1952

Subpoena
Filed June 2, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Annie Hynson
Chestertown, Maryland

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 26, 1952 thereafter cause your answer or other defense to be filed to the complaint of William E. Nickerson, Box 45, Chestertown, Md. R.F.D. #1, Queen Anne's County, Md. 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 5th. day of May, 1952.

Issued the 27th. day of May, 1952.

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 26th. day of July, 1952, 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 John Palmer Smith
Vachel A. Downes, Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

This is to certify that on the 29th, day of May 1952. I served the within Summons and Bill of Complaint on Annie Hynson by reading and leaving a copy of each with her.

BARTUS O. VICKERS
Sheriff of Kent County

Per

SEWELL W. PHILLIPS
Deputy Sheriff of Kent County

Received May 29-1952 and forthwith delivered to the Sheriff of Kent Co., Md. for service.

Test:

W. HENRY GSELL Clerk

Certificate of Sale
Filed Aug. 12, 1952

CERTIFICATE OF SALE

I, C. P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's hereby certify that on May 15, 1951, I sold to William E. Nickerson at public auction for the sum of One hundred - five ----- Dollars and no Cents, of which thirty-five and 84/100 Dollars has been paid, the property in the Seventh Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land lying and being in the Seventh Election District of Queen Anne's County, Maryland, located in Ewingtown, adjoining the lands of Isiah Brown, Assessed vlaue \$200.00. Consisting of a lot and building and assessed to James F. Hynson.

The property described herein is subject to redemption. Upon redemption of 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 18, 1952, 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 15th day of May, 1951.

C. P. ARRINGTON
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 15- day of May, 1951, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared C. P. Arrington, 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.

KATHERINE C. O'NEAL
Notary Public

Notary
Public
Seal.

My Commission Expires:

May 4-1953

Filed Aug. 12, 1952

ORDER OF PUBLICATION
Filed Aug. 12, 1952.

ORDER OF PUBLICATION

WILLIAM E. NICKERSON
Box 45, Chestertown, Md.
R.F.D. No. 1,
Queen Anne's County, Md.
Complainant

vs.

ANNIE HYNSON
Chestertown, Maryland

And ALL PERSON HAVING OR CLAIMING ANY INTEREST IN THE PROPERTY LYING IN THE SEVENTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, ON LODGE LANE, ADJOINING ISIAH BROWN ON THE NORTH AND WILLIAM E. NICKERSON ON THE SOUTH CONSISTING OF A LOT AND BUILDING ASSESSED TO JAMES F. HYNSON FOR \$200.00 AND THE UNKNOWN OWNER OF SAID PROPERTY, HIS 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.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

No. 3793

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to James F. Hynson, situate in the Seventh Election District of Queen Anne's County, Maryland, and sold by C. Percy Arrington, Treasurer and Collector of taxes for the county aforesaid, a body politic, to William E. Nickerson, complainant.

"All that lot or parcel of land, with the improvements thereon, located in Ewingtown, on Lodge Lane, adjoining the lands of Isiah Brown, Edward Miller, and William E. Nickerson, and assessed to James F. Hynson for \$200.00."

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 sale have expired.

IT IS THEREUPON this 27th day of May, 1952, 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 said property to be and appear in this Court by the 26th day of July, 1952, and redeem the property assessed to James F. Hynson 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 Complainants a title, free and clear of all encumbrances.

WILLIAM R. HORNEY,
Judge.

True Copy:
Test: T. SORDEN PIPPIN,
Clerk.
Filed May 27, 1952.

THE QUEENSTOWN NEWS

Queenstown, Md. Aug. 11, 1952

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 William E. Nickerson, Box 45, Chestertown, Md., R. F. D. 1. Queen Anne's County, Md., Complainant vs. Annie Hynson, Chestertown, Md., etc. No. 3793 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 26th day of July 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 30th day of May 1952

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Aug. 12, 1952

DECREE
Filed Aug. 15, 1952

WILLIAM E. NICKERSON
vs.
ANNIE HYNSON

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

No. 3793

DECREE

It appearing that the defendant and all persons claiming through or under her, having been duly summoned or notified by Order of Publication to appear and answer the Bill of Complaint filed in this cause on or before the 26th day of July, 1952, 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 15th day of August, 1952, 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 15th day of August, 1952, 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, William E. Nickerson.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, in Equity, that Claude Lowery, Treasurer of Queen Anne's County and Collector of Taxes for said county, shall execute a deed to William E. Nickerson, 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 Aug. 15, 1952.

C A U S E N O. 3821

QUEEN ANNE'S COUNTY, T O W I T: Be it remembered that on this Twenty-second day of September in the year nineteen hundred and fifty three, the following Order to Docket Suit was filed for record, to wit:

VACHEL A. DOWNES, JR., Attorney
ASSIGNEE
Centreville, Maryland

IN THE
CIRCUIT COURT

vs.

FOR

JAMES H. SANDERSON
ARMISTICE SANDERSON, his wife
Stevensville, Maryland

QUEEN ANNE'S COUNTY

IN EQUITY

MORTGAGORS

No. 3821

* * * * *

To Thomas Sorden Pippen, Clerk:

Mr. Clerk:

You will docket suit for foreclosure of the Mortgage from James H. Sanderson and Armistice Sanderson, his wife, to Nathan Morris and Lillian Morris, his wife, dated September 6, 1951, recorded among the Land Records of Queen Anne's County in Liber T.S.P. No. 2, folio 529, assigned to Vachel A. Downes, Jr., Attorney, for the purpose of foreclosure and collection by assignment dated the 18th day of September, 1952, and recorded among the Land Records aforesaid by a short assignment attached to the foot of said Mortgage, default having occurred in the terms of said Mortgage, and you will file in said cause a certified copy of said Mortgage and Assignment.

VACHEL A. DOWNES JR.
Vachel A. Downes, Jr.,
Attorney Assignee

Filed Sept. 22, 1952

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

This is to certify that on this 22nd day of September, 1952, before me, the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Vachel A. Downes, Jr., Attorney, Assignee, and made oath in due form of law that after diligent inquiry it has been found that James H. Sanderson and Armistice Sanderson, his wife, of Stevensville, Maryland, the owners of the real estate mentioned in the Mortgage hereinabove referred to, are not now in the Military Service of the United States of America as defined by the Soldiers' and Sailors' Relief Act of 1940, nor Chapter 710 of the Laws of Maryland, 1941, nor have they been in such service within three months prior hereto.

THOMAS SORDEN PIPPIN
Thomas Sorden Pippin, Clerk of the
Circuit Court for Queen Anne's
County.

Filed Sept. 22, 1952

Certified Copy of Mortgage
Filed Sept. 22, 1952

.....
#30,782. QUEEN ANNE'S COUNTY, T O W I T: Be it remembered that on this Eighth day of September, in the year nineteen hundred and fifty one, the following Mortgage was brought to be recorded, to wit:-

THIS SECOND MORTGAGE, Made this 6th day of September in the year nineteen hundred and fifty-one by and between JAMES H. SANDERSON and ARMISTICE SANDERSON, his wife Mortgageors of the County of Queen Anne in the State of Maryland, of the first part, and NATHAN MORRIS AND LILLIAN MORRIS, his wife, Mortgagees, of the second part;

Whereas, the Mortgageors have received from the Mortgagees an advance of Four Thousand (\$4000.00) Dollars; being part of the purchase price of the hereinafter described property; the due execution of this mortgage having been a condition precedent to the granting of said advance.

AND WHEREAS, the said mortgageors have agreed to repay the said sum so advanced with interest at the rate of six per centum (6%) per annum computed semi-annually from the date hereof, in monthly installments of Forty-five (\$45.00) Dollars, commencing on the 10th day of September, 1951, and on the same day of each month thereafter, to be applied first to the payment of the interest then due and the balance to be applied on account of the said indebtedness until the whole of said principal sum shall be paid; the balance of the principal sum, if any, remaining due and owing on or after August 12th, 1957, shall become due and payable in full.

Now this Mortgage Witnesseth, that in consideration of the premises and of the sum of One Dollar, the said James H. Sanderson and Armistice Sanderson, his wife do grant and convey unto Nathan Morris and Lillian Morris, his wife their heirs and assigns, in fee simple, all those lots or parcels of ground situate

and lying in the Fourth Election District, Queen Anne's County aforesaid, and described as follows, to wit:

BEING known and designated as Lots Nos. One (1) Three(3), and Five (5), in Block J, as shown on the Plat of Kentmoor Airpark, which plat is recorded among the Land Records of Queen Anne's County in Liber A.S.G.Jr., No. 17, folios 338 and 339.

BEING the same lots of ground which by Deed of even date and recorded or intended to be recorded immediately prior hereto among the Land Records of Queen Anne's County were granted and conveyed by Nathan Morris and Lillian Morris, his wife, to the said Mortgagors.

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

To Have and To Hold the aforesaid parcels of ground and premises unto and to the proper use and benefit of Nathan Morris and Lillian Morris, his wife their heirs and assigns, forever.

Provided, that if the said James H. Sanderson and Armistice Sanderson, his wife, their executors, administrators or assigns, shall well and truly pay, or cause to be paid, the aforesaid principal sum of Four Thousand (\$4000.00) dollars and all the installments of interest thereon, when and as each of them shall respectively be due and payable as aforesaid, and shall perform each and all of the covenants herein on their part to be performed, then this Mortgage shall be void.

And the said Mortgagors hereby assent to the passage of a decree for the sale of the property hereby mortgaged, such sale to take place only after a default in any of the covenants or conditions of this mortgage as herein provided; and the said Mortgagors hereby also authorize the said Mortgagee, s their personal representatives, or assigns, or Harry Bonnett duly authorized Attorney or Agent of the said Mortgagees, their personal representatives, or assigns, after any default in the covenants or conditions of this mortgage, to sell the hereby mortgaged property. Any such sale, whether under the above assent to a decree or under the above power of sale, shall be under the provisions of Article 66 of the Public General Laws of Maryland, or under any other General or Local Law of the State of Maryland relating to mortgages, or any supplement, amendment, or addition thereto. And upon any such sale of said property, the proceeds shall be applied as follows: (1) to repayment of all expenses incident to said sale, including a fee of One Hundred (\$100.00) Dollars and a commission to the party making the sale of said property equal to the commission allowed Trustees for making sale of property by virtue of a decree of a Court having equity jurisdiction in the State of Maryland; (2) to the payment of all claims of the said Mortgagees, their executors, administrators or assigns hereunder whether the same shall have matured or not; (3) and the surplus (if any there be), to the said Mortgagors, their heirs, personal representatives or assigns, or to whoever may be entitled to the same.

And the said Mortgagors for themselves, their heirs, personal representatives and assigns, do 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 a Court having equity jurisdiction in the State of Maryland, which said expenses, costs and commission the said Mortgagors for themselves, their heirs, personal representatives and assigns, do hereby covenant to pay, and the said Mortgagee, personal representatives or assigns, or Harry Bonnett-----their 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 said expenses, costs and commissions, but said sale may be proceeded with unless, prior to the day appointed therefore, legal tender be made of said principal, costs, expenses and commission.

AND it is agreed that, until default be made in the premises, the said parties of the first part, their executors, administrators or assigns, shall possess the aforesaid property upon paying, in the meantime, all taxes and assessments, public dues and charges levied or assessed or to be levied or assessed on said hereby mortgaged property, which taxes, mortgage debt and interest, public dues, charges and assessments the said parties of the first part covenant to pay when legally payable.

AND the said parties of the first part further covenant to insure, and pending the existence of this Mortgage to keep insured, the improvements on the thereby mortgaged property to the amount of at least Eleven Thousand Five Hundred (\$11,500.00) dollars, 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 Mortgagees, their executors, administrators or assigns, to the extent of their lien or claim hereunder.

WITNESS the hands and seals of the said Mortgagors.

TEST:

JANET C. MAISEL
Janet C. Maisel

JAMES H. SANDERSON (SEAL)
James H. Sanderson

ARMISTICE SANDERSON (SEAL)
Armistice Sanderson

STATE OF MARYLAND, COUNTY OF BALTIMORE, SS:

I HEREBY CERTIFY, that on this 6th day of September, in the year one thousand nine hundred and fifty-one before me, the subscriber, a Notary Public

of the State of Maryland, in and for the County aforesaid, personally appeared James H. Sanderson and Armistice Sanderson, his wife, the Mortgagor named in the foregoing Mortgage, and they acknowledged the foregoing Mortgage, to be their act. At the same time also appeared Nathan Morris and Lillian Morris, his wife 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.

JANET C. MAISEL
Janet C. Maisel
Notary Public

Notary
Public
Sea.

My Commission Expires May 4th, 1953.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty Second day of September, in the year nineteen hundred and fifty two, the following Assignment was brought to be recorded, to wit:-

"For value received, we do hereby assign the within and aforesaid mortgage and the mortgage debt secured thereby, unto Vachel A. Downes, Jr., Attorney, for purposes of foreclosure and collection this 18th day of September, 1952".

Witness: (as to both) NATHAN MORRIS (SEAL)
Nathan Morris

DORIS L. DILLEHUNT
STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, to wit: LILLIAN MORRIS (SEAL)
Lillian Morris

I hereby certify that the aforesaid is truly taken and copied from Liber T.S.P. No. 2, folios 529, 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-second day of September in the year nineteen hundred and fifty-two.
Clerk's Seal.

T. SORDEN PIPPIN
Clerk

Certified Copy of Bond
Filed Oct. 21, 1952

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Twenty-first day of October, in the year nineteen hundred and fifty-two, 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, Vachel A. Downes, Jr., of Queen Anne's County, State of Maryland, as principal and Hartford Accident and 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 (\$2000.00) current money of the United States to be paid to the said State of Maryland, or its certain attorney, for which payment well and truly to be made and done, we bond ourselves and each of us, our and each of our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents, sealed with our seals and dated this 21st day of October, 1952.

WHEREAS, the above bounden Vachel A. Downes, Jr., is about to exercise the power of sale, contained in a mortgage from James H. Sanderson and Armistice Sanderson, his wife, to Nathan Morris and Lillian Morris, his wife, dated September 6, 1951, and recorded among the Land Records of Queen Anne's County in Liber T.S.P. No. 2, folio 529, and has docketed suit in the Circuit Court for Queen Anne's County for foreclosure, default having occurred in the terms of said mortgage.

NOW, THEREFORE, the condition of the above obligation is such that if the above bounden Vachel A. Downes, Jr., shall abide by and fulfill any order or 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 shall be void; otherwise to be and remain in full force and effect.

TEST: VACHEL A. DOWNES JR. (SEAL)
(Vachel A. Downes Jr.)

JOHN PALMER SMITH
Corporate Seal HARTFORD ACCIDENT AND INDEMNITY
COMPANY

ATTEST: By GIBSON AND WOOD
CAROLINE T. WILSON By HOWARD WOOD, 3rd.
(Howard Wood, 3rd)

And at the foot of the aforesaid Bond is the following endorsement, to wit:

Security approved and Bond filed Oct. 21, 1952

T. Sorden Pippin, 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 288, 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-first day of October in the year nineteen hundred and fifty-two.

Clerk's Seal

T. SORDEN PIPPIN
Clerk

REPORT OF SALE
Filed Oct. 21, 1952

VACHEL A. DOWNES, JR., ATTORNEY
ASSIGNEE

vs.

JAMES H. SANDERSON
ARMISTICE SANDERSON, his wife.
Mortgagors

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
NO. 3821

REPORT OF SALE OF REAL ESTATE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Default having occurred in the terms of the mortgage from James H. Sanderson and Armistice Sanderson, his wife, dated September 6, 1951, to Nathan and Lillian Morris, his wife, and recorded among the Land Records of Queen Anne's County in Liber T.S.P. No. 2, folio 529, the undersigned, assignee of said mortgage for the purpose of foreclosure and collection having authority to exercise the power of sale in case of default, after docketing suit for foreclosure and filing in this cause a military affidavit as to the defendants, and after advertising the mortgaged premises for sale in accordance with the annexed certificate of advertisement in the Queen Anne's Record-Observer for more than twenty (20) days prior to the day of sale, and after filing in this cause a bond in the penalty of Two Thousand Dollars (\$2000.00), with surety duly approved by the Clerk of this Court, did attend in front of the Court House door in the Town of Centreville, Queen Anne's County, on Tuesday, October 21, 1952, at 1:30 o'clock, P.M., (E.S.T) and after having the auctioneer cry the sale for a considerable time, and after reading the advertisement of sale, did sell the mortgaged property to Nathan Morris and Lillian Morris, his wife, they being then and there the highest bidders therefore, at and for the sum of Two Thousand Dollars (\$2,000.00), upon the terms mentioned in said advertisement, purchaser to assume the first mortgage indebtedness set forth in said advertisement,

The purchasers have paid one-third of the purchase money and your attorney believes that they will pay the balance of the purchase money and comply with the terms of the sale upon ratification of the sale by the Court.

The report state the amount of sales to be Two Thousand Dollars (\$2,000.00).

Respectfully submitted,

VACHEL A. DOWNES JR.
Vachel A. Downes, Jr.,
Attorney assignee

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

On this 21 day of October, 1952, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Vachel A. Downes, Jr., attorney, assignee, and made oath in due form of law that the matters and things set forth in the foregoing Report are true to the best of his knowledge and belief, and that the sale was fairly made.

T. SORDEN PIPPIN
Clerk

Filed Oct. 22, 1952.

MORTGAGE SALE
OF
REAL ESTATE

Under and by virtue of the power of sale contained in a Mortgage from James H. Sanderson and Armistice Sanderson, his wife, to Nathan Morris and Lillian Morris, his wife, dated the 6th day of September, 1951, recorded in Liber T.S.P. No. 2, folio 259, assigned to Vachel A. Downes, Jr., Attorney, for the purpose of foreclosure and collection by assignment dated the 18th day of September, 1952, and recorded among the Land Records of Queen Anne's County, default having occurred in the terms of said Mortgage, the undersigned Assignee 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, OCTOBER 21, 1952 at 1:30 O'clock P.M. (E.S.T.)

All those three lots or parcels of land, with the improvements thereon erected, situate on Kent Island, in the Fourth Election District of Queen Anne's County, State of Maryland, and which said lots are known as and designated as Lots Nos. One (1), Three (3) and Five (5), in Block J, as shown on the Plat of Kentmoor Airpark, which said plat is recorded among the Land Records of Queen Anne's County in Liber A.S.G., Jr., No. 17, folio 338, and 339, and being the same lots are parcels of land which were conveyed unto James H. Sanderson and Armistice Sanderson, his wife by deed dated the 6th day of September, 1951, and recorded among the Land Records aforesaid in Liber T.S.P. No. 2, folio 526, being subject to a first purchase money mortgage from the said James H. Sanderson and Armistice Sanderson to The Arundel Savings and Loan Association of Baltimore City, dated the 6th day of September, 1951, and recorded among the Land Records aforesaid in Liber T.S.P. No. 2, folio 527.

TERMS OF SALE: One-third of the purchase money will be required in cash on the day of sale and the balance will be payable in cash upon ratification of the sale by the Circuit Court for Queen Anne's County, in Equity. Taxes and insurance will be adjusted to the day of sale and all title papers and revenue stamps to be at the purchasers' expense. Possession will be given upon ratification of sale.

VACHEL A. DOWNES JR.
Attorney Assignee

J. Elmer Anthony, Auctioneer

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. October 21, 1952.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Mortgage Sale in the case/estate of Vachel A. Downes, Jr. Attorney vis James H. Sanderson & Armistice Sanderson 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 21 day of Oct. 1952, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 25th day of Sept. 1952, and the last insertion on the 16th day of Oct. 1952.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

BY MYRTLE FAULKNER

Filed Oct. 22, 1952

Order Nisi
Filed October 21, 1952

N I S I

Vachel A. Downes, Jr.,
Attorney, Assignee
Centreville, Maryland

VS.

James H. Sanderson
Armistice Sanderson, his wife,
Stevensville, Maryland
Mortgagors

) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) CHANCERY NO. 3821
)

ORDERED, This 21st. day of October A.D. 1952, that the sale of real estate made and reported in this cause by Vachel A. Downes, Jr., attorney, assignee be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 23rd. 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 22nd. day of November next.

The Report states the amount of sales to be \$2,000.00

T. SORDEN PIPPIN Clerk.

Filed October 21, 1952

VACHEL A DOWNES, JR.
Assignee

vs.

JAMES H. SANDERSON, et. al.

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY

IN EQUITY

No. 3821

STATEMENT OF MORTGAGE DEBT

Balance of principal amount due on mortgage debt from James H. Sanderson,

et. al., to Nathan Morris, et. al.,
dated September 6, 1951

\$3,772.42

Interest from May 21, 1952 to
September 22, 1952

63.96

Total Debt \$ 3,836.38

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

This is to certify that on this 15th day of December, 1952, before me, the subscriber, a Notary Public of the State of Maryland, in and for the county aforesaid, personally appeared Vachel A. Downes, Jr., attorney, assignee, and made oath in due form of law that the aforesaid Statement of Mortgage debt is true and bona fide as therein set forth, and that no part of the debt claimed to be due has been paid.

Witness my hand and Notarial Seal.

DORIS L. DILLEHUNT
Notary Public

Notary
Public
Seal.

Filed Dec. 17, 1952

NISI

Vachel A. Downes, Jr.,
Attorney, Assignee
Centreville, Maryland

In the Circuit Court for
Queen Anne's County

vs.

in Equity

James H. Sanderson,
Armistice Sanderson, his wife,
Stevensville, Maryland
Mortgagors

Chancery No. 3821

ORDERED, This 21st day of October, A.D., 1952, that the sale of real estate made and reported in this cause by Vachel A. Downes, Jr., attorney, assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 23rd 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 22nd day of November, next.

The Report states the amount of sales to be \$2,000.00

True Copy

T. SORDEN PIPPIN, Clerk

Filed October 21, 1952

T. SORDEN PIPPIN, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Dec. 17, 1952

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of James H. Sanderson and wife a true copy of which is annexed hereto, was published in the Queen Anne's Record-Observer, a weekly newspaper printed and published at Centreville, Maryland, once a week for 4 successive weeks before the 22 day of Nov. 1952, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 23 day of Oct. 1952, and the last insertion on the 20 day of Nov. 1952.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE FAULKNER

Filed Dec. 17, 1952

Consent
Filed Dec. 19, 1952

VACHEL A. DOWNES, JR., Attorney
ASSIGNEE

IN THE

CIRCUIT COURT FOR

vs.

QUEEN ANNE'S COUNTY

JAMES H. SANDERSON
ARMISTICE SANDERSON, his wife

IN EQUITY

No. 3821

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Consent and Agreement of James H. Sanderson and Armistice Sanderson, his wife, to the Final Ratification of Sale in this cause to be exhibited unto your Honors respectfully represents:

1. That said defendants are the owners of certain real estate situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, known and designated as Lots Nos. 1, 3, and 5, Block J of Kentmoor Airpark, which said property was included in a mortgage from your defendants unto Nathan Morris and Lillian Morris, his wife, dated the 6th day of September, 1951, and recorded among the Land Records of Queen Anne's County in Liber T.S.P. No. 2, folio 529.

2. That, under the terms of said mortgage, default having occurred therein, the mortgage was assigned unto the Plaintiff in these proceedings for purpose of foreclosure and collection, and that thereupon this suit was instituted.

3. That in the course of these proceedings, and in compliance with the terms of said mortgage, the above described property was sold at public sale on the 21st day of October, 1952, unto Nathan Morris and Lillian Morris, his wife, at and for the sum of Two Thousand Dollars (\$2000.00), they being then and there the highest bidders therefore, all as will more fully appear in the Report of Sale filed herein.

4. That an Order Nisi was passed on said Report of Sale giving unto your defendants sixty days, until the 23rd day of December, 1952, in which to file exceptions to the ratification of said sale.

5. That the said parties defendant do hereby consent to the immediate ratification of the sale aforesaid prior to the expiration of the Order Nisi on said Report of Sale.

JAMES H. SANDERSON
James H. Sanderson

ARMISTICE SANDERSON
Armistice Sanderson

THIS IS TO CERTIFY, that on the 16th day of December, 1952, before me, the subscriber, a Notary Public of the District of Columbia, personally appeared James H. Sanderson and Armistice Sanderson, his wife, and made oath in due form of law that said Consent and Agreement is acknowledged to be their act.

As witness my hand and Notarial Seal.

FAYE F. SMITH
Notary Public

My Commission expires Feb. 28, 1957

Notary
Public
Seal.

Filed Dec. 19, 1952

Audit
Filed Dec. 31, 1952

VACHEL A. DOWNES, JR., Attorney,
Assignee,

vs.

JAMES H. SANDERSON and wife,
Mortgagors.

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

Cause No. 3821

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 Vachel A. Downes, Jr., Attorney, assignee of the Second Mortgage foreclosed in this cause for the purpose of foreclosure and collection, and vendor in these proceedings; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest (your Auditor having recomputed interest at \$63.57 instead of \$63.96) of \$3,835.99 per statement of debt and said recomputation; that such deficiency amounts to the sum of \$2,189.14, and that such deficiency is due Nathan Morris and Lillian Morris, his wife, Mortgagees under the second mortgage herein foreclosed, from the Mortgagors, with interest thereon from October 21, 1952.

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 for his commission and fee in accordance with the terms of said mortgage, for the following amounts paid, per receipts exhibited: the court costs of the cause, the cost of the premium on said assignee's corporate surety bond, the fee of the auctioneer who cried said sale, and the cost of advertising the notice of sale and the order nisi thereon; he is then allowed for the cost of advertising the order nisi to be passed as to this audit and the auditor's fee; and, finally, the net proceeds of sale, in the sum of \$1,646.85, on account of said mortgage indebtedness.

Respectfully submitted,

HOWARD WOOD, 3rd.
Auditor

December 31, 1952

Filed Dec. 31, 1952

Cause No. 3821

The proceeds of the sale of land reported in this cause, in account with Vachel A. Downes, Jr., Attorney, Assignee of the Second Mortgage foreclosed in these proceedings (and vendor of said land, subject to the first mortgage lien thereon).

| | | | |
|---------|--|-------------|------------|
| 1952 | Cr. | | |
| Oct. 21 | By gross proceeds of the sale of said equity of redemption, per report of said vendor, to wit:..... | | \$2,000.00 |
| Dr. | | | |
| | To Vachel A. Downes, Jr., Attorney, assignee (and vendor) for his commissions for making the sale, per terms of mortgage..... | \$122.50 | |
| | To do., for the fee allowed him for making said sale, per terms of mortgage..... | 100.00 | |
| | To do., for an amount paid T. Sorden Pippin, Clerk, for the costs of this cause, per receipt, to wit: Clerk's costs | \$19.15 | |
| | Appearance fee of Vachel A. Downes, Jr. Attorney..... | 10.00 | 29.15 |
| | To do., for an amount paid Gibson and Wood, Agents for the Hartford Accident and Indemnity Company, for the cost of said assignee's corporate surety bond, per receipt exhibited, to wit:..... | 10.00 | |
| | To do., for an amount paid J. Elmer Anthony, auctioneer, for crying said sale, per receipt exhibited, to wit:..... | 25.00 | |
| | To do., for amounts paid the Queen Anne's Record-Observer for advertising costs of this cause, per receipts exhibited, to wit: Notice of sale..... | \$45.00 | |
| | Order Nisi on sale..... | 7.50 | 52.50 |
| | 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, for stating this audit..... | 9.00 | |
| | To Vachel A. Downes, Jr., Attorney, assignee of said Second Mortgage for the purpose of foreclosure and collection, the net proceeds of this sale, on account of the total mortgage indebtedness of \$3,835.99, (consisting of principal of \$3,772.42 per statement of debt filed and interest from May 21, 1952 to September 22, 1952, of \$63.57), to wit:..... | 1,646.85 | |
| | | \$ 2,000.00 | \$2,000.00 |

Howard Wood, 3rd.
Auditor

December 31, 1952

Filed Dec. 31, 1952

NISI RATIFICATION OF AUDIT
Filed Dec. 31, 1952

NISI RATIFICATION OF AUDIT

| | | |
|---|---|-------------------------|
| Vachel A. Downes, Jr., Attorney, Assignee, |) | IN THE CIRCUIT COURT |
| |) | |
| VS |) | FOR QUEEN ANNE'S COUNTY |
| |) | |
| James H. Sanderson and wife, |) | IN EQUITY |
| |) | Cause No. 3821 |

ORDERED, This 31st day of December, in the year nineteen hundred and fifty-two 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 January, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 23rd day of

January, 1953; in some newspaper printed and published in Queen Anne's County.

Filed December 31, 1952

T. SORDEN PIPPIN Clerk

NISI RATIFICATION OF AUDIT
Filed Jan. 15, 1953

NISI RATIFICATION OF AUDIT

| | | |
|---|---|-------------------------|
| Vachel A. Downes, Jr., Attorney, Assignee, |) | IN THE CIRCUIT COURT |
| |) | |
| VS |) | FOR QUEEN ANNE'S COUNTY |
| |) | |
| James H. Sanderson and wife. |) | IN EQUITY |
| |) | Cause No. 3821 |

ORDERED, This 15th day of January in the year nineteen hundred and fifty three 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 February, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 6th day of February, 1953, in some newspaper and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed January 15, 1953

NISI RATIFICATION OF AUDIT

| | | |
|--|--|-------------------------|
| Vachel A. Downes, Jr., Attorney, Assignee | | IN THE CIRCUIT COURT |
| | | FOR QUEEN ANNE'S COUNTY |
| vs. | | IN EQUITY |
| James H. Sanderson and wife | | CAUSE No. 3821 |

ORDERED, This 15th day of January, in the year nineteen hundred and fifty-three 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 February, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 6th day of February, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy

Test:

T. SORDEN PIPPIN, Clerk

Filed Jan. 15, 1953

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Feb. 26, 1953

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 James H. Sanderson and wife a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 2 successive weeks before the 6th day of Feb. 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 22 day of Jan. 1953, and the last insertion on the 29 day of Jan. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE FAULKNER

Filed Feb. 26, 1953

RATIFICATION OF AUDIT
Filed Feb. 27, 1953

ORDER

ORDERED, this 27th day of February, 1953, 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 although notice appears to have been given as required by the preceding Order Nisi, and the said Vachel A. Downes, Jr., Attorney, Assignee, is hereby directed to apply the proceeds of sale in accordance with and in the manner set forth in said audit.

WM. R. HORNEY
Judge.

Filed Feb. 27, 1953



C A U S E N O. 3813

.....
QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-eighth day of July in the year nineteen hundred and fifty-two, the following Bill of Complaint was filed for record, to wit:

| | | |
|---|---|-----------------------|
| OSCAR DRUMMER | * | IN THE |
| REID Centreville, Maryland | * | |
| Complainant | * | |
| VS. | * | CIRCUIT COURT |
| | * | |
| ADA GREEN STANFORD and EMORY STANFORD, | * | FOR |
| her husband, Queen Anne, Maryland; | * | |
| JESSIE GREEN JONES, widow, Philadelphia, | * | QUEEN ANNE'S COUNTY |
| Pennsylvania, MARY GREEN REID and | * | |
| LAWRENCE REID, her husband, 4719 Upland | * | |
| Street, Philadelphia, Pennsylvania, CARTER | * | IN EQUITY |
| ANDERSON and GLADYS ANDERSON, his wife, | * | |
| Easton, Maryland; and HOLTON ANDERSON and | * | |
| HELEN ANDERSON, his wife, Freehold, New | * | |
| Jersey and ALFRED WHITE, widower, Crown- | * | |
| sville State Hospital, Crownsville, Maryland; | * | Cause No. <u>3813</u> |
| THE UNKNOWN OWNER and ALL PERSONS HAVING | * | |
| OR CLAIMING TO HAVE ANY INTEREST IN PROPERTY | * | |
| LYING AND BEING IN THE THIRD ELECTION DIS- | * | |
| TRICT OF QUEEN ANNE'S COUNTY, MARYLAND, | * | |
| LOCATED ON WYE MILLS - STARR ROAD ADJOIN- | * | |
| ING THE LANDS OF C. W. MULLIKIN, ASSESSED | * | |
| VALUE \$100.00, CONSISTING OF A LOT | * | |
| ASSESSED TO SUSIE GREEN, HER HEIRS, DEVISEES, | * | |
| and PERSONAL REPRESENTATIVES AND THEIR OR | * | |
| ANY OF THEIR HEIRS, DEVISEES, EXECUTORS, | * | |
| ADMINISTRATORS, GRANTEES, ASSIGNS, OR SUC- | * | |
| CESSORS IN RIGHT, TITLE AND INTEREST | * | |
| Defendants | * | |
| | * | |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

1. That on the 15th day of May, 1951, at a public tax sale held in front of the Court House, Centreville, Maryland, your Orator, being then and there the highest bidder, became the purchaser of the hereinafter described real estate, for which he was issued by C.P. Arrington, Treasurer of Queen Anne's County, who by virtue of said office, is collector of taxes of Queen Anne's County and the State of Maryland, a Certificate of Sale, as will more fully appear by reference to the same, which is filed herewith as a part hereof and marked "Complainant's Exhibit A".

2. That the land so purchased is described in substantially the same form as the description appearing on the Collector's Tax Roll, as follows:

"All that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located on Wye Mills - Starr Road adjoining the lands of C.W. Mullikin, Assessed Value \$100.00, consisting of a lot assessed to Susie Green".

3. That on examination of the title of the herein described real estate and according to all information obtainable, the said real estate is vested in the above-mentioned defendants, all of which is set forth in detail in an Affidavit of Title Search filed herewith as a part hereof and marked Complainant's "Exhibit B" but because the party making the search cannot vouch for the accuracy of his information, to make certain that all owners have been ascertained, any unknown owner has been made a party defendant, as will more fully appear by the above titling.

4. That Fifty-five Dollars (\$55.00) with interest at six per centum per annum from May 15, 1951, 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 property above-mentioned and described.

(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 Order of Publication giving notice to the following persons who are non-residents of the State of Maryland;

Jessie Green Jones, Philadelphia, Pennsylvania
Mary Green Reid and Lawrence Reid, her husband,
4719 Upland Street, Philadelphia, Pennsylvania

22
Holton Anderson and Helen Anderson, his wife,
Freehold, New Jersey

and to the unknown owner and all persons having or claiming to have any interest in property lying and being in the Third Election District of Queen Anne's County, Maryland, located on Wye Mills-Starr Road, adjoining the lands of C.W. Mullikin, assessed value \$100.00, consisting of a lot assessed to Susie Green, her heirs, devisees, and personal representatives and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest, 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.

CLAYTON C. CARTER
Solicitor for Complainant

Filed July 28, 1952

Complainant's Exhibit "A"
Certificate of Sale
Filed July 28, 1952

CERTIFICATE OF SALE

I, C.P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 15, 1951, I sold to Oscar Drummer at public auction for the sum of Fifty-five Dollars and cents, of which Twenty-six Dollars and forty-five Cents has been paid, the property in the Third Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located on Wye Mills, Starr Road adjoining the lands of C.W. Mullikin, Assessed value \$100.00 Consisting of a lot. and assessed to Susie Green

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 71 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 18, 1952, 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 15-day of May, 1951

C. P. ARRINGTON
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 15- day of May, 1951, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared C. P. Arrington 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

KATHERINE C. O'NEAL
Notary Public

Notary
Public
Seal

My Commission Expires: May 4, -1953

DUPLICATE COPY OF CERTIFICATE OF SALE
May 24, 1952

Filed July 28, 1952

Complainant's "Exhibit B"
Affidavit of Title Search
Filed July 28, 1952

COMPLAINANT'S "EXHIBIT B"

AFFIDAVIT OF TITLE SEARCH

THIS IS TO CERTIFY, that I have examined the title to:

All that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located on Wye Mills-Starr Road, adjoining the lands of C. W. Mullikin, assessed value \$100.00, consisting of a lot assessed to Susie Green, for a period of 87 years, that is to say, from September 13, 1865 to July 26th, 1952, and that examination revealed the following:

1. That Henry Carter acquired a tract of land containing 2½ acres, more or less, by deed dated September 13, 1865, from Pere Carter and Charlotte Carter, his wife, recorded among the land records of Queen Anne's County in Liber S.E.D. No. 2, folio 77 and described as lying on the County Road leading from Wye Mills to Halls Cross Roads (now known as Starr) adjoining the land of Wm. P. Legg.

2. That Mary Green Reid and Ada Green Stanford, by letter and interview, informed me that one John Carter, the father of Susie Green, owned the property in question and that when he died, it became the property of his only child, the said Susie Green; that John Carter was the brother of Henry Carter; that Susie Green married George Green, who died about 1920, and remarried one Dan Anderson, who died in 1928; that Susie Green died intestate, April 30, 1931 and left surviving her the following children: Herman Green, Jessie Green Jones, Mary Green Reid, Susie Green Wright and Ada Green Stanford, by her first husband, and Carter Anderson and Holton Anderson, by her second husband; that the said Herman Green died intestate in the year 1938, leaving to survive him as his only heirs at law, his brothers and sisters, the said Jessie Green Jones, Mary Green Reid, Susie Green Wright and Ada Green Stanford; that the said Susie Green Wright died intestate December 15, 1948, leaving to survive her as her only heirs at law, her husband Alfred White, who has been confined in Crownsville State Hospital since 1929, and her sisters, the said Jessie Green Jones, Mary Green Reid and Ada Green Stanford; that Susie Carter Green Anderson was born on this property and lived there for many years; and that John Carter and Henry Carter lived there for many years.

3. That the tax assessment records, back as far as 1916, indicate that this same property was assessed to Susie Green. The assessment records of 1896 show a lot valued at \$105 and described as on Starr to Wye, adjoining Carter Brothers, assessed to John Carter Heirs. The undersigned believes these to be assessments on the property herein in question.

4. That the records in the office of the Clerk of the Circuit Court for Queen Anne's County and the Register of Wills of Queen Anne's County reveal no further proceedings or instruments affecting the title to the aforesaid property.

5. That it is the belief of the undersigned, that upon the death of Henry Carter, the property was claimed and occupied as his own by John Carter, who apparently died many years ago, after which, it was claimed and occupied by his daughter, Susie Carter who intermarried with one George Green, who predeceased her, and later intermarried with one Dan Anderson, who predeceased her. Ada Green Stanford, one of the daughters of Susie Carter Green Stanford, has claimed an interest in said property since her mother's death in 1931, recognizing and acknowledging the respective interests of her brothers and sisters and half brothers and states that she paid the State and County taxes levied on the same since her mother's death.

Given under my hand and seal this 28th day of July, 1952.

CLAYTON C. CARTER (SEAL)
Clayton C. Carter

Subscribed and sworn to before me this 28th day of July, 1952.

DORIS L. DILLEHUNT
Notary Public

Notary
Public
Seal.

Filed July 28, 1952

Order of Publication
Filed Aug. 1, 1952

CLAYTON C. CARTER, SOLICITOR

ORDER OF PUBLICATION

OSCAR DRUMMER, R.F.D. Centreville, Maryland,
Complainants,

VS.

ADA GREEN STANFORD and EMORY STANFORD, her husband, Queen Anne, Maryland; JESSIE GREEN JONES, widow, Philadelphia, Pennsylvania; MARY GREEN REID and LAWRENCE REID, her husband, 4719 Upland Street, Philadelphia, Pennsylvania; CARTER ANDERSON and GLADYS ANDERSON, his wife, Easton, Maryland; and HOLTON ANDERSON and HELEN ANDERSON, his wife, Freehold, New Jersey; and ALFRED WHITE, widower, Crownsville State Hospital, Crownsville, Maryland; THE UNKNOWN OWNER and ALL PERSONS HAVING OR CLAIMING TO HAVE ANY INTEREST IN PROPERTY LYING AND BEING IN THE THIRD ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, LOCATED ON WYE MILLS-STARR ROAD ADJOINING THE LANDS OF C. W. MULLIKIN, ASSESSED VALUE \$100.00, CONSISTING OF A LOT ASSESSED TO SUSIE GREEN, HER 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

Cause No.
3813

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Susie Green in the Third Election District of Queen Anne's County, Maryland, sold by the Collector of Taxes for the County of Queen Anne's and the State of Maryland, to the Complainant in this proceeding:

"All that lot or parcel of land, lying and being in the Third Election District of Queen Anne's County, Maryland, located on Wye Mills - Starr Road adjoining the lands of C. W. Mullikin, Assessed Value \$100.00, consisting of a lot, and assessed to Susie Green".

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 1st day of August, 1952, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, That notice 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 1st day of October, 1952, and redeem the property assessed to Susie Green and answer the Bill or thereafter, a final decree will be rendered foreclosing all rights of redemption in the property, and vesting in the complainants a title, free and clear of all incumbrances.

WM. R. HORNEY
 Judge.

Filed Aug. 1, 1952

Subpoena
 Filed Aug. 4, 1952

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO Ada Green Stanford and Emory Stanford,
 her husband,
 Queen Anne, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of August next and ending October 1, 1952 thereafter cause your answer or other defense to be filed to the complaint of Oscar Drummer, R.F.D., 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th day of July, 1952.

Issued the 1st day of August, 1952.

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 1st day of October, 1952, 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 Clayton C. Carter

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And and on the back of the foregoing is the following endorsement, to wit:

Defendants summoned by reading subpoena to them and leaving copies of subpoena and bill of complaint with each this 1st day of August, 1952.

FRANK Y. WHITELEY
 Sheriff

Subpoena
 Filed Aug. 6, 1952

(EQUITY SUBPOENA)

Seal's
Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO Carter Anderson and Gladys Anderson,
his wife,
Easton, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of August next and ending October 1, 1952 thereafter cause your answer or other defense to be filed to the complaint of Oscar Drummer, RFD 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th day of July, 1952.

Issued the 1st day of August, 1952.

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 1st day of October, 1952, 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 Clayton C. CarterAddress Centreville, MarylandT. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Received the 4 day of Aug. 1952 and forthwith delivered to the Sheriff of Talbot County for service.

Test JOHN T. BAYNARD
Clerk

Summoned both Defendants this 5th day of August, 1952 and copy of subpoena and bill left with each.

A. RAYMOND CARROLL
Sheriff of Talbot County.

Filed Aug. 6, 1952

Subpoena
Filed Sept. 5, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Alfred White and Superintendent of Crownsville State Hospital
Crownsville, State Hospital
Crownsville, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of August next and ending October 1, 1952 thereafter cause your answer or other defense to be filed to the complaint of Oscar Drummer, RFD, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th day of July, 1952.

Issued the 1st day of August, 1952.

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 1st day of October, 1952, 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 Clayton C. CarterAddress Centreville, MarylandT. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsment, to wit:

Non Est.

Joseph W. Alton Jr.
Sheriff A.A.Co.

Order of Publication
Filed Oct. 15, 1952

Clayton C. Carter, Solicitor

ORDER OF PUBLICATION

OSCAR DRUMMER,
R.F.D. Centreville, Maryland,
Complainants,

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

vs.

IN EQUITY

Cause No. 3813

ADA GREEN STANFORD and EMORY STANFORD
her husband, Queen Anne, Maryland; JESSIE
GREEN JONES, widow, Philadelphia, Pennsylvania
MARY GREEN REID and LAWRENCE REID, her husband,
4719 Upland Street, Philadelphia, Pennsylvania;
CARTER ANDERSON and GLADYS ANDERSON, his wife,
Easton, Maryland; and HOLTON ANDERSON and HELEN
ANDERSON, his wife, Freehold New Jersey, and
ALFRED WHITE, widower, Crownsville State Hospital
Crownsville, Maryland; THE UNKNOWN OWNER and
ALL PERSONS HAVING OR CLAIMING TO HAVE ANY INTEREST
IN PROPERTY LYING AND BEING IN THE THIRD ELECTION
DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND,
LOCATED ON WYE MILLS-STARR ROAD ADJOINING THE
LANDS OF C. W. MULLIKIN, ASSESSED VALUE \$100.00,
CONSISTING OF A LOT ASSESSED TO SUSIE GREEN, HER
HEIRS, DEVISEES, and PERSONAL REPRESENTATIVES
and THEIR OR ANY OF THEIR HEIRS, DEVISEES, EXECU-
TORS, 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 redemption in the following property assessed to Susie Green in the Third Election District of Queen Anne's County, Maryland, sold by the Collector of Taxes for the County of Queen Ann's and for the State of Maryland, to the Complainant in this proceeding:

"All that lot or parcel of land, lying and being in the Third Election District of Queen Anne's County, Maryland, located on Wye Mills-Starr Road adjoining the lands of C. W. Mullikin, Assessed Value \$100.00, consisting of a lot, and assessed to Susie Green."

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 1st day of August, 1952, 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 1st day of October, 1952, and redeem the property assessed to Susie Green and answer the Bill or thereafter, a final decree will be rendered foreclosing all rights of redemption in the property, and vesting in the complainants a title, free and clear of all incumbrances.

WM. R. HORNEY
Judge

True Copy:

Test: T. SORDEN PIPPIN,
Clerk

Filed August 1, 1952.

THE QUEENSTOWN NEWS

Queenstown, Md. Oct. 14, 1952

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 Oscar Drummer, Centreville, Md. Vs. Ada Green Stanford and Emory Stanford, her husband, etc., Cause No. 3813 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 1st day of Oct. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 8th day of Aug. 1952

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed Oct. 15, 1952

DECREE
Filed Oct. 17, 1952

OSCAR DRUMMER

VS

ADA GREEN STANFORD and
EMORY STANFORD, her
husband, et al.

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

#3813

* * * * *

D E C R E E

It appearing that the defendants and all persons claiming through or under them, having been duly summoned or notified by Order of Publication to appear and answer the Bill of Complaint filed in this cause on or before the 1st day of October, 1952, 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 17th day of October, 1952, 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, 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, Oscar Drummer.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Treasurer of Queen Anne's County, as a collector of taxes for the State of Maryland, and said Queen Anne's County, be and he is hereby directed to execute a deed to Oscar Drummer 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; said deed to be prepared by the complainant or his attorney, and all expenses incident to the preparation and execution of said deed to be paid by the Complainant.

WM. R. HORNEY
Judge

Filed Oct. 17, 1952



C A U S E N O . 3779

.....
QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty first day of February in the year nineteen hundred and fifty two, the following Bill of Complaint was filed for record, to wit:

MILTON E. RINGGOLD,
HAROLD E. RINGGOLD,
CLARENCE O. RINGGOLD,
All of Centreville, Maryland,

Vs.

JEROME G. ZIMMERMAN,
Baltimore, Maryland.

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IN THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY CAUSE NO. 3779

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining say:

1. That your Orators, together with Mary E. Ringgold, their mother, also known as Mary Elizabeth Ringgold, became seized and possessed as tenants in common of the following real estate, to wit: Tract No. 1, containing 114 acres of land, more or less, situate partly in Crab Alley Neck and partly in Coxe's Neck, by virtue of a deed dated November 5, 1906, from A. G. Bright, et al, recorded in Liber S. S. No. 2, folio 273 and etc., a Land Record Book for Queen Anne's County, a certified copy of which is marked "Complainants Exhibit A" is filed herewith as a part hereof; Tract No. 2, containing 128 acres of land, more or less, situate in Coxe's Neck, by virtue of a deed from Horace G. Shehan and wife, dated April 5, 1918, and recorded in Liber W. F. W. No. 11, folio 467 and etc., a Land Record Book for Queen Anne's County, a certified copy of which is filed herewith and made a part hereof, marked "Complainants Exhibit B", these two tracts are adjacent and have been conducted as one farm since 1918, and lie in the Fourth Election District of Queen Anne's County, State of Maryland.

2. That until recently your Orators had no knowledge of any purported cloud on the title to either of said tracts of land, but are now advised that there is an unreleased mortgage in the sum of \$431.00 resting against Tract No. 1, given by Joseph R. Price, a predecessor in title, to Edwin H. Brown dated December 21, 1893, and recorded in Liber L.D. No. 2, folio 375 and etc., a Land Record Book for Queen Anne's County, and assigned as collateral security to The Centreville National Bank of Maryland, a certified copy of which mortgage and assignment marked "Complainants Exhibit C" is filed herewith as a part hereof and which said mortgage your Orators allege is paid and constitutes no lien on said real estate for that neither the said mortgagee nor his personal representatives or assignee have made any demands upon your Orators or any one of them, for payment of any part of said principal mortgage indebtedness or interest thereon since your Orators, with their mother, became the owners of said real estate in 1906.

3. That your Orators have also been recently advised that there is an unreleased mortgage in the sum of \$1200.00 resting against Tract No. 2, given by Benjamin L. Thomas and wife, predecessors in title of your Orators, to Isaac Grollman as security for endorsement, dated August 12, 1915, and recorded in Liber W.F.W. No. 7, folio 421 and etc., a Land Record Book for Queen Anne's County, a certified copy of which is filed herewith as a part hereof marked "Complainants Exhibit D"; which said mortgage your Orators allege constitutes no lien against said tract of land for that your Orators, or no one of them, have paid or been requested to pay the mortgagee any part of said principal mortgage indebtedness or any interest due thereon during their term as owners thereof, that is, since 1918.

4. That the said Mary E. Ringgold being so seized and possessed of an undivided one quarter interest as tenant in common with your orators in said tracts of land, died in the early part of the year 1921, leaving a Last Will and Testament, duly executed to pass real estate, which was admitted to probate by the Orphans' Court for Queen Anne's County and recorded in Liber W.T.B. No. 1, folio 231 and etc., a Will Record Book for Queen Anne's County, a certified copy of which marked "Complainants Exhibit E" is filed herewith as a part hereof, and by Item 3 of which Will she disposes of her said interest as follows, to wit: "All the rest and residue of my estate, real, personal and mixed, of whatever kind and description, and wheresoever situate, of which I may be seized and possessed at the time of my death, I do hereby give, devise and bequeath unto three of my sons, Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold, as tenants in common, and in case any of my said sons shall die without leaving issue at the time of his death, then his share of said property shall go to the survivors, in equal shares, and in case either of said survivors shall depart this life without leaving issue living at the time of his death, then said survivor shall take all of my estate in fee without any limitations whatever".

5. That your Orators being so seized and possessed granted and conveyed their aforesaid interest in the said two tracts of land by deed dated September 9, 1944, to Hannah E. Warner, said deed being recorded in Liber A.S.G., Jr., No. 10 folio 94 and etc., a Land Record Book for Queen Anne's County, and that the said Hannah E. Warner by deed of same date conveyed the aforesaid interest of your Orators, back to your Orators as joint tenants, which deed is recorded in Liber A.S.G. No. 10, folio 96 and etc., a Land Record Book for Queen Anne's County, certified copies

of which deeds, marked respectively "Complainants Exhibit No. F and G", are filed herewith as a part hereof.

6. That your orators being so seized and possessed entered into an Agreement of sale in the year 1946, to sell a part of Tract No. 2, subject nevertheless to the approval and ratification of this Court as to the interest therein devised by Mary Elizabeth Ringgold, to Phillip W. Keister and wife, the aforesaid agreement being reported in Chancery Cause No. 3475 of this Court, sale made and reported and Richard T. Earle appointed trustee to grant and convey the same, a certified copy of which deed marked "Complainants Exhibit H" is filed herewith as a part hereof and the proceeds derived from the sale of said one quarter interest being invested in a mortgage given by your Orators to Clarence O. Ringgold Trustees, in the sum of \$875.00, which rests against the balance of the real estate in Tract No. 2 owned by your Orators aforesaid, a certified copy of said mortgage is filed herewith and made a part hereof marked "Complainants Exhibit I".

7. That your Orators, two of whom are over 70 years of age, and the other nearing 70, are unmarried and without prospects of leaving issue, on November 3, 1951, entered into an Agreement of Sale with Jerome G. Zimmerman to sell all the balance of said real estate estimated to be 214 acres, an accurate survey to be made thereof and the same to be conveyed by said survey, at and for the sum of \$21,000.00 and agreed to pay Mabel Comegys Real Estate Agency the sum of \$2,000.00 commissions for securing said purchaser, subject however as to the undivided one quarter interest devised by Mary Elizabeth Ringgold to be approved and ratified by this Court: That said Agreement of Sale was not clear as to all details and therefore your Orators entered into a Confirmatory Agreement of Sale with the said Jerome G. Zimmerman, who paid \$2,000.00 at the signing of said agreement, which was applied to paying commissions to the real estate agent aforesaid, the further sum of \$5,000.00 at the time of delivery of deed, and to give a purchase money mortgage for \$14,000.00 upon other terms and conditions fully set forth, said Confirmatory Agreement of Sale being filed herewith as a part hereof marked "Complainants Exhibit J".

8. That your Orators believe and so allege that the making of said sale in accordance with the terms of said Confirmatory Agreement of Sale, which will net \$19,000.00, less the costs of these proceedings, is to the interest and advantage of all the parties interested under the Last Will and Testament of Mary Elizabeth Ringgold, and to invest the one quarter net proceeds thereof received, together with the amount formerly secured of \$875.00, which is now secured by a mortgage, in an assignment of the purchase money mortgage to be taken to the extent of total amount received from the net sale of the interest of which Mary Elizabeth Ringgold was seized and possessed.

Wherefore your Orators pray:

1. That upon proof thereof the two unreleased mortgages, one from Price to Brown, the other from Thomas To Grollman, be declared to be not a lien against nor constitute a cloud on the title to said real estate.

2. That a Trustee be appointed to carry into effect said Confirmatory Agreement of Sale as to the undivided one quarter interest in these remaining tracts devised by Mary Elizabeth Ringgold.

3. That said Trustee report said sale to this Court and upon ratification of same and in full compliance with said Confirmatory Agreement, the said Trustee grant and convey the purchaser a good and marketable title to said one quarter interest therein and that Clarence O. Ringgold, when said sale is ratified and not before, release mortgage now held by him as trustee.

4. That your Orators may have such other and further relief as may be right and proper in the premises.

And as in duty bound and etc.,

RICHARD T. EARLE
Attorney for Complainants.

Filed Feb. 21, 1952

Complainants' Exhibit A
Filed Feb. 21, 1952

QUEEN ANNE'S COUNTY to wit: be it remembered that on the twentieth day of December in the year Nineteenthundred and six the following Deed was brought to be recorded, to wit:

This Deed, made this fifth day of November in the year nineteen hundred and six, by Annie G. Bright and B. Harrison Bright, her husband, Thomas R. Price and Mary R. Price, his wife, of Queen Anne's County, State of Maryland, Lula P. Owings and Samuel Owings, her husband, Etta C. Hinman and Ellsworth H. Hinman, her husband, of Calvert County, State aforesaid, Robert W. Price and L. Amelia Price, his wife of Baltimore City, State aforesaid, children and heirs at law of Joseph R. Price deceased and Mary R. Price, Widow, of Queen Anne's County, State aforesaid, Witnesseth:- Now Therefore In Consideration of the sum of Four thousand dollars the receipt of which is hereby acknowledged, the said Annæ G. Bright and B. Harrison Bright, her husband, Thomas R. Price and Mary R. Price, his wife, Lula P. Owings and Samuel Owings, her husband, Etta C. Hinman and Ellsworth H. Hinman, her husband Robert W. Price and L. Amelia Price, his wife and Mary R. Price, widow as aforesaid, do hereby grant and convey unto one Milton E. Ringgold, Harold E. Ringgold, Clarence O. Ringgold and Mary E. Ringgold, their heirs and assigns, as tenants in common in fee All that tract, tracts, parts of tracts or parcels of land or farm called or known as "Legg's Beginning", "Oldson's Relief", "Dunn's Hazzard", and "Benton's Choice", or by whatsoever other name or names the same may be called or known, situate in the Fourth

Election District of Queen Anne's County aforesaid, in Crab Alley Neck on Kent Island, adjoining the lands of James E. Kirwan and others and contained within the following metes and bounds, courses and distances, to wit: Beginning at a stone on the West side, which is also the beginning of "Oldson's Relief" and running thence South one degree East forty eight and eight tenths perches, with fence, thence South seventy one degrees East five and six tenth perches with fence, thence South thirteen degrees, thirty minutes West twenty perches, thence South seventeen degrees thirty minutes West forty two and three quarter perches, thence North sixty three degrees forty five minutes West sixty five and five tenth perches, thence South fifteen degrees West three perches, thence South sixteen degrees thirty minutes East twenty two perches, thence South thirty five degrees East seventy perches with the division fence, thence South eighty one degrees East twenty six perches to Eastern Creek, thence with said Creek North thirty degrees thirty minutes East thirteen perches, thence across the Creek South eighty seven degrees forty five minutes East fourteen perches, thence with a fence North forty seven degrees East one hundred and ten perches, thence North two degrees thirty minutes East thirty one and four tenth perches, thence North eighty two degrees thirty minutes East sixteen and six tenth perches, thence North seventy four degrees fifteen minutes West thirty four and five tenths perches to a stake, thence North forty two degrees East nine and three tenth perches to a locust post near an old church, thence with a fence North seventy seven degrees West fifty perches to a part of a Mill stone, thence North nine degrees West ten perches to a piece of a Mill stone the beginning of "Dunn's Hazzard", thence with the third line of said tract adopted from survey of James W. Thompson with variation of four degrees thirty minutes East reversed North thirteen degrees West eighty two perches, thence with second line reversed South fifty degrees thirty minutes West ninety two perches, thence with first line reversed South seventy six degrees forty five minutes East sixty six and two tenth perches and thence South one degree East ten perches two rods and thirty two perches of land more or less; excepting however from this grant the family burying ground upon the land of about one fourth of an acre, with the right of ingress and egress to and from the same: being the same property which was conveyed unto the late Joseph R. Price by deed from John B. and Edwin H. Brown, Trustees, bearing date the twelfth day of March in the year eighteen hundred and ninety and recorded in Liber W.D. No. 4, folios 193 &c., a Land Record Book for Queen Anne's County aforesaid, and which descended unto the within named grantors as the only children and heirs at law of the said Joseph R. Price, to which said deed and the references therein made reference is hereby made for a more full and perfect description of the property hereby conveyed. Together with all rights, roads, ways, waters, privileges and advantages thereto belonging or in anywise appertaining. And the said Annie G. Bright and B. Harrison Bright, her husband, Thomas R. Price and Mary R. Price, his wife, Lula P. Owings and Samuel Owings, her husband, Etta C. Hinman and Ellsworth H. Hinman, her husband, Robert W. Price and L. Amelia Price, his wife, children and heirs at law of Joseph R. Price, deceased, and Mary R. Price, Widow covenant that they will warrant generally and specially the property hereby conveyed and will give such other and further assurances of title as may be requisite or necessary.

Witness their hands and seals.

| | |
|--|-----------------------------------|
| Test as to Annie G. Bright and B. Harrison Bright | <u>A. G. BRIGHT</u> (SEAL) |
| Emory S. Skinner | <u>B. H. BRIGHT</u> (SEAL) |
| Test as to Thomas R. Price and Mary R. Price. | <u>THOS. R. PRICE</u> (SEAL) |
| Emory S. Skinner | <u>MARY R. PRICE</u> (SEAL) |
| Test as to Lula P. Owings and Samuel Owings | <u>LULA P. OWINGS</u> (SEAL) |
| Wm. H. Ward | <u>SAMUEL OWINGS</u> (SEAL) |
| Test as to Etta C. Hinman and Ellsworth H. Hinman | <u>ETTA C. HINMAN</u> (SEAL) |
| Joseph R. Griffin | <u>ELLSWORTH H. HINMAN</u> (SEAL) |
| Test as to Robert W. Price and L. Amelia Price: Howard E. Cruse | <u>ROBERT W. PRICE</u> (SEAL) |
| Test as to Mary R. Price, Widow: Emory S. Skinner | <u>L. AMELIA PRICE</u> (SEAL) |
| | <u>MARY R. PRICE</u> (SEAL) |
| | Widow |

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

I hereby certify that on this nineteenth day of December in the year nineteen hundred and six, before the subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared the said Annie G. Bright and B. Harrison Bright, her husband, Thomas R. Price and Mary R. Price, his wife and Mary R. Price, Widow and did each acknowledge the foregoing deed to be their respective act.

EMORY S. SKINNER J. P.

State of Maryland, Calvert County, to wit:

I hereby certify that on this ninth day of November in the year nineteen hundred and six, before the subscriber, a Justice of Peace of the State of Maryland, in and for Calvert County, personally appeared the said Lula P. Owings and Samuel Owings, her husband and did each acknowledge the foregoing deed to be their respective act.

Wm. H. WARD
Justice of the Peace.

State of Maryland, Calvert County, Sct:

I hereby certify, That Wm. H. Ward is Esquire, a Justice of the Peace of the State of Maryland, in and for Calvert County, duly commissioned and sworn, and authorized by law to administer oaths and take acknowledgements. In Testimony Whereof, I hereto set my hand and affix the seal of the Circuit Court of Calvert County this ninth day of November A.D. 1906

Clerk
Circuit Court
Seal
Calvert
County

GEO. W. DOWELL
Clerk of the Circuit Court of Calvert County.

State of Maryland, Calvert County, to wit:

I hereby certify that on this 8th day of November in the year nineteen hundred and six, before the subscriber a Justice of the Peace of the State of Maryland, in and for Calvert County aforesaid, personally appeared the said Etta E. Hinman and Ellsworth H. Hinman, her husband and did each acknowledge the a foregoing deed to be their respective act.

JOSEPH R. GRIFFIN
Justice of the Peace

State of Maryland, Calvert County, to wit:

I hereby certify, That Joseph R. Griffin is Esquire, a Justice of the Peace of the State of Maryland, in and for Calvert County, duly commissioned and sworn, and authorized by law to administer oaths and take acknowledgements.

In Testimony Whereof, I hereto set my hand and affix the seal of the Circuit Court of Calvert County, this ninth day of November A.D.1906.

Clerk
Circuit Court
Seal
Calvert
County

GEO. W. DOWELL
Clerk of Circuit Court of Calvert County.

State of Maryland, City of Baltimore, to wit:

I hereby certify that on this fifth day of November in the year nineteen hundred and six, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly qualified and commissioned personally appeared the said Robert W. Price and L. Amelia Price, his wife and did each acknowledge the a foregoing deed to be their respective act.

In Testimony Whereof, I hereunto subscribe my name and affix my Notarial Seal on the day and year above written.

Notary
Seal
Public

HOWARD E. CRUSE
Notary Public.

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

I hereby certify that the a foregoing is truly taken and copied from Liber S.S. No. 2, folios 273 & etc., a Land Record Book for Queen Anne's County.

In Testimony Whereof, I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County, this 21st day of February, in the year nineteen hundred and fifty two.

T. SORDEN PIPPIN
Clerk

Complainant's Exhibit B
Filed Feb. 21, 1952

.....
#6407. Q U E E N A N N E ' S C O U N T Y, to wit: Be it remembered that on the sixteenth day of April, in the year nineteen hundred and eightee_, the following DEED was brought to be recorded, to wit:-

THIS DEED MADE THIS fifty day of April, in the year nineteen hundred and eighteen by Horace G. Shahan and Margaret M. Shahan, his wife, of the City of Philadelphia, State of Pennsylvania, witnesseth;

That for and in consideration of the sum of six thousand dollars the said Horace G. Shahan and Margaret M. Shahan, his wife do hereby grant and convey unto Mary E. Ringgold, Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold, of Queen Anne's County, State of Maryland, as tenants in common, their heirs and assigns in fee simple,

All of that, lot, tract, parcel or part of a tract of land situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, and in Coxe's Neck and lying on both sides of the public road leading from Phillips' Corner in said Fourth Election District of County and State aforesaid

into the aforesaid Cox's Neck, said farm being known as the B.L. Thomas Farm and containing one hundred and twenty eight acres of land, more or less; this being the same land granted and conveyed unto the said Horace G. Shahan by Benjamin L. Thomas and wife by deed bearing date the 30th. day of January, in the year nineteen hundred and seventeen said deed being recorded among the land records for Queen Anne's County, State of Maryland, in Liber W.F.W. #10, folio 157 to which deed and the references therein contained reference is hereby made for a full and more complete description of the land hereby conveyed.

Together with the roads, rights, ways, alleys, waters, privileges advantages and appurtenances thereunto attached or in any wise appertaining.

And the said Horace G. Shahan and Margaret M. Shahan do hereby warrant specially the title to the aforesaid tract of land and do further covenant to execute such assurances of title as may be requisite in the future.

Witness the hands and seals of the said grantors.

Test: as to H.G. Shahan HORACE G. SHAHAN (SEAL)
A. A. M. Dewing. MARGARET M. SHAHAN (SEAL)

Test: as to M. M. Shahan
Carrie Redeker.

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

I hereby certify that on this 5th, day of April 1918, before me the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid personally appeared Horace G. Shehan, a temporary resident of County and State aforesaid and acknowledged the foregoing deed to be his act.

Witness my hand and Notarial Seal.

Notary
SEAL
Public

A. Archibald M. Dewing
Notary Public

STATE OF PENNSYLVANIA, CITY OF PHILADELPHIA, to wit:

I hereby certify that on this 6th day of April in the year nineteen hundred and eighteen before me the subscriber, a Notary Public of the State of Pennsylvania, City of Philadelphia, personally appeared Margaret M. Shehan and acknowledged the foregoing deed to be her act.

Witness my hand and Notarial Seal.

Notary
Seal
Public

Carrie Redeker
Notary Public
Notary Public,
2613 Columbia Ave., Phila. Pa.
Commission Expires
January 21st, 1919.

.....
: Three \$2.00 Internal Revenue Stamps :
: Endorsed "H.G.S. 4/5/18"

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

I hereby certify that the foregoing is truly taken and copied from Liber W.F.W. No. 11, folios 467 etc., a Land Record Book 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 Twenty-first day of February in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Complainant's Exhibit C
Filed Feb. 21, 1952

Queen Anne's County, to wit: Be it remembered, that on the Twenty first day of December, in the year One Thousand eight hundred and ninety three, the following Mortgage was brought to be recorded, to wit:

This Mortgage, made this Twenty first day of December, in the year Eighteen hundred and ninety three, by Joseph R. Price of Queen Anne's County, in the State of Maryland, Witnesseth: Whereas, the said Joseph R. Price is justly indebted unto Edwin H. Brown of said County and State in the sum of four hundred and thirty one (431) dollars for money advanced and loaned to him, and for said sum has passed his promissory note, dated the first day of September, Eighteen hundred and ninety three, drawn to the order of the said Edwin H. Brown, and made payable twelve months after date thereof, at The Centreville National Bank of Maryland, and endorsed across its face in red ink "secured by mortgage". and it was the express condition that to

secure and assure the prompt payment of said sum and the note given for same this mortgage should be executed.

Now, This Mortgage Witnesseth: that in consideration of the premises, and of one dollar, the said Joseph R. Price does hereby grant and convey unto the said Edwin H. Brown, his heirs and assigns, all of the following described real and personal property, consisting of, First All that tract, tracts, parts of tracts or parcels of land or farm called and known as "Leggs Beginning", "Oldson's Relief", "Dunn's Hazzard" and "Bentons Choice" or by whatever other name or names the same may be known or called, situated in Crab Alley Neck on Kent Island, in the fourth election district of Queen Anne's County aforesaid, adjoining the lands of James E. Kirwan and others, and particularly described by metes and bounds, scourses and distances in a Deed of conveyance thereof from John B. Brown and Edwin H. Brown, Trustees, to the said Joseph R. Price, dated the twelfth day of March, Eighteen hundred and ninety and recorded among the land records of Queen Anne's County aforesaid, in Liber W. D. No. 4, folios 192 &c., to which said deed reference is hereby specially made for a more full and perfect description of the property hereby conveyed, the above described land containing one hundred and fourteen acres, two roods and thirty two perches of land-

Secondly: Three horses, two cows, one yoke of Oxen, one cart, one dearborn, one binder, one drill, and the growing crop of wheat owned by said Price, also roller, harrows, cultivators, plows, and the other personal property of said Price, now in his possession on the farm where he resides-Together with all rights, roads, ways, waters, privileges and advantages thereto belonging, or in anywise appertaining.

Provided, that if the said Joseph R. Price, his heirs, executors, administrators or assigns shall well and truly pay to the said Edwin H. Brown, his personal representatives or assigns the aforesaid sum of four hundred and thirty one dollars, in accordance with the tenor and terms of the promissory note aforesaid, and shall perform all the covenants and conditions herein on his or their part to be performed, then this mortgage shall be void; and until default the said Joseph R. Price, his heirs and assigns shall possess said property. And the said Joseph R. Price for himself, his heirs, personal representatives and assigns, 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 attorneys commissions and charges incurred in the collection of said debt, or any part thereof, 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, and to have the policy so framed or endorsed that the proceeds shall be applied to the payment of this mortgage, 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 or condition 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 Edwin H. Brown, his legal representatives or assigns, or John B. Brown of the County and State aforesaid, are hereby authorized to sell said premises upon giving three weeks previous notice of the time, place, manner and terms of sale, in a newspaper published in said 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 and to be secured by the notes of the purchaser with approved securities, and to apply the proceeds to the payment, of first, all expenses incident to such sale, (including compensation to the person making the sale, the same as to Trustees in Equity) second, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not, and third, the balance to pay over to the said Joseph R. Price, or whoever may be entitled to the same-

Witness their hands and seals

TEST: B. EMORY JR.

JOSEPH R. PRICE (SEAL)

State of Maryland, Queen Anne's County, to wit: I hereby certify that on this Twenty first day of December, in the year Eighteen hundred and ninety three, before the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid personally appeared Joseph R. Price, and acknowledged the foregoing Mortgage deed and Mortgage Bill of Sale to be his act.

B. Emory Jr. J.P.

State of Maryland

Queen Anne's County, to wit: I hereby certify, that on this Twenty first day of December, in the year Eighteen hundred and ninety three, before the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Edwin H. Brown, the within named mortgagee, and made oath on the Holy Evangely of Almighty God, that the consideration stated in the foregoing mortgage deed and mortgage Bill of sale, is true and bona fide as therein set forth.

B. Emory Jr. J.P.

Queen Anne's County, to wit: Be it remembered that on the sixteenth day of January Eighteen hundred and ninety six the following Assignment was brought to be recorded to wit:

For value received, having assigned note secured by this mortgage to The Centreville National Bank of Maryland its assigns as collateral security for note of Joseph R. Price to me & endorsed & dated Jany. 15 1896 @ 4 months for \$235.00 and all renewals of of same, reserving the same so far as not necessary to pay said note and renewals unto myself, I do hereby assigns unto said The Centreville National Bank

of Maryland, and its assigns, the within mortgage, securing said note, with the reservation aforesaid.

Witness, my hand and seal, January 15th 1896.

TEST: Edwin H. Brown (SEAL)

STEPHEN R. DOWNES

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the foregoing is truly taken and copied from Liber L. D. No. 2, folios 375, etc., a Land Record Book for Queen Anne's County aforesaid.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this 21st day of February, in the year nineteen hundred and fifty two.

Clerk's Seal.

T. SORDEN PIPPIN Clerk

Complainants' Exhibit D
Filed Feb. 21, 1952

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the fourteenth day of August in the year nineteen hundred and fifteen, the following MORTGAGE and CHATTEL MORTGAGE were brought to be recorded, to wit:-

THIS MORTGAGE and CHATTEL MORTGAGE, made this twelfth day of August, in the year nineteen hundred and fifteen, by Benjamin L. Thomas and Georgia A. Thomas, his wife, of Queen Anne's County, in the State of Maryland.

WHEREAS, Isaac Grolman, of County and State aforesaid, has, at the request of said Thomas, become surety for him on a promissory note, signed by said Thomas and his wife for the sum of twelve hundred dollars and payable to the order of the Queen Anne's National Bank of Centreville at its banking house in Centreville, Maryland, dated August 10th., 1915, and payable six months after date, and

WHEREAS, the said Benjmain L. Thomas and Georgia A. Thomas, his wife, are desirous of protecting said Grolman and indemnifying him against loss by reason of his having become surety on said note as aforesaid and by reason of his becoming surety on any renewal or renewals of said note by the execution of these presents, and

WHEREAS, these presents were to be executed as a conditioned precedent to said Grolman becoming surety on said note as aforesaid.

NOW, THEREFORE, that for and in consideration of the premises and the sum of One Dollar, the payment thereof being hereby acknowledged, the said Benjamin L. Thomas and Georgia A. Thomas, his wife, do hereby grant and convey unto said Isaac Grolman all that farm, tract or part of a tract of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County aforesaid, on both sides of the public road leading from Phillips' Corner into Coxes Neck, being the same farm on which Benjamin L. Thomas now resides, and being the same farm and tract of land which was conveyed unto Benjamin L. Thomas by John F. Ruth and Grace B. Ruth by deed dated August twelfth nineteen hundred and fifteen, and recorded among the Land Record Books for Queen Anne's County in Liber W.F.W. No. 7, folio

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.

AND the said Benjamin L. Thomas does hereby bargain and sell unto said Isaac Grolman two mules, Dove and Kate; one mare, Ruth, one mare, Maud; one mare, Grace; one horse, Dexter; one horse, Russell; one mule colt, Minnie, One mare Daisey; four cows, and one heifer, fifteen sheep, grain drill, one McCormick self binding harvester, two farm wagons, 2-three horse plows, land roller, spring-tooth harrow, one buggy cultivator and two walking cultivators.

PROVIDED, that if the said Benjamin L. Thomas, his heirs, executors, administrators or assigns shall well and truly pay the said note and any renewals or renewals of the same, should the same be renewed by consent of said Grolman and the interest to accrue thereon, and shall perform all the covenants 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 Benjamin L. Thomas, his heirs and assigns shall possess said property.

AND the said Benjamin L. Thomas, his heirs, executors, administrators and assigns hereby covenant to pay, as they severally fall due, the debt and interest

hereby intended to be secured, all taxes, assessments, public dues and charges levied or that may be levied thereon, and on the property hereby conveyed, all costs and 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 their insurable value in some Company or Companies approved by the said Isaac Grolman, 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 policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value.

BUT, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all money owing hereunder shall be due and demandable and the said Isaac Grolman, his executors, administrators or assigns, or H. B. W. MITCHELL, his and their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, Maryland and such other notice as party selling may deem expedient, 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 same, 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 Benjamin L. Thomas, 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 Isaac Grolman, his executors, administrators or assigns, or H. B. W. MITCHELL, his and their said Attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof unless the 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 Benjamin L. Thomas for himself, his heirs, executors, administrators and assigns, hereby covenants to pay.

Witness our hands and seals.

Witness:

Geo. A. Barton.

BENJAMIN L. THOMAS (SEAL)
her
GEORGIA A. XTHOMAS
mark

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:-

I hereby certify that on this this 12th day of August, nineteen hundred and fifteen, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County personally appeared Benjamin L. Thomas and Georgia A. Thomas, his wife, and did each acknowledge the within and foregoing mortgage to be their respective act.

GEO. A. BARTON.

Justice of the Peace.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:-

I hereby certify that on this 13th day of August, nineteen hundred and fifteen, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared H.B.W. Mitchell, the agent of Isaac Grolman, the within named Mortgagee, and made oath that the consideration stated in the within and foregoing mortgage was true and bona fide as therein set forth, and at the same time made oath that he was the agent of said Isaac Grolman and duly authorized to make these affidavits.

WM. E. THOMPSON.

Justice of the Peace.

STATE OF MARYLAND

COUNTY OF QUEEN ANNE'S, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber W. F. W. No. 7, folios 421, 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-first day of February in the year nineteen hundred and fifty-two,

T. SORDEN PIPPIN
Clerk

Complainants' Exhibit E
Filed Feb. 21, 1952

IN THE NAME OF GOD, AMEN!

I, Mary Elizabeth Ringgold, of Queen Anne's County, State of Maryland, do make publish and declare this as and for my Last Will and Testament, hereby revoking any former or prior will which I may have made, in manner and form as follows, to wit:-

First;- I do will and direct that all my just debts including my funeral expenses shall be paid by my Executors hereinafter named.

Second;- After the payment of my debts, as aforesaid, I do give and bequeath, as a token of my love and affection, unto four of my children, Sidney E. Warner, Charles W. Ringgold, Julius V. Ringgold, and Chesapeake A. Ringgold, each the sum of five dollars, to be paid by my said Executors, to be hereinafter named, out of my personal estate, and if my personal estate is not sufficient to pay all of my expenses and the said sums bequeathed to four of my children as aforesaid, I then direct that said sum shall become a charge on whatever real estate I may own at the time of my death.

Third;- All the rest, and residue of my estate, real, personal and mixed, of whatever kind and description, and where-ever situated, of which I may be seized or possessed at the time of my death, I do hereby give, devise and bequeath unto three of my sons, Milton E. Ringgold, Harold E. Ringgold, and Clarence O. Ringgold, as tenants in common, and in case any one of my said sons shall die without leaving issue living at the time of his death, then his share of said property shall go to the survivors, in equal shares, and in case either one of said survivors shall depart this life without leaving issue living at the time of his death, then said survivor shall take all of my said estate in fee without any limitation whatever.

Lastly;- I do hereby constitute and appoint as executors of this my last will and testament the said Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold, and request that they be not required to bond.

IN TESTIMONY whereof I hereunto set my hand and affix my seal this twenty second day of November, in the year nineteen hundred and five.

MARY E. RINGGOLD (SEAL)

SIGNED, sealed, published and declared by the said Mary Elizabeth Ringgold, the above named testatrix, as and for her last will and testament, in our presence and in the presence of each of us, who at her request and in her presence and in the presence of each other have hereunto subscribed our names as witnesses thereto.

W. Hopper Gibson

Eugene Pennington

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

On the fifth day of April A.D., 1921, came Clarence O. Ringgold Custodian of the within and aforesaid instrument of writing, purporting to be the last Will and Testament of Mary Elizabeth Ringgold, late of Queen Anne's County deceased, and made oath, in due form of law that the aforesaid 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 Office of Edwin H. Brown, Attorney, on or about the 22nd day of November A.D., 1905.

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 eighteenth day of April 1921, came W. Hopper Gibson and Eugene Pennington subscribing witnesses to the aforesaid last Will and Testament of Mary Elizabeth Ringgold 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 Will, that they 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 their apprehension, of sound and disposing mind, memory and understanding; and that they subscribed their names as witnesses to said Will at her request in her presence and in the presence of each other.

Sworn in open court.

Test:

WILLIAM T. BISHOP
Register of Wills of Queen Anne's
County, Md.

STATE OF MARYLAND,
IN THE ORPHANS' COURT
FOR QUEEN ANNE'S COUNTY:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of Mary Elizabeth Ringgold, 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 validity, ORDERES and DECREES, this 19th day of April, A.D., 1921, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Mary Elizabeth Ringgold deceased.

W. Hopper Gibson
Jno. R. Benton
Chas. E. Cannon
Judges of the Orphans' Court
for Queen Anne's County

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

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 Proof thereto of MARY ELIZABETH RINGGOLD, late of Queen Anne's County, as filed and passed in this office on April 19, 1921 and recorded in Liber W.T.B. No. 1 Folio 231 in Record Book of WILLS in the Orphans' Court for Queen Anne's County, Maryland.

Orphans' Court Seal

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of my office this 30th day of November 1951.

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

Filed Feb. 21, 1952

Complainants' Exhibit F
Filed Feb. 21, 1952

.....
#22,670. QUEEN ANNE'S COUNTY, TO WIT:
Be it remembered that on the ninth day of September, in the year nineteen hundred and forty four, the following Deed was brought to be recorded, to wit:-

THIS DEED made this 9th day of September in the year nineteen hundred and forty four by Milton E. Ringgold, Harrold E. Ringgold and Clarence O. Ringgold, all single men, of Queen Anne's County, State of Maryland, WITNESSETH:

That for and in consideration of the sum of One Dollar, the receipt of which is hereby acknowledged, the said Milton E. Ringgold, Harrold E. Ringgold and Clarence O. Ringgold do hereby grant and convey unto and to Hannah E. Warner, her heirs and assigns, in fee, the following lots or tract of real estate, to wit:

Tract No. 1. All that tract or lot of land or farm situate, lying and being in Crab Alley Neck in the Fourt Election District of Queen Anne's County, State of Maryland, adjoining the lands formerly owned by James E. Kirwin and the lands of others, known as "Legg's Beginning", Oldson's Relief", Dunn's Hazzard" and "Benton's Choice" and containing one hundred and fourteen acres, two roods and thirty two perches of land, more or less, being the same land and all the land granted and conveyed to the within named grantors and Mary E. Ringgold by deed dated November the 5th. 1906, and recorded in Liber S.S. No. 2, folio 274 &etc., a Land Record Book for Queen Anne's County, from Annie G. Bright et al., to which deed reference is hereby made for a fuller and more particular description:

Tract No. 2. All that tract of lot of land or farm situate, lying and being in Cox's Neck in the Fourth Election District of Queen Anne's County, State of Maryland, on both sides of the public road leading from Phillips' Corner into said Neck, known as "The B.L. Thomas Farm" and contains one hundred and twenty eight acres of land, more or less, being the same and all the land granted and conveyed to the witin named grantors and Mary E. Ringgold by Horace G. Shahan and wife, by deed dated April 5th., 1918, and recorded in Liber W.F.W. No. 11, folio 467, etc., a Land Record Book for Queen Anne's County, to which deed reference is hereby made for a fuller and more particular description; the interest of the said Mary E. Ringgold in both of the aforesaid tracts of land having passed to the within named grantors under the Last Will and Testament of the said Mary E. Ringgold, duly probated and recorded in Liber W.T.B. No. 1, folio 231 &etc., a Will Record Book for Queen Anne's County:

TRACT No. 3, All that lot of land situate, lying and being in the Third Election District of Queen Anne's County, State of Maryland, on the North side of the public road or street leading out of Centreville in the direction of Ruthsburg, known as Kidwell Avenue Extended, between the properties of Edward W. Green and Cleo C. Green, his wife, and the property now or formerly owned by the heirs-at-law of Harry Forman, having a frontage on said Kidwell Avenue of one hundred and five feet, more or less, and a depth from said Avenue of one hundred and fifty ^{feet} and five inches, more or less, being known as "The Charles H. Burgess Property and is the same property and all the property granted and conveyed

to the within named grantors by J. Lemuel Roberts and H. B. W. Mitchell, Trustees, by deed dated March 20th., 1935, and recorded in Liber W. H. C. No. 1-A folio 122 &etc., a Land Record Book for Queen Anne's County, to which deed reference is hereby made for a fuller and more particular description.

TOGETHER with all buildings and improvements thereon erected, made or being and all rights, roads, ways, waters, privileges and advantages thereto attached or appertaining to the same.

In Witness whereof we have hereunto subscribed our names and affixed our seals.

Test as to all grantors.

J. CARL STARKEY
J. Carl Starkey

MILTON E. RINGGOLD (SEAL)
Milton E. Ringgold

HARROLD E. RINGGOLD (SEAL)
Harrold E. Ringgold

CLARENCE O. RINGGOLD (SEAL)
Clarence O. Ringgold

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

I hereby certify that on this 9th day of September in the year nineteen hundred and forty four, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, personally appeared Milton E. Ringgold, Harrold E. Ringgold and Clarence O. Ringgold, the above named grantors, and each acknowledged the within and foregoing deed to be their respective act and deed.

In witness whereof I have hereunto subscribed my name and affixed my notarial seal.

Notary
Public
Seal.

J. CARL STARKEY
Notary Public
J. Carl Starkey

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, folios 9⁺, etc., a land record book for Queen Anne's County aforesaid.

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 21st. day of February, in the year nineteen hundred and fifty two.

T. SORDEN PIPPIN
Clerk

Complainants' Exhibit G
Filed Feb. 21, 1952

.....
#22,671. QUEEN ANNE'S COUNTY, T O W I T:
Be it remembered that on the Ninth day of September, in the year nineteen hundred and forty four, the following Deed was brought to be recorded, to wit:

THIS DEED, made this 9th day of September in the year nineteen hundred and forty four by Hannah E. Warner, a single woman, of Queen Anne's County, State of Maryland, WITNESSETH:

That for and in consideration of the sum of One Dollar, the receipt of which is hereby acknowledged, the said Hannah E. Warner does hereby grant and convey unto and to Milton E. Ringgold, Harrold E. Ringgold and Clarence O. Ringgold as joint tenants and not as tenants in common, and their assigns, and to the survivors and survivor of them, and their or his assigns, and to the heirs of the survivor of them, in fee, the following lots or tracts of real estate, to wit:

Tract No. 1. All that tract or lot of land or farm situate, lying and being in Crab Alley Neck in the Fourth Election District of Queen Anne's County State of Maryland, adjoining the lands formerly owned by James E. Kirwin and the lands of others known as "Legg's Beginning", "Oldson's Relief", "Dunn's Hazzard" and Benton's Choice, containing one hundred and fourteen acres of land, two roods and thirty two perches of land, more or less;

Tract No. 2. All that tract or lot of land or farm situate, lying and being in Cox's Neck in the Fourth Election District of Queen Anne's County, State of Maryland, on both sides of the public road leading from Phillip's Corner into said Neck, known as "The B. L. Thomas Farm", containing one hundred and twenty eight acres of land, more or less:

Tract No. 3. All that lot of land situate, lying and being in the Third Election District of Queen Anne's County, State of Maryland, on the North side of the public road or street, known as Kidwell Avenue extending, leading from Centreville in the direction of Ruthsburg, between the property of Edward W. Green and Cleo C. Green, his wife, and the property now or formerly owned by the heirs-at-law of Harry Forman, with a frontage of said Kidwell Avenue of one hundred and five feet, more or less, with a depth from said Kidwell Avenue of one hundred and fifty three feet and five inches, more or less: the three above tracts being the

same tracts and all of the same tracts granted and conveyed by the grantees hereof by deed of even date to the grantor hereof, to which deed reference is hereby made for a more particular description, said deed intended to be recorded just prior to these presents.

TOGETHER with all buildings and improvements thereon erected, made or being and all rights, roads, ways, waters, privileges and advantages thereto attached or appertaining to the same.

In witness whereof I have hereunto subscribed my name and affixed my seal.

Test: J. CARL STARKEY HANNAHA E. WARNER (SEAL)
J. Carl Starkey Hannah E. Warner

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

I hereby certify that on this 9th. day of September in the year nineteen hundred and forty four, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, personally appeared Hannah E. Warner, the above named grantor, and acknowledged the within and foregoing deed to be her act and deed. In witness whereof I have hereunto subscribed my name and affixed my notarial seal.

J. CARL STARKEY
Notary Public.
J. Carl Starkey

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, folios 96, etc., a Land Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this 21st. day of February, in the year nineteen hundred and fifty two.

Notary
Public
Seal.

T. SORDEN PIPPIN
Clerk

Complainants' Exhibit H
Filed Feb. 21, 1952

.....
#24,550. QUEEN ANNE'S COUNTY, TO WIT:
Be it remembered that on this Eighth day of August, in the year nineteen hundred and forty six, the following Deed was brought to be recorded, to wit:-

One-One Dollar and One-Ten Cent
Int. Rev. Stamps. Endorsed 8-8-46
H C B

One-Fifty Cent, One-Twenty Cent and
One-Ten Cent Recordation Tax Stampss
Endorsed H C B. 8-8-46

THIS DEED, made this Eighth day of August in the year one thousand nine hundred and forty-six, by and between, RICHARD T. EARLE, TRUSTEE as hereinafter set forth, of Queen Anne's County, in the State of Maryland, party of the first part; and DR. PHILLIP W. KEISTER and VIRGINIA J. KEISTER, his wife, of the City of Baltimore, in the State of Maryland, parties of the second part.

WHEREAS, - by a Decree of the Circuit Court for Queen Anne's County passed on April 17, 1946 in a proceeding pending before said court entitled, "Milton E. Ringgold, et al, vs. Phillip W. Keister et al, "Equity No. 3475, the said party of the first part was appointed Trustee to convey a one-fourth (1/4) interest in and to the property hereinafter described unto the parties of the second part in accordance with the terms of a certain contract of sale filed in said proceedings; and

WHEREAS, - the party of the first part has complied with all the prerequisites of said decree; and

WHEREAS, - the full amount of the purchase money has been fully paid and satisfied by the parties of the second part to the party of the first part, the receipt of which is hereby acknowledged, wherefore this deed is executed.

NOW, THEREFORE, THIS DEED WITNESSETH: that in consideration of the premises and the sum of EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$875.00), the receipt whereof is hereby acknowledged, the said party of the first part, Trustee as aforesaid, acting in exercise, 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, an undivided one-fourth (1/4) interest in and to all that tract of land lying on the west side of the Public road leading from Phillips corner into Cox's Neck, situate in Queen Anne's County,

in the State of Maryland, and described in accordance with a recent survey made March 13, 1946, by John C. Fisher, Surveyor, Denton, Maryland as follows:

BEGINNING - for the outlines thereof in the centre of said road opposite a fence post where a marker is to be placed, thence with other land of Phillip W. and Virginia J. Keister north 65 degrees west 890 feet to a fence post where a marker is to be placed, thence with land of Dr. Theodore Cook Jr. north 20 degrees 45 minutes east 1116 feet to a fence post where a marker is to be placed, thence still with Dr. Theodore Cook's land north 87 degrees 45 minutes east 1005 feet to the centre of the aforesaid road opposite a fence post where a marker is to be placed, thence with the centre of said road south 15 degrees west 589 feet, thence south 26 degrees 15 minutes west 992 feet to the place of beginning, containing TWENTY NINE AND TWO TENTH (29.2) ACRES more or less.

FOR TITLE see Deed from Horace G. Shahan and wife to Mary E. Ringgold, et al, dated April 5, 1918 and recorded among the Land Records of Queen Anne's County in Liber WFW No. 11, folio 467.

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, an undivided one-fourth (1/4) interest, in and to said tract of land 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 Grantor, Trustee as aforesaid.

WITNESS:

RICHARD T. EARLE, Trustee (SEAL)
Richard T. Earle, Trustee

J. CARL STARKEY

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

I HEREBY CERTIFY, that on this 8th day of August in the year one thousand nine hundred and forty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared RICHARD T. EARLE, TRUSTEE as aforesaid, the Grantor herein, and he acknowledged the foregoing Deed to be his act, as such Trustee.

AS WITNESS: my hand and notarial seal.

Notary
Public
Seal

J. CARL STARKEY
notary public

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

I hereby certify that the foregoing is truly taken and copied from Liber A.S.G.Jr. No. 14, folios 509, etc., a Land Record Book 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 Twenty-first day of February in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Complainants' Exhibit I
Filed Feb. 21, 1952

.....
#24,757. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Seventh day of September, in the year nineteen hundred and forty six, the following Mortgage was brought to be recorded, to wit:-

One-Fifty Cent, One-Twenty Cent
and One-Ten Cent Recordation Tax
Stamps. Endorsed C. O. R. 9/21/46

THIS MORTGAGE made this 27th day of September, in the year nineteen hundred and forty six, by Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold, all single men, of Queen Anne's County, State of Maryland, WITNESSETH:

WHEREAS, the above named mortgagors are indebted unto Clarence O. Ringgold Trustees in Cause No. 3475 in the Circuit Court for Queen Anne's County in Equity in the full and just sum of EIGHT HUNDRED AND SIXTY FIVE AND 60/100 Dollars (\$865.60) for money this day loaned them by said Trustee upon the agreement that this mortgage should be given to secure the same:

AND WHEREAS, the aforesaid sum loaned is the entire Corpus of this Trust Estate, the same arising from the sale of real estate, constituting a part of the hereinafter described real estate, and this mortgage is to be considered in place and stead of the real estate, from which said corpus arose, and which real

estate was devised by the Third Item of the Last Will and Testament of Mary Elizabeth Ringgold, recorded in Liber W.T.B. No. 1, folio 231 & etc., a Will Record Book for Queen Anne's County, as follows: unto my three sons, Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold (the within named mortgagors) as tenants in common, and in case any one of my said sons shall die without leaving issue living at the time of his death, then his share shall go to the survivors, in equal shares, and in case either of said survivors shall depart this life without leaving issue living at the time of his death, then said survivor shall take in fee without any limitations whatever:

AND WHEREAS, this mortgage is not to bear interest, the mortgagors at this time being also the beneficiaries, unless one or more of said mortgagors shall die leaving issue living at the time of his or their death, upon the happening of which, interest at the rate of 5% per annum, payable semi-annually shall arise and be payable on that part or share due said issue or issues, and this mortgage is to be due, and matured at the same time that the land, from the sale of which the proceeds of this mortgage arose, would vest in fee under the aforesaid will:

Now therefore in consideration of the premises and the sum of one dollar the said Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold do hereby grant and convey unto and to Clarence O. Ringgold, Trustee in Cause No. 3475 in the Circuit Court for Queen Anne's County, in Equity, his successor, successors and assigns, all their right, title, interest and estate, the same being an undivided three quarter interest in fee, as joint tenants, in

All that tract or lot of land or farm, known as "The B. L. Thomas Farm" situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, on the public road leading from Phillips' Corner into Coxe's Neck, containing one hundred acres of land, more or less, being the same land, with the exception of that portion conveyed to Phillip W. Keister and Virginia J. Keister, his wife, by these mortgagors and Richard T. Earle, former Trustee in this cause, which was conveyed to these mortgagors as tenants in common with the said Mary Elizabeth Ringgold, but which tenancy has been changed so that said mortgagors now hold as joint tenants, by Horace G. Shahan and Margaret M. Shahan, his wife, by deed bearing date of April the 5th., 1918, and recorded in Liber W. F. W. No. 11, folio 467 & etc., a Land Record Book for Queen Anne's County.

TOGETHER with all buildings and improvements thereon erected, made or being and all rights, roads, ways, waters, privileges and advantages thereto attached or appertaining to the same.

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 said sale shall pass to the purchaser of said property.

PROVIDED, that if the said mortgagors, their executors, administrators or assigns, shall well and truly pay to the said Clarence O. Ringgold, Trustee as aforesaid, his successor, successors or assigns the aforesaid sum as herein set forth, and shall perform all the covenants, conditions and agreements hereon on their part to be performed, then this mortgage shall be void; and until default be made in the premises the said Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold and the their assigns, and the survivor of them and the heirs and assigns of said said survivor of them, shall possess said property.

AND the said mortgagors, for themselves, their heirs, executors, administrators and assigns hereby covenant to pay, as they severally fall due, the debt and interest hereby intended to be secured, as herein set forth, 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 Clarence O. Ringgold, Trustee as aforesaid, his successor, successors or assigns, and 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 successor, successors or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises, may be depreciated or lessened in value.

BUT, in case of default in payment of said debt, or the interest to accrue thereon, in the way and in the manner as herein provided, 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 Clarence O. Ringgold, Trustee as aforesaid, his successor, successors or assigns or Richard T. Earle, their hereby 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 some newspaper printed and published in Queen Anne's County 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 of the payment of, first, all expenses incident to such sale, including compensation to the person making sale as allowed 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 whoever may be entitled.

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

in the proper Court for the purpose of the foreclosure of this mortgage under the proper court for the purpose of the foreclosure of this mortgage under the power of above granted the said Trustee, his successor, successors or assigns or Richard T. Earle, 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 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, their heirs, executors, administrators and assigns hereby covenant to pay.

In witness whereof we have hereunto subscribed our names and affixed our seals.

| | |
|---|--|
| Test as to all mortgagors: | <u>MILTON E. RINGGOLD</u> (SEAL) Milton E. Ringgold |
| <u>J. CARL STARKEY</u> J. Carl Starkey | <u>HARROLD E. RINGGOLD</u> (SEAL) Harrold E. Ringgold |
| | <u>CLARENCE O. RINGGOLD</u> (SEAL) Clarence O. Ringgold |

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

I hereby certify that on this 27th day of September, 1946, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, personally appeared Milton E. Ringgold, Harrold E. Ringgold and Clarence O. Ringgold, the above named mortgagors, and each acknowledged the within and foregoing mortgage to be their respective act; and at the same time personally appeared Clarence O. Ringgold, in his capacity as Trustee in Cause No. 3775 in the Circuit Court for Queen Anne's County, in Equity, and made oath in due form of law that the consideration as set forth in the within and foregoing mortgage is true and bona fide as therein stated. In witness whereof I have hereunto subscribed my name and affixed my notarial seal.

| | |
|---------------------------|---|
| Notary Public Seal. | <u>J. CARL STARKEY</u> J. CARL Starkey |
|---------------------------|---|

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

I hereby certify that the foregoing is truly taken and copied from Liber A. S. G. Jr. No. 15, folios 213, etc., a Land Record Book 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 Twenty-first day of February, in the yearnineteen hundred and fifty-two. |
| | <u>T. SORDEN PIPPIN</u> Clerk |

Complainants' Exhibit J
Filed Feb. 21, 1952

THIS CONFIRMATORY AGREEMENT OF SALE made this 8th day of February, 1952, by and between Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold and Clarence O. Ringgold of Queen Anne's County, State of Maryland, hereinafter designated as Vendors and Jerome G. Zimmerman of the City of Baltimore, State of Maryland, hereinafter designated as Vendee.

WHEREAS under date of November 3rd, 1951, the parties hereto entered into a written agreement wherein the said Vendors sold to the said Vendee the land and improvements thereon hereinafter mentioned and described for the sum of Twenty-one Thousand Dollars (\$21,000.00) upon the terms and conditions therein set forth; and

WHEREAS although the terms of said sale between the said parties were clearly understood by them, the contract of November 3rd, 1951 aforesaid was so inartfully drawn as to make some of its written provisions lack the clarity and certainty desired; and

WHEREAS it is the desire and intention of the said parties by this confirmatory agreement to clarify and confirm the said agreement of November 3rd, 1951.

NOW THEREFORE this confirmatory agreement of sale witnesseth that for and in consideration of the purchaseprice hereinafter specified to be paid in the manner as hereinafter provided, the said Vendors so hereby bargain and sell and agree to convey unto the said Vendee, and the said Vendees does hereby purchase from the said Vendors all those two tracts or parts of tracts of land or farms and improvements thereon, known as The Thomas Farm containing one hundred (100) acres of land more or less, and The Joseph Price Farm, containing one hundred fourteen (114) acres of land more or less, situated partly in Cox's Neck and partly in Crab Alley

Neck in the Fourth Election District of Queen Anne's County, State of Maryland.

The agreed purchase price for said property is the sum of Twenty-one Thousand Dollars (\$21,000.00) of which the sum of Two Thousand Dollars (\$2,000.00) has been paid prior hereto, the receipt whereof is hereby acknowledged and the balance of said purchase price to be paid in the following manner, to wit: the sum of Five Thousand Dollars (\$5,000.00) at the time of settlement and the balance of Fourteen Thousand Dollars (\$14,000.00) by a purchase money mortgage on the herein described property to be executed and delivered by the said Vendee to the said Vendors at the time of settlement which shall provide for the payment of the sum of One Thousand Dollars (\$1,000.00) on account of said mortgage indebtedness one year from the date of said mortgage, the sum of One Thousand Dollars (\$1,000.00) two years from the date of said mortgage, and the balance of Twelve Thousand Dollars (\$12,000.00) to be paid three years from the date of said mortgage, with interest on the unpaid balances at the rate of $4\frac{1}{2}\%$ per annum, payable semi-annually in the meantime. The Vendee shall have the right to anticipate payment of any part or all of said mortgage indebtedness on any interest payment date, provided that such prepayment shall be in multiples of five hundred dollars, interest on the sums so paid to abate after the date of such payments.

Settlement hereunder shall be made within thirty (30) days from the satisfactory completion of proceedings which the Vendors shall forthwith institute and diligently prosecute in the Circuit Court for Queen Anne's County, in Equity, for the purpose of enabling the said Vendors to convey to the said Vendee a good and merchantable title to all of the land and improvements hereinabove mentioned and described, in which proceedings the Vendee agrees to cooperate to effects its early conclusion.

Possession of the property sold hereunder shall be delivered to the Vendee upon the passing to him of a deed or deeds conveying the title thereto, at which time adjustment shall be made between the parties for all crops upon the land not harvested according to the maturity thereof. The Vendors shall have all insurance policies on the property so endorsed as to protect all parties hereto, as their interests may appear, and shall continue said insurance in force during the life of this contract. Insurance policy premiums taxes and rent if any, to be adjusted to the date of possession.

AS WITNESS the hands and seal of the parties hereto.

Witness as to Vendors:

RICHARD T. EARLE

MILTON E. RINGGOLD (SEAL)
Milton E. Ringgold

HARROLD E. RINGGOLD (SEAL)
Harold E. Ringgold

CLARENCE O. RINGGOLD (SEAL)
Clarence O. Ringgold

Vendors

Witness as to Vendees:

BARBARA C. YOUNG

JEROME G. ZIMMERMAN (SEAL)
Jerome G. Zimmerman

Vendees

Filed Feb. 21, 1952

Subpoena
Filed Feb. 21, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Jerome G. Zimmerman
Baltimore, Maryland

GREETING:

We command and enjoin you that you do with ⁱⁿ the time limited by law, beginning on the first Monday of March next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold, of Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof ail 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 January, 1952.

Issued the 21st. day of February, 1952.

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

T. SORDEN PIPPIN, Clerk

Answer of Jerome G. Zimmerman
Filed Feb. 21, 1952

MILTON E. RINGGOLD
HAROLD E. RINGGOLD and
CLARENCE O. RINGGOLD,
All of Centreville, Maryland,
PLAINTIFFS

VS.

JEROME G. ZIMMERMAN,
Baltimore, Maryland,
DEFENDANT

:
: IN THE CIRCUIT COURT
:
: FOR
:
: QUEEN ANNE'S COUNTY
:
: IN EQUITY
: CAUSE NO. _____
:

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Answer of Jerome G. Zimmerman by Turner and Turner, his attorneys, respectfully presents:

1. That he admits the matters and facts set forth in Paragraph One, Four, Five, Six, Seven and Eight of said Bill of Complaint.
2. That he admits the existence of the mortgages as set forth in Paragraph Two and Three of said Bill and demands proof of payment of same.
3. That he consents to the relief prayed for by the Plaintiffs in said proceedings and the passage by this Honorable Court of a Decree as prayed for by the Plaintiffs.

AND AS IN DUTY BOUND, ETC.

JEROME G. ZIMMERMAN
Defendant

TURNER & TURNER
Solicitors for Defendant

WAIVER OR NOTICE OF HEARING

The Defendant, Jerome G. Zimmerman, does hereby waive notice of hearing of the above cause.

TURNER & TURNER
Solicitors for Defendant

Defendant

Filed Feb. 21, 1952

Petition for appointment of
Special Examiner and Order of
Court Filed Feb. 23, 1952

MILTON E. RINGGOLD et al.,

VS.

JEROME G. ZIMMERMAN

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Complainants by Richard T. Earle, their attorney, to your Honors respectfully shows:

That Harry C. Butler the only regular examiner of this Court except the undersigned is disabled from taking depositions at this time, wherefore your Petitioners pray that a Special Examiner may be appointed by this Honorable Court to take such depositions as the parties to this Cause desire to take.

Respectfully submitted.

RICHARD T. EARLE

Filed Feb. 23, 1952

ORDER OF COURT

The foregoing Petition having been read and considered, IT IS THEREUPON this 23rd day of February, 1952 ORDERED that J. Thomas Clark be and he is hereby appointed

Special Examiner for the purpose of taking such depositions in this cause as the parties hereto desire to take.

WM. R. HORNEY
Judge

Filed Feb. 23, 1952

Report of Special Examiner and
Depositions
Filed Feb. 29, 1952

Milton E. Ringgold, et al

In The Circuit Court For

vs.

Queen Anne's County In

Jerome G. Zimmerman

Equity No. 3779

Report of Special Examiner and Depositions

To The Honorable, The Judge of Said Court:

The Undersigned special examiner at the request Richard T. Earle attorney for the Complainants, attended at the office of Turner and Turner in Centreville, Maryland, on Thursday, the 28th day of February, 1952, at 2:15 P.M., there were present B. Hackett Turner, Jr., Esquire, attorney for the Defendant, Richard T. Earle, Esquire, attorney for the Complainants, Mrs. Dolly P. Benton, stenographer was duly sworn, the following witnesses produced on the part of the Complainants, Milton E. Ringgold, Harold E. Ringgold, and Clarence O. Ringgold were all duly sworn and their depositions are attached hereto, All questions were asked by Richard T. Earle, Esquire, and B. Hackett Turner, Jr., Esquire, attorney for the defendant did not desire to cross examine any of the witnesses. Nothing irregular occurred during the taking of these depositions except that the stenographer failed to note that Exhibits A to J, inclusive were offered in evidence

J. THOMAS CLARK
Special Examiner in Chy 3779

Filed Feb. 29, 1952

The first witness called by the complaintant having been sworn deposes and states; first int.

State your name, residence, age, occupation.

Milton E. Ringgold, Centreville, Md., 80 years old. I am a retired farmer.

Q. Mr. Ringgold, this is a suit between Milton E. Ringgold, Harold E. Ringgold, Clarence O. Ringgold versus Jerome G. Zimmerman, do you know the parties in this suit?

A. I am Milton E. Ringgold, one of the plaintiffs. Harold E. Ringgold and Clarence O. Ringgold are my brothers, and Jerome G. Zimmerman, the defendant, is the purchaser of real estate from us.

Q. Mr. Ringgold, were you, your brothers, and your mother, Mary E. Ringgold, the owners of any real estate in Queen Anne's County? I herewith hand you a certified copy of a deed from Annie G. Bright and others to your two brothers, yourself, and your mother as tenants in common, said deed bears date of November 5, 1906, and recorded in Liber S. S. No. 2, folio 273, a Land Record Book of Queen Anne's County, can you identify this land and do you and your brothers and the interests under your mother's will still own this land?

A. Yes, we still own this land not exactly in the same interest as set forth in said deed but that I will state hereafter.

Q. Mr. Ringgold, I now hand you a deed, a certified copy of which, dated the 5th day of April 1918, given by Horace G. Shahan and Margaret M. Shahan, his wife, to Mary E. Ringgold, Milton E. Ringgold, Harold E. Ringgold, and Clarence O. Ringgold and recorded in Liber W. F. W. No. 11, folio 467, a Land Record Book of Queen Anne's County. Do you and your brothers still have interests in said land?

A. We have sold about 29 acres of land to a Dr. Keister, the balance of said land my brothers and myself own as joint tenants and also to the extent of a $\frac{1}{4}$ interest as tenants in common under the will of my mother.

Q. Mr. Ringgold, I now hand you a certified copy of a mortgage dated December 21, 1893, given by Joseph R. Price to Edwin H. Brown in the sum of \$431.00 and by the said Edwin H. Brown assigned to the Centreville National Bank of Maryland as security for a note for \$235.00 signed by Joseph R. Price and all renewals thereof, the said mortgage being recorded in Liber L. D. No. 2, folio 375, a Land Record Book for Queen Anne's County, and resting against the tract of land that you, your brothers, and your mother bought from Annie G. Bright and others. Do you know anything concerning this mortgage whatsoever?

A. No, I never heard of this mortgage until recently when I was advised by you, Mr. Earle, that this mortgage existed. Since 1906 when we purchased this farm I have been in constant contact with the payment of all debts due and all income derived from said farm and I know that no payment has been made on said principal mortgage indebtedness or interest thereon to accrue since 1906, nor has any demand been made upon me or my mother or my brother by the mortgagee or his assignee since we have been the owners of said property.

Q. Mr. Ringgold, I now hand you Exhibit D. which is a mortgage and chattel mortgage

or rather a certified copy of same, given by Benjamin L. Thomas and Georgia A. Thomas, his wife, to Isaac Grollman and resting against the tract of land that you, your mother, and brothers bought from Horace G. Shahan and wife, the mortgage being given to Grollman to secure him as the endorser on a promissory note in the sum of \$1200.00 the note given to the Queen Anne's National Bank of Centreville, the said mortgage being recorded in Liber W. F. W. No. 7, folio 421, etc., a Land Record Book for Queen Anne's County: Now, Mr. Ringgold, what do you know about this mortgage?

A. I did not know the mortgage existed until being advised a short time ago by you. I have been familiar since 1918 with all income derived from this farm, which together with the other farm hereinbefore mentioned, has been farmed as one farm, and am familiar with the payment of all bills and none of us owners have ever paid since 1918 any of said principal mortgage indebtedness or interest thereon to accrue nor has any demand been made on us for or on account of said mortgage indebtedness.

Q. Mr. Ringgold, I now hand you a certified copy of a deed marked Exhibit F, which is a deed from Milton E. Ringgold, Harold E. Ringgold, Clarence O. Ringgold, to Hannah E. Warner and purports to convey both of the tracts of and you heretofore mentioned and also the property you and your brothers now own in Centreville, said deed being recorded in Liber A. S. G. Jr., No. 10, folio 94, and also hand you complainant's Exhibit G which bears the same date of the 9th day of September 1944 from Hannah E. Warner to you and your brothers as joint tenants, said deed being recorded in Liber A. S. G. Jr. No. 10, folio 96, etc. What have you to say as regards these two deeds?

A. Myself and my brothers, we had a desire to own our property as joint tenants and not as tenants in common. The deed to Hannah E. Warner and from her back to us was done to make the same effectual so that we would hold the property as joint tenants rather than tenants in common.

Q. Now, Mr. Ringgold, I hand you Complainant's Exhibit E, which is a certified copy of the Last Will and Testament of Mary Elizabeth Ringgold and call your special attention to Item 3 of the will. What have you to say as regards to that?

A. Mary Elizabeth Ringgold was my mother, also known as Mary E. Ringgold, who was the same party, who as tenants in common was seized and possessed of an undivided 1/4 interest of these farms of which I have heretofore testified and by Item 3 of said will she devised her interest in the aforesaid farms to myself, my brother, Harold, and my brother, Clarence, and to the survivors and survivor of us, but she did provide also that in the case of the death of any one of us leaving issue at the time of our death that said issue would take the share of the one so dying.

Q. Now, Mr. Ringgold, I hand you a certified copy of a deed dated the 8th day of August 1946 given by Richard T. Earle, Trustee, to Dr. Philip W. Keister and Virginia J. Keister, his wife, said deed is recorded in A.S.G.Jr. No. 14, folio 509, and conveys 29 2/19 acres off of the Thomas Farm or the farm that was granted and conveyed to you, your brothers, and your mother by Horace G. Shahan and wife. Do you know this land in question and what can you state about it?

A. That deed was given under Order of Court conveying a 1/4 interest that belonged to my mother or of which she died seized and possessed and the farm we bought from Horace G. Shahan and wife and represents 1/4 of the purchase price that we secured from that tract, Dr. Keister paying the cost of the court proceedings and the survey in that case. The rest of the said farm is remaining intact and is conducted with our other farm as one farm, and they are contiguous, but due to this conveyance off and other small irregularities we desire to convey this land if it meets with the approval of the Court by metes and bounds secured by an accurate survey of the whole body of land.

Q. Now, Mr. Ringgold, did you and your brothers on or about November 3, 1951 enter into an agreement of sale to Mr. Jerome G. Zimmerman to grant and convey to him all lands now belonging to you three and whatever interests your mother had remaining of the two tracts that you have heretofore testified to that you four were the owners thereof?

A. Yes, we entered into an agreement dated November 3, to sell that land to Mr. Zimmerman and he paid down the sum of \$2,000.00 which amount we in turn gave to Mr. Land, who was the Agent for the Mabel Comegys Real Estate Agency, Easton, as Commissions for securing said purchaser, and in that agreement we agreed to convey and good and merchantable title to Mr. Zimmerman on or about January 3, but finding that we were not able to do so we entered into a confirmatory agreement of sale between ourselves and Mr. Zimmerman subject nevertheless to the ratification of the Court as to the interests of which my mother died seized and possessed.

Q. Mr. Ringgold, I now hand you a Confirmatory Agreement of Sale between you, Harold E. Ringgold, and Clarence O. Ringgold, as vendors, and Jerome G. Zimmerman, vendee, dated February 8, 1952, in which you agree to convey all the rest and residue of those two tracts of land of which you have spoken composing one farm and are contiguous at and for the sum of \$21,000.00. What do you know about this agreement?

A. The original agreement of sale was not fully understood by us, especially as regards to the purchase money mortgage to be given, this Confirmatory Agreement of Sale was made by us and the terms thereof are fully set forth.

Q. Now, Mr. Ringgold, do you believe it's to the interest of you boys and the devisees under the will of Mary Elizabeth Ringgold, that this sale be approved and ratified by this Court and if so, why?

A. First, my brothers and myself have considerable age and my brother, Harold, and myself are not in too good physical health and we are unable to give this land the attention that it should have and we believe that the price is a fair and good price, that we and the devisees under Mary Elizabeth Ringgold's will would all be better off by carrying out this agreement rather than owning said land, we three boys are not married and therefore we have no issue.

Q. Mr. Ringgold, I now hand you Complainant's Exhibit I which is a certified copy of a mortgage given by you, Harold E. Ringgold, and Clarence O. Ringgold to Clarence O. Ringgold, Trustee, in Cause No. 3475 in the Circuit Court for Queen Anne's County in equity in the sum of \$865.00 and rests against the farm that you, your mother and brothers secured from Horace G. Shahan less the land conveyed to Dr. Philip W. Keister. How do you explain this mortgage.

A. That Mortgage was given by us to Clarence O. Ringgold on account of the net $\frac{1}{4}$ of value of the land sold to Dr. Philio H. Keister to secure the interest of which Mary Elizabeth Ringgold died seized and possessed, the said mortgage to take the place of said land and to devolve in accordance with the terms of the will of my mother, Mary Elizabeth Ringgold.

Q. Now, Mr. Ringgold, in whose possession is that farm now? If under a tenant, what form of tenancy is it?

A. That farm is now rented to Fred Kaufman, the lease to expire January 1, 1953, and the sale of this farm was made subject to his tenancy for the year 1952.

Q. Now, Mr. Ringgold, in the Confirmatory Agreement of Sale, Mr. Zimmerman agrees to give you and your brothers a \$14,000.00 purchase money mortgage, now in order to give Mr. Zimmerman a clear title to that land it will be necessary that your brother, Clarence O. Ringgold, would release the mortgage now resting against part of this land in the amount of \$875. Would you be willing that a trustee appointed in this case hold in escrow the sum of \$5,000.00 which Mr. Zimmerman has agreed to pay in cash until the exact amount due under the will of Mary E. Ringgold, for her undivided $\frac{1}{4}$ interest be ascertained and at that time you and your brothers execute a mortgage for the entire amount due for the undivided $\frac{1}{4}$ interest of Mary E. Ringgold to a Trustee to hold under the will of Mary E. Ringgold or rather when the amount is definitely ascertained and you and your brothers are paid the \$5,000.00 cash purchase price, would you be willing to assign said purchase money mortgage as security for the $\frac{1}{4}$ interest of Mary E. Ringgold?

A. I would be ready to do that and I have talked it over with my brothers and they agree with me that they are ready to do that.

Examiner's Special - No.

MILTON E. RINGGOLD

The second witness called by the Complainant, having been duly sworn, deposes and states:

State your name, age, residence, and occupation.

My name is Harold E. Ringgold; I am 77 years of age. I live in Centreville with my brothers and I am a retired farmer.

Q. Mr. Ringgold, you and your two brothers and your mother, all lived together on these farms until your mother died in 1921, did you not?

A. Yes.

Q. You and your brothers and your mother did business together all during those years and you are familiar with all financial transactions both income and disbursements from these farms, that is true is it not?

A. Yes, it is.

Q. You have heard your brother, Milton E. Ringgold, testify fully as herein set forth?

Q. And you are familiar with all the facts that he has testified to, are you not? Are they true or not?

A. Yes, I ratify his testimony as given.

Q. Now then, Mr. Ringgold, do you think as to the interest and advantage of yous and also the devisees under the will of your mother Mary Elizabeth Ringgold, that these farms be sold in accordance with the Confirmatory Agreement of Sale filed herein and why?

A. Yes, first because as my brother testified he and I have considerable age by us and neither one of us are in good health and also my brother, Clarence, is not able to attend to these farms as they should be attended to. And I consider the price a fair and good price and I think that all parties would benefit by selling at the price agreed upon and treating the money so received in the same way as the land in which it was derived from.

Q. Now, Mr. Ringgold, if the Court thinks this sale is advantageous and is willing to prove same, are you willing that your brother, Clarence O. Ringgold, as Trustee, upon the payment of the \$5,000.00 cash payment that he should release the mortgage that he now holds of \$875 against the Thomas tract and that the Trustee should retain the \$5,000.00 cash payment so made until such time as the exact amount due for an undivided $\frac{1}{4}$ which was held by Mary E. Ringgold be ascertained and at that time you would join with your brothers in assigning the purchase money mortgage of \$14,000.00 over to a Trustee appointed by the Court as security for all monies then found to be due on account of the undivided $\frac{1}{4}$ interest that Mary E. Ringgold had in both of these tracts of land, the said mortgage to take the place of the said land and to devolve the same as the land under the will of Mary Elizabeth Ringgold?

A. Yes, I am willing to do that.

Examiner's Special - No.

HAROLD E. RINGGOLD

The next witness called by the Complainant, having been sworn, deposes and states:
State your name, age, residence, and occupation.

My name is Clarence O. Ringgold; I am 68 years of age, single, reside in Centreville with my brothers and am a retired farmer.

Q. Mr. Ringgold, you have heard your brothers, Milton E. Ringgold, and Harold E. Ringgold, just testify to these proceedings. Are the facts they have testified to known to you and do you ratify and confirm their testimony?

A. Yes, I am familiar with all the facts and they are true. And I do know further that no demand by any of these people holding a mortgage or their assignee have ever made any demands upon any of us for any principal mortgage indebtedness or interest thereon on these mortgages set forth.

Q. Mr. Ringgold, on November 3 when the original agreement of sale was entered into with Mr. Zimmerman who was the Agent at that time representing the Mabel Comegys Real Estate Agency?

A. He was Mr. Ashby B. Land.

Q. Said agreement of sale and said Confirmatory Agreement of Sale both state that the sum of \$2,000.00 was paid at the time of signing of said agreement. Did you or your brothers ever receive any part of the said \$2,000.00 so paid?

A. No.

Q. Did you ever hear Mr. Ashby Land state that he received \$2,000.00 at the time of signing of said Agreement of Sale which amount he kept as commissions for making said sale?

A. Yes, I heard Mr. Land admit that while in your office, Mr. Earle,

Q. Mr. Ringgold, you are the holder as Trustee of a mortgage of \$875 resting on that portion of the Thomas Farm which you boys now hold with the interests of your mother. Would you be ready and willing if the Court approves this sale to release said mortgage and permit the Trustee appointed by the Court to make this sale to retain the \$5,000.00 to paid in cash until such time as the entire amount of money found to be due for the undivided $\frac{1}{4}$ interest that Mary Elizabeth Ringgold held in all this land and at that time upon the payment to you boys of the said \$5,000.00 assign the purchase money mortgage to be given by Zimmerman to that extent to a Trustee appointed by the Court so that said mortgage may take the place of the interest in said land of which Mary Elizabeth Ringgold died siezed and possessed.

A. Yes.

Q. Mr. Ringgold, do you consider it to the interest and advantage of you and your brothers and the devisees under the will of Mary Elizabeth Ringgold that the Court ratify and approve this Confirmatory Agreement of Sale and if so, why?

A. I do. I have the entire charge of looking after said farm and my brothers are not in good shape physically and I devote a lot of time looking after them and as a result thereof the farms are not getting the attention they should have, and I think, my brothers and myself and the devisees under the will of Mary Elizabeth Ringgold, would all benefit by carrying into effect this Confirmatory Agreement of Sale, as the price I consider very good, as the price exceeds considerably the appraisement on which we pay taxes.

Examiner's Special - No.

CLARENCE O. RINGGOLD

After taking attached depositions Richard T. Earle, Esq., attorney for the Complainants advised this special examiner that the complainants had no further depositions to offer and requested that these be reported in, and at the same time B. Hackett Turner, Jr. Esq., one of the attorneys for the defendant, stated that the defendant had no depositions to offer in this cause.

All three witnesses waived expenses and fees.

Mrs. Dolly P. Benton, Stenographer.....\$10.00
J. Thomas Clark, Special Examiner..... 10.00

Respectfully submitted,

J. THOMAS CLARK
Special Examiner

Filed Feb. 29, 1952

Complainant's Exhibits A to E recorded immediately after the Bill of Complaint were refiled with depositions.

Report of Sp. Exam, and
Additional Depositions
Filed Mar. 19, 1952

Milton E. Ringgold, et al

In The Circuit Court

vs.

For Queen Anne's County

Jerome G. Zimmerman

In Equity #3779

Report of Examiner and Additional Depositions

Again at the request of Richard T. Earle, Attorney for Complainants, the undersigned special examiner, took the following depositions at his office in Centreville, Maryland on March 19, 1952, wherein the witnesses sworn depositions are filed herewith, nothing unusual occurred during the taking of the depositions, wherein only Richard T. Earle, attorney for complainants was present, after B. Hackett Turner, Jr. Attorney for Defendant waived his appearance and right to cross examine said witnesses, after both attorneys agreed to the taking of said depositions, thereby waiving said notice of the taking of the same. Witnesses waived their appearance fees.

J. THOMAS CLARK
Special Examiner

Filed March 19, 1952

The next witness called by the Complainants, having been duly sworn, deposes and states:

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

A. My name is A. Sidney Gadd, Jr., I am 54 years of age, reside near Centreville, Maryland, and am Cashier of the Centreville National Bank of Maryland and have been Cashier of said Bank since April 1947.

2nd. Int. Mr. Gadd before you were Cashier of said Bank, what did you do?

A. I was Clerk of the Circuit Court for Queen Anne's County from December 1938 to Dec. 1947—and before that I acted as Clerk to The Trustees of the Trusteed Assets of The Centreville National Bank of Maryland from Nov. 27-1933 to Apr. 17-1942.

3rd. Int. Do you remember The Queen Anne's National Bank of Maryland, and if so does it still exist?

A. Yes, I recal said Bank, its entire assets were purchased by The Centreville National Bank of Maryland on or about the December 30, 1930.

4th. Of what did the Trusteed Assets of The Centreville National Bank of Maryland consist of?

A. The Assets consists of all the Assets of said Bank that could not be easily liquidated, and of course embraced any assets taken over by said Bank from The Queen Anne's National Bank of Centreville that were in the same category.

5th. Int. What was, if you know, the final dispositions of these Assets?

A. All assets possible were finally converted into money and used to pay on the liability of the said Bank, and what we could not so convert were finally disposed of at public sale, and were assigned to the purchaser or purchasers thereof.

6th. Int. Mr. Gadd have you a record of said Assets given to the said Trustees and a record of said assets finally disposed of?

A. No, I made up these records, but I am advised that they have all been destroyed.

7th. Int. Do you recall seeing and having in your possession a mortgage given by Joseph R. Price to Edwin H. Brown, dated December 21st., 1893, and assigned by Mortgagee to said Bank as security for a note of \$235.00, or said Promissory Note or any Promissory Note with said names thereon?

A. No.

8th. Int. Do you recall seeing or having in your possession any promissory note signed by Benjamin L. Thomas and Georgia A. Thomas to either The Queen Anne's National Bank of Centreville, Maryland or The Centreville National Bank of Maryland, and if you had seen same what would have been the disposal thereof?

A. No, I do not recall seeing any such note, if it existed, it would either have been paid or sold at the public sale, held by the Trustees at the termination of the trusteeship.

9th. Int. If the Price Mortgage above referred to had been in said Trusteed Assets, what would have been the final disposition of same?

A. It would either have been sold or disposed at the said public sale and assigned to the purchaser thereof.

Examiner's Special.

A. No

A. SYDNEY GADD JR.

Next witness called by the Complainant, having been duly sworn, deposes and states.

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

A. My name is Dorothy E. Connolly. I am 39 years old. I live in Centreville, Maryland and I am Deputy Register of Wills of Queen Anne's County.

2nd Int. Miss Connolly, at my instigation have you examined the papers filed in the estate of Judge Edwin H. Brown?

A. Yes.

3rd Int. Did you find any mention among the papers of a mortgage given by Joseph H. Price to Edwin H. Brown, and if so what did you find concerning same?

A. There is no record of such a mortgage in the estate of said Judge Edwin H. Brown.

4th. Int. When were letters granted on the estate of Judge Edwin H. Brown, deceased?

A. Letters were granted on April 24, 1906 to his son Edwin H. Brown, Jr.

5th Int. Is Edwin H. Brown, Jr., administrator of the estate of of Judge Edwin H. Brown, living or dead, and if dead were letters of administration granted on his estate and to whom?

A. Edwin H. Brown, Jr., administrator of the estate of Judge Edwin H. Brown is dead. Our records disclose that Edwin H. Brown, Jr. died on December 6th, 1938 and that letters of administration c.t.a. on his estate were granted unto Madison Brown on December 17, 1938.

6th. Int. Did you find any mentioned among the papers in the estate of Edwin H. Brown, Jr. of a mortgage given by Joseph H. Price to Edwin H. Brown, and if so what did you find concerning same?

A. There is no record of such mortgage in the estate of Edwin H. Brown, Jr.

7th. Int. Now Miss Connolly, have you examined the papers in the estate of Isaac Grollman and if so, did he die testate or intestate and when were letters granted?

A. The records disclose that Isaac Grollman died intestate and letters were granted on February 11, 1930, to Emma Grollman.

8th. Int. Is there any record among the papers of the Isaac Grollman estate referring in any way to a mortgage given by B. L. Thomas and wife to Isaac Grollman in the sum of \$1,200.00?

A. At your request, Mr. Earle, I have looked through the papers in the estate of Isaac Grollman and I find no reference to the mortgage in question.

9th Int. Do your records disclose, Miss Connolly, any reference to the estate of Emma Grollman, deceased?

A. My records disclose that Emma Grollman's estate was administered in Baltimore City, she having died a few years ago. The only record in this office on said estate is a certified copy of Inventory of Real Estate sent to this office by the Register of Wills of Baltimore City in regards to the appraised value of a farm deeded to her by her husband, Isaac Grollman. There is no reference to personal estate.

DOROTHY E. CONNOLLY

Filed March 13, 1952

Decree of Sale
Filed March 21, 1952

| | | |
|----------------------------|---|--------------------------------|
| MILTON E. RINGGOLD et al., | # | IN THE CIRCUIT COURT FOR QUEEN |
| VS. | # | ANNE'S COUNTY, IN EQUITY. |
| JEROME G. ZIMMERMAN. | # | Cause No. 3779. |
| | # | |

DECREE

This cause standing ready for hearing, and being submitted without argument, these proceedings were read and considered.

IT IS THEREUPON, this 21st day of March, 1952, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED and DECREED that the undivided one quarter interest in the real estate mentioned and described in these proceedings as having been sold under the Confirmatory Agreement of sale filed in these proceedings, marked "Complainants Exhibit J" to Jerome G. Zimmerman at and for the sum of FIVE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$5,250.00) of which amount the sum of FIVE HUNDRED DOLLARS (\$500.00) is payable as commissions for securing said purchaser, and upon further terms as therein set forth, subject to the final ratification of sale by this Court, be sold as being to the interest and advantage of the parties to these proceedings;

That Richard T. Earle, of Queen Anne's County, State of Maryland, be and he is hereby appointed Trustee to carry out the terms of said Contract and to

carry out the terms of said Contract 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 Five Thousand Dollars, 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 by 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 sales, with an affidavit of the truth and fairness thereof annexed;

And that Clarence O. Ringgold, Trustee in Chancery Cause No. 3475 of this Court be and he is hereby ordered and directed, upon the final ratification of the sale to be made and reported herein and not before, to release the mortgage that he holds against part of the land described herein as shown by Complaints Exhibit No. I", the aforesaid sum of \$875.00 thus released to be and constitute a lien against the purchase price of the entire tract sold herein until further order of this Court;

And it is further ADJUDGED, ORDERED and DECREED that the mortgage given by Joseph R. Price to Edwin H. Brown and by him assigned to The Centreville National Bank of Maryland as shown by "Complainants Exhibit C"; and the mortgage given by Benjamin L. Thomas and wife to Isaac Grollman as shown by "Complaints Exhibit D" no money having been paid on either the principal or interest of these mortgages for over 20 years, and no demands having been for same, do not constitute any lien nor encumbrance against any part of the land hereby mentioned and described;

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

That the said Trustee shall bring into this Court all of the money arising from said sale and after deducting thereout the costs of these proceedings and such commissions to said trustee as the Court think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust to invest same under future order of this Court.

WM. R. HORNEY

JUDGE

Filed March 21, 1952

Certified Copy of Bond
Filed March 21, 1952

Queen Anne's County, to wit: Be it remembered that on the 21st day of March, in the year nineteen hundred and fifty two the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, Richard T. Earle of Queen Anne's County, State of Maryland, as principal, and GLENS FALLS INDEMNITY COMPANY, a body corporate, duly authorized by its charter to become sole surety on bonds, 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 American, 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, sirmly by these presents, sealed with our seals and dated this 21st. day of March, 1952.

Whereas, the above bounden Richard T. Earle has been appointed by a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 21st. day of March, 1952, Trustee to make sale of the real estate mentioned and described in the cause in said Court entitled "Milton E. Ringgold et al. vs. Jerome G. Zimmerman, being cause No. 3779 in said Court:

NOW THE CONDITIONN OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Richard T. Earle, 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 that may be passed in the premises, then the above obligation shall be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered
in the presence of:

RICHARD T. EARLE (SEAL)
Richard T. Earle

H. F. CALLAHAN

GLENS FALLS INDEMNITY COMPANY
Corporate Seal.

By L. HERMAN MEREDITH
Its Attorney in fact.

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security Approved & Bond filed March 21, 1952.

T. Sorden Pippin, Clerk

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

I hereby certify that the foregoing was truly taken and copied from Liber A.S.G.Jr. No. 1, folio 264, 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 this Twenty-fourth day of March in the year nineteen hundred and fifty-two.

Clerk's Seal.

T. SORDEN PIPPIN
Clerk

MILTON E. RINGGOLD et al., # In The Circuit Court for Queen Anne's
VS. # County, in Equity.
JEROME G. ZIMMERMAN # Cause No. 3779.
#

REPORT OF SALE.

The Report of Sale made of the real estate mentioned and described in this Cause by Richard T. Earle, the trustee appointed by a Decree of this Court to make said sale and to carry out the terms of The Confirmatory Agreement of Sale, unto your Honors, respectfully shows:

That pursuant to the decree of this Honorable Court passed on the 21st. day of March, 1952, your trustee filed in this cause a bond in the penalty of Five Thousand Dollars (\$5,000.00), with a corporate surety thereon, which bond has been approved by the Clerk of this Court.

That thereupon, pursuant to said decree, your trustee on the 22nd. day of March, 1952, proceeded to carry out the terms of said Confirmatory Agreement of Sale and sold and undivided one quarter interest and estate in all that tract or lot of land situate, lying and being in Cox's Neck and in Crab Alley Neck, in the Fourth Election District of Queen Anne's County, State of Maryland, containing about 21 1/4 acres of land, more or less, being adjacent, contiguous and conducted as one farm, being the same land granted and conveyed to Mary E. Ringgold, Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold by two deeds, one from A. G. Bright et al., and recorded in Liber S. S. No. 2, folio 273 & etc., and the other from Horace G. Shehan and wife, and recorded in Liber W.F.W. No. 11, folio 467, Land Record Books for Queen Anne's County, save and excepting therefrom all that part thereof granted and conveyed by Richard T. Earle, Trustee, to Phillip W. Keister and wife, and recorded in Liber A. S. G. Jr. No. 14, folio 509 & etc., a Land Record Book for Queen Anne's County, a more accurate description thereof to be set forth in the deed to same to be based on a survey to be made thereof, to Jerome G. Zimmerman at and for the sum of FIVE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$5,250.00) of which amount the said Purchaser has paid \$500.00, the further sum of 1250.00 to be paid upon ratification of the sale by this Honorable Court to be secured by a purchase Money mortgage, Taxes, Insurance and crops growing on said land to be adjusted to date of passing deed, title papers, revenue and recordation stamps to be at the expense of purchaser.

Respectfully submitted.

RICHARD T. EARLE
Trustee

Filed March 22, 1952

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

I hereby certify that on this 22nd. day of March, 1952, before me the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Richard T. Earle, trustee named in this cause, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true as therein stated and that said sale was fairly made.

T. SORDEN PIPPIN
Clerk

Filed March 22, 1952

N I S I

Milton E. Ringgold
Harold E. Ringgold
Clarence O. Ringgold

VS.

Jerome G. Zimmerman

)
) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) CHANCERY NO. 3779.
)

ORDERED, This 22nd. day of March A. D., 1952, 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 28th. 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 28th. day of April next.

The Report states the amount of sales to be \$5,250.00.

T. SORDEN PIPPIN CLERK

FILED March 22, 1952

NISI

Milton E. Ringgold
Harold E. Ringgold
Clarence O. Ringgold

IN THE CIRCUIT COURT FOR:

QUEEN ANNE'S COUNTY

Vs.

IN EQUITY

Jerome G. Zimmerman

Chancery No. 3779

ORDERED, This 22nd day of March A.D., 1952, that the sale of real Estate made and reported in this cause by Ricahrd T. Earle, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 28th 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 28th day of April next.

The Report states the amount of sales to be \$5,250.00.

T.SORDEN PIPPIN
Clerk

True Copy:
Test:

T. SORDEN PIPPIN
Clerk

Filed March 22, 1952

THE QUEENSTOWN NEWS

Queenstown, Md. May 19, 1952

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 Milton E. Ringgold, Harold E. Ringgold, Clarence O. Ringgold Vs. Jerome G. Zimmerman Chancery No. 3779 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 28th day of April 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 28th day of March 1952.

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed May 23, 1952

ORDER OF COURT

ORDERED this 31st day of May, 1952, that the sale made and reported in this cause by Richard T. Earle, Trustee, be and it is hereby ratified and confirmed, no cause to the contrary having been shown, although Notice appears to have been given as per certificate of previous Order Nisi Filed herein, and the Trustee is allowed the usual commissions and all expenses, not personal, upon the production of proper vouchers for same.

WM. R. HORNEY
Judge

Filed May 31, 1952

Petition of Trustee to Change
Terms of Sale and Order of Court
Filed June 7, 1952

MILTON E. RINGGOLD ET AL.

VS.

JEROME G. ZIMMERMAN

In the Circuit Court for Queen

Anne's County, in Equity.

Cause No. 3779.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Richard T. Earle, Trustee in this Cause, respectfully shows:

1. That the Report of Sale filed in this Cause on March 22nd., 1952, and finally ratified by this Honorable Court on May 31st., 1952, sets forth that upon ratification of a said sale, the Trustee was to receive the further sum of \$1,250.00, the Trustee reporting that he had already received \$500.00 on day of sale, the balance to be secured by a purchase money mortgage.

2. The Trustee in consultation with the Complainants in this Cause, if it meets with the approval of this Court, would like to change said terms of sale, to read the balance of \$4,750.00 to be paid upon ratification of sale. unto Milton E. and Clarence

O. Ringgold

3. The Trustee has agreed with, the approval of this Honorable Court, that the net proceeds of sale, together with the further sum of \$865.60 due, to a sale of a small portion of this farm, previously sold, is to be loaned to Milton E. Ringgold and Clarence O. Ringgold, who since the death of Harold E. Ringgold are entitled to the balance of the proceeds of sale for the entire farm, and who will take a purchase money mortgage for \$14,000.00 to secure the payment of their three quarters interest, upon an assignment by them of said mortgage to your Petitioner for said money so loaned.

Wherefore your Petitioner prays this Honorable Court to approve of said change in the terms of sale as heretofore reported herein, and that your Petitioner receive the sum of \$4,750.00 in cash upon delivery of deed.

Respectfully submitted.

RICHARD T. EARLE
Trustee.

Filed June 7, 1952

ORDER OF COURT.

The foregoing Petition having been read and considered, IT IS THEREUPON this 7th day of June, 1952, Ordered that Richard T. Earle, Trustee in this cause, be and he is hereby directed to accept the balance of the purchase money, to wit: the sum of \$4,750.00 before the delivery of a deed for the land in question, the same to be invested under future order of Court.

WM. R. HORNEY
Judge

Filed June 7, 1952

| | | |
|---------------------------|---|---------------------------------------|
| Milton E. Ringgold et al. | # | IN THE CIRCUIT COURT FOR QUEEN ANNE'S |
| VS. | # | COUNTY, IN EQUITY. |
| Jerome G. Zimmerman. | # | Cause No. 3779. |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

This cause stands now ready for the purpose of stating an audit and the regular Auditor of this Court, Howard Wood, 3rd., states that he is very busy and would appreciate the appointment of a Special Auditor in this Cause. Whereof your Petitioner, The Trustee in this cause, respectfully petition, that a Special Auditor be appointed by this Honorable Court to state an audit in this cause between the proceeds of sale and the Trustee in this cause.

Respectfully submitted,

RICHARD T. EARLE
Trustee.

Filed June 27, 1952

ORDER OF COURT

The foregoing petition having been read and considered, IT IS THEREUPON this 27th day of June, 1952, ORDERED by the Circuit Court for Queen Anne's County, in Equity, that Harry C. Butler be and he is hereby appointed Special Auditor in the above entitled cause and directed to state an audit in this cause between the proceeds of sale and the Trustee appointed herein.

WM. R. HORNEY
Judge.

Filed June 27, 1952

AUDIT
Filed July 17, 1953

| | | |
|--------------------------|---|--------------------------------|
| MILTON E. RINGGOLD et al | * | IN THE CIRCUIT COURT FOR QUEEN |
| VS. | * | ANNE'S COUNTY, IN EQUITY |
| JEROME G. ZIMMERMAN | * | CAUSE NO. 3779. |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Harry C. Butler, Special Auditor, unto your Honors respectfully shows:

That the real estate sold in this Cause consisted of an undivided one-quarter interest in about 210 acres of land, devised under the Last Will and Testament of Mary Elizabeth Ringgold.

The Trustee advises that in order to effect this sale it was necessary to have the whole tract surveyed and the Trustee has exhibited to me a receipt from John C. Fisher, Surveyor, showing the payment of One-quarter of the costs of said survey.

I have allowed the Trustee for payment of one-quarter of the real estate commissions paid Mable Comegys Real Estate Agency in accordance with the agreement of sale filed in this Cause.

And have allowed him all expenses in making said sale upon his production of vouchers therefore, and the net is to be retained by Trustee until further Order of Court.

HARRY C. BUTLER

Filed July 17, 1952

CAUSE NO. 3779

The proceeds of ssle of the undivided one-quarter interest of the real estate described in these proceedings and devised under the Last Will and Testament of MARY ELIZABETH RINGGOLD IN ACCOUNT WITH Richard T. Earle, Trustee, named in the Decree of Sale to make sale of same.

CR.

March 27th, 1952.

By gross proceeds of sale of said real estate, as per report of sale filed herein..... \$5,250.00

DR.

| | | |
|---|------------|------------|
| Mabel Comegys, Real Estate Agency, Commissions in making sale | \$500.00 | |
| John C. Fisher, Surveyor, one-quarter costs of said survey. | 38.75 | |
| Richard T. Earle | 255.00 | |
| Herman T. Meredith, Agent, Glen Falls Indemnity Co., Trustees' Bond premium | 20.00 | |
| T. Sorden Pippin, Clerk of Circuit Court, his costs . . | 73.95 | |
| Edward E. Coursey, Register of Wills, Copy of Will . . | 3.00 | |
| J. Thomas Clark, Special Examiner | 10.00 | |
| Mrs. Dudley Benton, stenographer | 10.00 | |
| Queenstown News, Nisi on Report of Sale and on Audit | 10.00 | |
| Harry C. Butler, for making this report, Special Auditor. | 10.00 | |
| | | |
| TOTAL EXPENSES | \$930.70 | 930.70 |
| BALANCE to Trustees to be invested under future order of this Court | \$4,319.30 | \$4,319.30 |

HARRY C. BUTLER
Auditor.

Filed July 17, 1953

Nisi Ratification of Audit
Filed July 17, 1952

NISI RATIFICATION OF AUDIT

| | | |
|--------------------------|---|-------------------------|
| Milton E. Ringgold et al |) | IN THE CIRCUIT COURT |
| VS |) | FOR QUEEN ANNE'S COUNTY |
| Jerome G. Zimmerman |) | IN EQUITY |

Cause No. 3779

ORDERED, This 17th day of July in the year nineteen hundred and fifty two that the Report and Account filed in these proceedings by Harry C. Butler, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of August, 1952; provided a copy of this order be published once a week in each of two successive weeks before the 9th day of August, 1952, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed July 17, 1952

Nisi Ratification of Audit

Milton E. Ringgold et al.

vs.

Jerome G. Zimmerman

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3779

ORDERED, this 17th day of July in the year nineteen hundred and fifty-two that the Report and Account filed in these proceedings by Harry C. Butler, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of August, 1952; provided a copy of this order be published once a week in each of two successive weeks before the 9th day of August, 1952, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN
Clerk

True Copy:

Test:

T. SORDEN PIPPIN,
Clerk

Filed July 17, 1952

THE QUEENSTOWN NEWS

Queenstown, Md. Aug. 14, 1952

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 Milton E. Ringgold, et al Vs. Jerome G. Zimmerman Cause No. 3779 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 9th day of Aug. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 25th day of July 1952.

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed Aug. 18, 1952

Petition to invest Corpus of Estate
Filed Aug. 18, 1952

MILTON E. RINGGOLD et al.,

#

IN THE CIRCUIT COURT FOR QUEEN

VS.

#

ANNE'S COUNTY, IN EQUITY.

JEROME G. ZIMMERMAN.

#

Cause No. 3779

PETITION TO INVEST CORPUS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Richard T. Earle, Trustee in this Cause, to your Honors, respectfully shows:

1. That your Petitioner has in hand derived from the sale of the real estate in this cause, the sum of FOUR THOUSAND THREE HUNDRED AND NINETEEN DOLLARS AND THIRTY CENTS (\$4,319.30), as per audit filed herein, for investment under an Order of this Honorable Court, which under the terms of the Last Will and Testament of Mary Elizabeth Ringgold, deceased, was bequeath and devised (since said Fund is to be treated as real estate from which it was derived) unto Milton E. Ringgold, Harold E. Ringgold and Clarence O. Ringgold, sons of the Testatrix, as tenants in common, and in case any one of my said sons shall die without issue, then his share of said property shall go to the survivors, in equal shares, and in case either of said survivors shall depart this life without leaving issue at the time of his death, then said survivor shall take all of my estate in fee without any limitations whatever.

2. That Clarence O. Ringgold was appointed Trustee in Cause No. 3475 in this Honorable Court, wherein a part of this same real estate was sold, and invested the net proceeds of the sale of Real Estate, the sum of EIGHT HUNDRED AND SIXTY FIVE DOLLARS (\$865.00) in a mortgage, under the Order of this Court, resting against the real estate sold in this Cause; that is was necessary to release said Mortgage in order to give clear title to said real estate, which mortgage was released under Order of Court on the understanding that the same would be brought into this Court for future investment, so that your petitioner now holds for investment Under Order of Court in accordance with the terms of Last Will and Testament of Mary Elizabeth Ringgold the sum of FIVE THOUSAND ONE HUNDRED AND EIGHTY FOUR DOLLARS AND NINETY CENTS (\$5,184.90).

3. That since the institution of this suit the said Harold E. Ringgold has died without leaving issue, and after the payment of inheritance tax his interest in said sums, under the will of his mother became vested in Milton E. Ringgold and Clarence O. Ringgold, that the said Milton E. Ringgold and Clarence O. Ringgold accepted as part payment of their interest in said real estate a purchase money mortgage from

Jerome G. Zimmerman in the sum of FOURTEEN THOUSAND DOLLARS (\$14,000.00) bearing date of June 26th., 1952, and recorded in Liber S.T.P. No. 5, folio 263, & etc., a Land Record Book for Queen Anne's County, said mortgage providing that \$1,000.00 thereof be paid one year from the date thereof, another \$1,000.00 payable two years from the date thereof, the balance payable three years from the date thereof, with interest in the meantime at the rate of $4\frac{1}{2}\%$ payable semi-annually, the mortgagee to have the privilege of paying on said principal indebtedness the sum of \$500.00 or any multiple thereof at any interest bearing period, said mortgagees holding said mortgagee as joint tenants and not as tenants in common.

4. That your Petitioner with the consent of Milton E. Ringgold and Clarence O. Ringgold desires to loan the aforesaid sum of \$5,184.90 to the said Milton E. Ringgold and and Clarence O. Ringgold and to take as security for said loan and assignment of the aforesaid mortgage to that extent, and since the said Milton E. and Clarence O. Ringgold would be the parties to receive any interest derived from and investment of the aforesaid amount, that your petitioner would collect no interest under said assignment, the said assignment to remain in the name of the Trustee, until paid or until the death of either the said Milton E. or Clarence O. Ringgold, in that event the said Mortgage would vest in the survivor and the fund assigned to said survivor.

5. That your petition believes said assignment would be a good and safe investment and since neither Milton E. and Clarence O. Ringgold have issue living at this time, nor married and are of considerable age and they desire same, it would be gratifying the wishes of those practically entitled to same.

TO THE END:

That Richard T. Earle, Trustee, be authorized to loan to Milton E. Ringgold and Clarence O. Ringgold the aforesaid sum of \$5,184.90 upon as assignment of a purchase money mortgage given by Jerome G. Zimmerman, to that extent, the aforesaid sum not to bear interest and to be on the same terms as provided for the property devised by Mary Elizabeth Ringgold to her three sons.

Respectfully submitted,

RICHARD T. EARLE
Trustee.

We hereby agree to make the assignment of the mortgage is herein set forth and request the Court to authorize the Trustee to make said loan.

MILTON E. RINGGOLD
Milton E. Ringgold

CLARENCE O. RINGGOLD
Clarence O. Ringgold

Filed Aug. 18, 1952.

Order of Court
Filed Aug. 19, 1952

ORDER OF COURT

ORDERED this 18th day of August, 1952, that the foregoing audit filed by Harry C. Butler, Special Auditor be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although notice as appears to have been as shown by the Certificate of Publication of previous order Nisi thereto.

WM. R. HORNEY
Judge.

Filed Aug. 19, 1952

We, the undersigned, residents and owners of real estate in the Fourth Election District of Queen Anne's County, State of Maryland, are familiar with land values in the said District and know the farm lately sold by the Ringgold Brow. to Jerome G. Zimmerman, containing 210 acres of land, more or less, and in our opinion the same is a safe investment for \$14,000.00 mortgage, and that the mortgage resting thereon payable to Milton E. Ringgold and Clarence O. Ringgold is a safe investment.

F. W. COLEMAN

CLAUDE LOWERY

Filed Aug. 19, 1952

This is to certify that I have examined the title to the real estate owned by Jerome G. Zimmerman to the extent of an undivided one half interest and to The Suburban Realty Co., a body corporate, to the extent of an undivided one half interest, subject nevertheless to a purchase money mortgage in the sum of FOURTEEN THOUSAND DOLLARS (\$14,000.00) to Milton E. Ringgold and Clarence O. Ringgold and do hereby certify that the title of Zimmerman and The Suburban Realty Co., as to the land convey to them, containing 210 acres of land, more or less, situate partly in Crab Alley Neck and partly in Cox's Neck in the Fourth Election District is a fee simple title, free of all liens and encum-

branches save and except the aforesaid mortgage, this 19th. day of August, 1952

RICHARD T. EARLE

Filed Aug. 19, 1952

We, the undersigned, owners of real estate on or near Kent Island, are familiar with land values on Kent Island, and know the two farms, conducted as one farm, recently sold by Milton E. Enggold and Clarence O. Ringgold and Richard T. Earle, Trustee, to Jerome G. Zimmerman, said tract of land contains 210 acres of land, more or less, improved by two mansion houses, said land and improvements in our opinion is worth \$24,000.00.

EDWARD E. COURSEY

F. WHITEFIELD COLEMAN

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

I hereby certify that on this 26th. day of August, 1952, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared F. Whitefield Coleman and Edward E. Coursey and made oath in due form of law that the facts set forth in the above certificate are true as therein stated to the best of their knowledge and belief.

T. SORDEN PIPPIN, Clerk

Filed Aug. 26, 1952

ORDER OF COURT

The a foregoing petition having been read and considered, IT IS THEREUPON this 29th day of August, 1952, ORDERED that Richard T. Earle, Trustee, be and he is hereby authorized to loan to Milton E. Ringgold and Clarence O. Ringgold, as joint tenants the sum of \$5,184.90 upon the assignment to him of the purchase money mortgage, to that extent, giving by Jerome G. Zimmerman to them as joint tenants, the money so loaned not to bear interest and to vest in accordance with the terms of the Last Will and Testament of Mary Elizabeth Ringgold, deceased.

WM. R. HORNEY
Judge.

Filed Aug. 29, 1952

MILTON E. RINGGOLD et al., # IN THE CIRCUIT COURT FOR QUEEN
VS. # ANNE'S COUNTY, IN EQUITY.
JEROME G. ZIMMERMAN. # Cause No. 3779.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Richard T. Earle, Trustee in above entitled cause, to your Honors respectfully shows:

1. That the entire corpus of this Trust, to wit: the sum of \$5,184.90 is invested under an Order of this Court in a mortgage given by Jerome G. Zimmerman to Milton E. Ringgold and Clarence O. Ringgold, as Joint Tenants, in the sum of \$14,000.00, which is recorded in Liber T.S.P. No. 5, folio 263 & etc., a Land Record Book for Queen Anne's County, and which is assigned to your Trustee as security for the aforesaid sum; that under the terms of The Last Will and Testament of Mary Elizabeth Ringgold, a certified copy of which is filed in this cause, under which this Trust was created, your Trustee is to retain the corpus of this Trust until the death of either the said Milton E. Ringgold or Clarence O. Ringgold, upon the happening of either event, provided the one so dying leaves no issue, this corpus as likewise all moneys then owing under said mortgage become vested in the survivor; that the said Milton E. Ringgold is now over 80 years of age and Clarence O. Ringgold is nearly 70, both single and without issue.
2. That as Trustee in this Cause, your Petitioner has filed a bond herein in the sum of \$5,000.00 with The Glenn Falls Indemnity Company as surety thereon.
3. That your petitioner desires to have the said Glenn Falls Indemnity Company, surety thereon released from all further liability under said Bond and to substitute in the place and stead thereof a bond, for his faithful performance of said Trust, by himself with the said Milton E. Ringgold and Clarence O. Ringgold as personal surety thereon in such sum as this Honorable Court shall deem proper, that under the terms of the Will of the said Mary Elizabeth Ringgold and under the terms of the Assignment of the aforesaid mortgage all interest payable under said mortgage indebtedness is payable to the said Milton E. Ringgold and Clarence O. Ringgold, that no liability could accrue to said Trustee, unless one of the beneficiaries should die leaving issue and surviving brother, in which even the issue of the one so dying would be vested with a one half interest in the corpus of this Trust; that the said Milton E. Ringgold and Clarence O. Ringgold have considerable assets over and above the mortgage indebtedness herein referred to.
4. Your Petitioner believes that since the said Clarence O. Ringgold and Milton E. Ringgold assigned said mortgage indebtedness to your Petitioner and that since

they are the sole living beneficiaries of this Trust that a substitution of said bond as here set forth would automatically release the said present surety on said Bond of your Petitioner.

Wherefore your Petitioner prays that this Honorable Court pass an Order on this Petition granting leave to your Petitioner to substitute said bond as prayed setting the amount of the new bond to be substituted:

That your Petition may have such other and further relief as may be right and proper in the premises.

Respectfully submitted.

RICHARD T. EARLE.
Petitioner.

Filed Dec. 4, 1952

ORDER OF COURT.

The foregoing Petition having been read and considered, IT IS THEREUPON this 5th day of December, 1952, ORDERED by the Circuit Court for Queen Anne's County, in Equity, that said Petition be and it is hereby granted and that Richard T. Earle, Trustee in this cause be and he is hereby granted leave to substitute a bond, as Trustee, with himself as principal and Milton E. Ringgold and Clarence O. Ringgold thereon as sureties in the penal sum of \$10,000.00 and upon the filing of same, all liability under the bond heretofore filed in this cause shall close.

WM. R. HORNEY
Judge

Filed Dec. 5, 1952

Certified Copy of Bond
Filed Dec. 8, 1952

QUEEN ANNE'S COUNTY, TO WIT; Be it remembered that on this Eighth day of December in the year nineteen hundred and fifty-two, the following Bond was filed for record to wit:

KNOW ALL MEN BY THESE PRESENTS: That Richard T. Earle, as principal and Milton E. Ringgold and Clarence O. Ringgold, as sureties, all of Queen Anne's County, State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of TEN THOUSAND DOLLARS (\$10,000.00) current money of the United State 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 our heirs, executors, administrators and assigns, in the whole and for the whole, jointly and severally firmly by these presents, sealed with our seals and dated this 6th day of December, 1952.

WHEREAS, the above bounden Richard T. Earle, has been appointed by a decree of The Circuit Court for Queen Anne's County, in Equity, passed on the 21st. day of March, 1952, Trustee to make sale of the real estate mentioned and described in the cause in said Court entitled "Milton E. Ringgold et al. vs. Jerome G. Zimmerman, being cause No. 3779 in said Court and to invest the money arising from said sale under order of said Court;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Richard T. Earle, 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 that may be passed 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:

EDWARD GREEN

RICHARD T. EARLE (SEAL)
Richard T. Earle

MILTON E. RINGGOLD (SEAL)
Milton E. Ringgold

CLARENCE O. RINGGOLD (SEAL)
Clarence O. Ringgold

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and Bond filed Dec. 8, 1952.

T. SORDEN PIPPIN, Clerk

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

I HEREBY CERTIFY, that the foregoing Bond was truly taken and copied from Liber A.S.G. Jr. No. 1, folio 300, a Bond Record Book 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 Eighth day of December, in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

.....
QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty first day of April in the year nineteen hundred and fifty the following Order to Docket Suit was filed for record, to wit:

C A U S E N O. 1847

John K. Benton,)
Mortgagee)
vs.)
James E. Brown)
Deborah A. Brown)
Richard Brown)
and)
Emma Brown)
Mortgagors)

IN THE CIRCUIT
COURT FOR QUEEN
ANNE'S COUNTY.

Samuel Seney Clerk:

You will docket suit as per above titling, and file certified copy of mortgage in these proceeding.

James T. Bright
Atty. for Mortgagee.

Certified Copy of Mortgage
Filed April 21st, 1909

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the fifth day of September in the year Nineteen Hundred and six the following Mortgage was brought to be recorded, to wit:

This Mortgage made this 24th day of August in year year nineteen hundred and six by James E. Brown and Deborah Brown his wife and Richard Brown and Emma Brown his wife, witnesseth that in consideration of the sum of Five Hundred and Seventy three dollars & nine cents (\$573.09) now due from us the said James E. Brown and wife and Richard Brown and wife Mortgagors to Dr. Jno. R. Benton Mortgagee. We the said James E. Brown & wife and Richd Brown and wife do grant unto the said John R. Benton all that lot or parcel of land lying and being in the town of Chestertown on Kent Island and on the left side of the Public road leading from the town of Stevensville to Kent Narrows, containing an acre of land, more or less & improved by a two story frame dwelling and barn stable and other outbuildings this being the same property owned by Wm. J. Brown and Sarah Brown his wife, Provided, that if the said Jas. E. & Deborah Richard & Emma Brown pay on or before the first day of January Nineteen hundred and seven to the said Jno. R. Benton, the sum of Five hundred and seventy three dollars and nine cents (\$537.09) with interest thereon from the date hereof according to the tenor of their promissory note of even date herewith, payable to the said Jno. R. Benton or order on the first day of January aforesaid (1907) then this mortgage shall be void, And the said Jas. E. Brown and wife & Richard Brown & wife, for themselves their heirs & personal representatives, hereby covenant that they will pay the aforesaid money, according to the tenor of the notes aforesaid, and they further covenant & agree with the said Jno. R. Benton his personal representatives & assigns, in like manner, that in default of payment of said note of or any part of it, the said John R. Benton may enter and take possession of the property aforesaid. Provided, that until default of payment of the said amount of Five Hundred and Seventy Three dollars & nine cents (\$573.09) the said Jas. E. Brown and Richd Brown shall possess the premises as of their present estate therein and provided that if default shall be made in the payment of the money aforesaid or the interest thereon, at the time or in the manner aforesaid then it shall be lawful for the said John R. Benton to sell the said mortgaged property, at Stevensville by public auction for cash after giving at least twenty days notice of the time, place, and terms of sale, in some newspaper published in the County, prior to the day of sale, and to apply the proceeds of such sale, to the payment in the first place of the expenses attending the sales & then to the payment of the said debt, and the surplus if any, to be paid to the said Ed & Richd Brown.

Witness our hands, and seals.

Test: Emory S. Skinner James E. Brown (SEAL)
DEBORAH A. BROWN (SEAL)
RICHARD BROWN (SEAL)
EMMA BROWN (SEAL)

State of Maryland, Queen Annes Co., to wit:

I hereby certify, that on this 24th day of August nineteen hundred and six, before me the subscriber a Justice of the Peace of the State of Maryland, in and for the County aforesaid, personally appeared Jas. E., Richd, Deborah & Emma Brown and acknowledged the foregoing mortgage to be their respective act: and at the same time and place before me also appeared John R. Benton and made oath in due form of law that the consideration named in this mortgage is true and bona fide as therein set forth.

EMORY S. SKINNER J.P.

State of Maryland, Queen Annes County, to wit:

I hereby certify that the foregoing is true taken and copied from Liber S.S. No. 1, folio 564 & c., 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 Annes County this 21st day of April A.D. 1909.

Samuel Seney Clerk.

Bond Filed May 14, 1909

KNOW ALL MEN BY THESE PRESENTS; That we, John R. Benton, of Queen Anne's County, in the State of Maryland, and Alice G. Benton 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 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 Fourteenth day of May, in the year nineteen hundred and nine.

WHEREAS, the above bounden John R. Benton, mortgagee, is about to execute by a sale of the mortgaged property, the power of sale contained in a mortgage from James Brown and wife and Richard Brown and wife, bearing date the and recorded in Liber a Land Record Book for Queen Anne's County aforesaid, default having occurred in the covenants and conditions of said mortgage.

NOW THE CONDITION OF THIS OBLIGATION is such that if the above bounden John R. Benton do and shall and faithfully abide and perform 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; otherwise to be and remain in full force and virtue in law.

WITNESS:

JNO. R. BENTON

SEAL

FLORENCE HOPKINS

ALICE G. BENTON

SEAL

Report of Sale Filed May 17, 1909

Dr. John R. Benton, Mortgagee,

vs.

James E. Brown and Richard Brown, et al.

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

The Report of Dr. John R. Benton, Mortgagee, to Your Honors respectfully shows:

That in and by virtue of a power of sale contained in a mortgage from James E. Brown and Richard Brown, et al., to John R. Benton, bearing date the twenty fourth day of August, in the year nineteen hundred and six, and recorded among the Land Records of Queen Anne's County, in Liber No. folio, default having been made in the covenants and conditions of said mortgage, the said John R. Benton, mortgagee as aforesaid, having given more than three weeks, time prescribed by said mortgage, of the time, place, manner and terms of sale, by advertisement in the Centreville Record, a newspaper printed and published at Centreville, in Queen Anne's County aforesaid, and having given bond for the faithful performance of the trust reposed in him by said power of sale, pursuant to said notice, did attend in person in front of the store house of George E. Callaway, in the Town of Stevensville, Queen Anne's County aforesaid, on Saturday, May 15th, 1909, between the hours of 2 and 3 o'clock, P.M., and then and there proceeded to sell the following real estate to-wit: All that lot or parcel of land, situate, lying and being at Chester, on Kent Island, Queen Anne's County, Maryland, on the right side of the public road leading from Kent Island Narrows to Stevensville, containing one acre of land, more or less, and being the property known as "The Wm. J. Brown Property", said property being improved by a two story frame dwelling, bar, stable, and out-buildings, being the property covered by said mortgage, and sold the same to John F. Brown he being then and there the highest bidder therefor, at and for the sum of Three Hundred dollars

The purchaser has not complied with the terms of sale.

JOHN R. BENTON.

Mortgagee.

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

I HEREBY CERTIFY, That on this Fifteenth day of May, in the year nineteen hundred and nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Dr. John R. Benton, mortgagee, and made oath in due form of law that the matters and things

stated in the foregoing report of sale, are true as therein set forth to the best of his knowledge and belief, and the sale therein reported was fairly made.

G. O. Collaway
Notary Public

Notary
Public
Seal.

Dr. John R. Benton,
Mortgagee,

vs.

James E. Brown and
Richard Brown, et al.

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

ORDERED on this Seventeenth day of May in the year nineteen hundred and nine by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that the sale of the property mentioned in these proceedings, made and reported to the Court by John R. Benton, mortgagee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of July; 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 24th day of June next.

The report states the amount of sales to be \$300.

SAMUEL SENEY, Clerk

Filed May 17, 1909

Certificate of Publication
Filed June 1, 1909

Mortgagee's Sale of a HOUSE
AND LOT ON KENT ISLAND

The undersigned, by virtue of a Power of Sale, contained in a mortgage from James E. Brown and Richard Brown, et. al., to John R. Benton, bearing date the 24th day of August, 1906, default having occurred in said mortgage, the undersigned, as mortgagee, will sell at public sale, to the highest bidder, in front of the store house of George E. Callaway, in the town of Stevensville, Queen Annes County, Maryland, on Saturday, May 15, 1909, between the hours of 2 and 3 o'clock P.M., the following Real Estate, to wit: All that lot or parcel of land, situate, lying and being at Chester, on Kent Island, Queen Anne's County, Maryland, on the right side of the public road leading from Kent Island Narrows to Stevensville, containing ONE ACRE OF LAND, MORE OR LESS, and being the property known as "The William J. Brown Property," said property being improved by A TWO-STORY FRAME DWELLING, barn stable, outbuildings in good repair.

TERMS OF SALE.* One-half of the purchase money cash on day of sale; the balance in 6 and 12 months on notes satisfactorily secured with interest added and payable to the undersigned, or all cash at the option of the purchaser.

JOHN R. BENTON, Mortgagee

James T. Bright, Attorney

Centreville, Md., 1909.

I hereby certify that the annexed advertisement in the case of John R. Benton Mtgee vs. In D. O. Sanders et al a true copy of which is hereto annexed, was inserted in THE CENTREVILLE RECORD, a weekly newspaper printed and published at Centreville, Queen Annes County, Maryland, once a week for three successive weeks, before the 15th day of May 1909.

JAMES T. BRIGHT
For The Centreville Record.

ORDER NISI

Dr. John R. Benton, MORTGAGEE

VS.

JAMES E. BROWN AND RACHEL BROWN,
ET. AL.

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

ORDERED, this seventeenth day of May, in the year nineteen hundred and nine, by the Circuit Court for Queen Anne's County in equity, and by the authority thereof, that the sale of the property mentioned in these proceedings made and reported to the Court by John R. Benton, mortgagee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 24th day of July; 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 24th day of June, next.

The Report states the amount of sales to be \$300

SAMUEL SENEY, Clerk
True Copy-Test
SAMUEL SENEY, Clerk

Filed May 17th, 1909

Centreville, Md., Mar. 24, 1910

I hereby certify that the annexed Order Nisi in the case of Dr. John R. Benton vs. James E. Brown & Rachel Brown et al a true copy of which is hereto annexed, was inserted in THE CENTREVILLE RECORD, a weekly newspaper printed and published at Centreville, Queen Annes County, Maryland, once a week for four successive weeks before the 24th day of June 1909 being five insertions in all

EDWIN H. BROWN JR.

For the Centreville Record

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QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twelfth day of November in the year nineteen hundred and one, the following Petition, Exhibits and Answers were filed for record, to wit:

C A U S E N O. 1572

Y. T. Gardner,

vs.

B. P. Keating, trustee
John W. Gardner,
Samuel Gardner
Theodore Gardner,
and Fannie Story.

In the Circuit Court for Queen Annes
County in Equity.

To the Honorable, the Judges of said Court:

The Petition of Y. T. Gardner to your Honors respectfully states;

1. That your petitioner and the defendants, John W. Gardner's Samuel Gardner, Theodore Gardner, Fannie Story formerly Fannie Gardner, and Mollie Gardner, now deceased, are the devisees mentioned in the last will and testament of the late Jane E. Wright, deceased, which said last will and testament bears date the 1st day of Sept. in the year 1884 and has been duly admitted to probate by the Orphans Court for Queen Annes County, and recorded in Liber F.R. No- folios &c. one of the Will Records for the aforesaid county.

2. That by the terms of said last will and testament the real estate mentioned therein was devised to Thomas J. Keating and B. Palmer Keating, the Executors therein named, to be held by them in trust for the benefit of your petitioner the aforesaid defendants and the said Mollie Gardner, now deceased, for the purposes therein set forth, as will appear by a certified copy of said Last will and testament filed herewith and marked "Exhibit G No.-I".

3. That since the probate of the said last will and testament and after the passage of the first administration account by the aforesaid Executors one of them, the said Thomas J. Keating has departed this life and the other one, B. Palmer Keating, has refused to perform the trust reposed in him as aforesaid and for some time past therents and profits arising from said real estate have been collected and distributed by Thomas J. Keating, Jr. under an order of the aforesaid Orphans Court aforesaid.

4. That sometime during the early part of the present year, 1901, a part of the aforesaid real estate was condemned and taken under inquisition proceedings by and for the use of the Queen Annes Rail Road Company, the damages awarded therefor being the sum of \$273.70 which said debt and damage your petitioner is advised there is no one authorized in law to collect.

Your petitioner, therefore, prays your Honors, 1st. To take jurisdiction of the trust created by the aforesaid last will and testament and appoint a trustee to collect the aforesaid debt and damages due by the said Queen Annes Rail Road and the rents and profits arising from said real estate and to distribute the same under order of this Court. 2nd. And for such other and further relief as his may require.

As in duty bound &c

Y. T. GARDNER

THOS. J. KEATING JR.
Solicitor for Petitioner.

We, the undersigned defendants named in the foregoing petition admit the facts therein set forth and consent to the passage of such order or decree as this Honorable Court shall deem right and proper.

| | |
|--------------------------------------|---------------------------|
| | <u>JOHN W. GARDNER</u> |
| | his |
| Test as to S. Gardner Daisey Gardner | <u>SAMUEL X GARDNER</u> |
| | mark |
| | his |
| Test as to F. Story Daisey Gardner | <u>FANNIE X STORY</u> |
| | mark |
| | his |
| Test J. E. Kirwan | <u>THEODORE X GARDNER</u> |
| | mark |

Upon the foregoing petition, exhibit, and answers it is ordered this 12th day of November in the year nineteen hundred and one by the Circuit Court for Queen Annes County, in Equity, that B. Palmer Keating the surviving trustee Be and he is hereby removed from the trust created by the last will and testament of Jane E. Wright, deceased, dated the 1st day of September in the year 1884 and recorded in Liber F. R. No-1 folios 75 & c one of the Will Record Books for Queen Annes County, Maryland, and that Thomas J. Keating, Jr. Be and he is hereby appointed trustee in his place and stead.

And it is further ordered that before the said Thomas J. Keating Jr. shall proceed to act as trustee he shall first file with the Clerk of this Court a bond in the penalty of Six Hundred Dollars for the faithful performance of the trust

reposed in him by this order and the aforesaid will.

And it is further ordered that upon the said Thomas J. Keating Jr. qualifying as aforesaid he is hereby authorized and directed to collect the rents and profits arising from said real estate mentioned in the aforesaid last will and testament, and also the sum of \$-273.70 arising from the inquisition proceedings for the land taken by the Queen Annes Rail Road and to distribute said rents and profits and the funds arising from the aforesaid inquisition proceedings under order of this Court, which said last mentioned sum shall be invested by said Trustee under the order of this Court.

WILLIAM R. MARTIN

Filed Nov. 12th, 1901

PETITION
Filed Mar. 28, 1950

JOHN Y. T. GARDNER

Vs.

B. PALMER KEATING, Trustee,
JOHN W. GARDNER, and others.

* IN THE CIRCUIT COURT
* FOR
* QUEEN ANNE'S COUNTY
* IN EQUITY
Chancery No. 1572

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE PETITION of John Y. T. Gardner, cestui que Trustent, unto your Honors respectfully sets forth:

- (1) THAT, Thomas J. Keating, Trustee, filed a Petition on the 8th day of March, 1950, asking leave to resign as Trustee in this cause;
- (2) THAT, your Petitioner is the only person interested in or entitled to the income from the trust in this cause.
- (3) THAT, your Petitioner respectfully suggests unto your Honors that J. William Keith of Centreville, Maryland, a life-long friend of your Petitioner, be appointed, by this Honorable Court as Trustee to succeed the said Thomas J. Keating.

WHEREFORE, your Petitioner prays:

- (a) THAT, this Honorable Court appoint some suitable person as successor-Trustee in the place and stead of the said Thomas J. Keating.
- (b) THAT, your Petitioner may have such other and further relief as his case may require.

AND AS INDUTY BOUND, etc.

JOHN Y. T. GARDNER
John Y. T. Gardner
Chester, Maryland
Petitioner

Filed Mar. 28, 1950

Petition
Filed April 19, 1950

Y. T. GARDNER

versus

B. PALMER KEATING, Trustee,
JOHN W. GARDNER, and others

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P E T I T I O N

TO THE HONORABLE, the Judges of said Court:

THE PETITION of Thomas J. Keating, Trustee by Thomas J. Keating, Jr., his Attorney, respectfully sets forth:

(1) THAT there has been docketed on the Law side of the Circuit Court for Queen Anne's County a Condemnation suit brought by the State Roads Commission of the State of Maryland against the said Thomas J. Keating, Trustee, which said suit seeks to condemn certain land which is a part of the "Jane E. Wright Farm" belonging to this Trust Estate;

(2) THAT said suit is numbered 261 on the Law Docket of said Court and there is filed in said Cause Plats and a more complete description of the land

sought to be condemned, and in accordance with the Law governing such Condemnation proceedings, the said State Roads Commission has deposited with the Clerk of the Circuit Court for Queen Anne's County the sum of Six Hundred Dollars (\$600.00) to cover the estimate made by said Commission of the value of the property sought to be condemned;

(3) THAT the present Beneficiary of the Trust Estate, John Y. T. Gardner, and his son, John A. Gardner, have advised your Petitioner through his said Counsel, Thomas J. Keating, Jr., that the amount of the aforesaid deposit offered by the State Roads Commission is satisfactory to them, but the Condemnation suit had to be brought for the purpose of transferring the Title to the property to the State Roads Commission, there being no Power of Sale contained in the Will of Jane E. Wright, under which your Petitioner is acting as Trustee;

WHEREFORE, Your Petitioner prays your Honors to authorize him to file a plea in the aforesaid Condemnation proceedings agreeing to the aforesaid value of Six Hundred Dollars (\$600.00) and consenting to the finding of a Verdict by a Jury of Condemnation of said amount.

Respectfully submitted,

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)
ATTORNEY FOR PETITIONER.

Filed April 19, 1950

C O N S E N T

The undersigned, John Y. T. Gardner, does hereby consent to the passing of an Order in accordance with the foregoing Petition.

ATTEST:

JOHN Y. T. GARDNER
(John Y. T. Gardner)

JOHN A. GARDNER
(John A. Gardner)

Filed April 19, 1950

Y. T. Gardner

versus

B. PALMER KEATING, Trustee,
JOHN W. GARDNER, and others

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

CHCY # 1572

ORDER OF COURT

UPON the foregoing Petition, it is, by the Circuit Court for Queen Anne's County, In Equity, this 19th day of April 1950, ORDERED that Thomas J. Keating, Trustee, be and he is hereby authorized to file a Plea in the case of "The State Roads Commission of Maryland versus Thomas J. Keating, Trustee", No. 261, Law, in the Circuit Court for Queen Anne's County, consenting to a finding of a Verdict of Six Hundred Dollars (\$600.00) by a Jury of Condemnation in the above entitled Law Suit.

WM. R. HORNEY
JUDGE

Filed April 19, 1950

Decree of Court
Appointing Successor or Trustee.
Filed June 30, 1950

JOHN Y. T. GARDNER,

VS.

B. PALMER KEATING, Trustee,
JOHN W. GARDNER, and others,

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

Chancery No. 1572.

ORDER OF COURT

Upon the Petition and Account of Thomas J. Keating, Trustee in the above entitled Cause, wherein the said Thomas J. Keating seeks to resign as Trustee, IT IS ORDERED AND DECREED, this 30th day of June, in the year nineteen hundred and fifty, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the said Thomas J. Keating, Trustee as aforesaid, as described and set forth in said Petition and Account, be and he is hereby fully released and discharged from the further execution of said trust reposed in him by the decree of this Court bearing date the 12th day of November, 1901, 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 8th day of March, 1950.

AND IT IS FURTHER ORDERED, that because the corpus of the estate con-

sists only of the farm known as "The Jane E. Wright Farm" and that the proceeds and expenditures have respectively been received and expended by the life tenant, John Y. T. Gardner, as appears from the Petition and Account of Thomas J. Keating, Trustee, filed in this Cause on March 8th, 1950, no accounting by the said Thomas J. Keating, Trustee, is necessary or is required.

AND IT IS FURTHER ORDERED AND DECREED that J. WILLIAM KEITH 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 Thomas J. Keating, with full authority to manage and control said Trust Estate as though the said J. WILLIAM KEITH had been an original Trustee in this Cause, provided, however, that before the said J. WILLIAM KEITH 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 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 said Trust.

AND IT IS FURTHER ORDERED AND DECREED that the said Thomas J. Keating Trustee as aforesaid, be and he is 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 J. WILLIAM KEITH, 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 J. WILLIAM KEITH be and he is hereby authorized, empowered and directed to execute a release to the said Thomas J. Keating, Trustee, releasing, discharging, acquitting and exonerating the said Thomas J. Keating, his heirs, executors and administrators, and his bond as Trustee as aforesaid, and the sureties on said bond, from all and every action, suit, claim or demand which could or might possibly be brought, exhibited or prosecuted against him or his bond and his sureties 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, required 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 extended to a period within thirty (30) days after the receipt of funds from the condemnation proceedings now pending in the Circuit Court for Queen Anne's County involving part of the farm of this trust estate.

AND IT IS FURTHER ORDERED that the said Successor Trustee be and he is hereby directed to take forthwith such testimony as may be necessary to establish the derivation of the title to the farm belonging to this trust estate from a date not later than the death of Jane E. Wright to the present date.

AND IT IS FURTHER ORDERED that the costs of these proceedings be paid out of the corpus of this estate, if any, or by John Y. T. Gardner, the life tenant.

WM. R. HORNEY

Judge.

Filed June 30, 1950

Depositions

Filed July 21, 1950

JOHN Y. T. GARDNER,

VS.

B. PALMER KEATING, ET AL.,

* IN THE CIRCUIT COURT FOR
* QUEEN ANNE'S COUNTY,
* IN EQUITY.
* Chancery No. 1572

The undersigned examiner having been notified by John Palmer Smith, Esq., Solicitor for the Plaintiff, that he wished to take testimony in the above case for the purpose of perpetuating same, did on Thursday, July 20, 2:00 P.M., 1950 at the office of John Palmer Smith examine the following witness who after first being sworn did depose as follows, to wit:

HARRY C. BUTLER

Harry C. Butler

One of Regular Examiners.

Filed July 21, 1950

JOHN Y. T. GARDNER,

VS.

B. PALMER KEATING, ET AL.,

IN THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY,
IN EQUITY.
CHANCERY NO. 1572

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The object in taking the depositions today of Mr. John Y. T. Gardner, age 82, of Chester, Queen Anne's County, Maryland, before Harry C. Butler, Esq., one of the Standing Examiners of the Circuit Court for Queen Anne's County, in Equity, is to obtain formal written evidence, under oath, to be recorded to preserve for perpetual memory, lest the danger that such evidence could be entirely lost due to the fact that Mr. John Y. T. Gardner aforesaid is very aged, yet very mentally alert now, and is the only known and sole living person having possession and knowledge of and ability to give evidence of the Gardner family as to names, ages, dates of birth, dates of death, relationships, ancestors, descendants, marriages and intermarriages, etc., that might or could have any bearing on or relation to the Jane E. Wright Farm, the title thereto or persons interested in the title therein.

JOHN PALMER SMITH

John Palmer Smith, Attorney for
John Y. T. Gardner and for J.
William Keith, Trustee.

State your name, age, residence and occupation?

My name is John Y. T. Gardner, I am 82 years of age, I live at or near Chester, Queen Anne's County, Maryland, on what is known as the Jane Wright Farm, I am a farmer.

Kindly give the name of your wife, and her age and residence?

My wife is still living, her name is Daisy Elizabeth Gardner, her age is 78 years, and she resides with me on the Jane Wright Farm at Chester, Maryland.

How long have you and Daisy Elizabeth Gardner been married, and state when and where were you married?

My wife and I have been married for 60 years as of June 11th, 1950. We were married on June 11th, 1890, at Holy Innocense Church, in Baltimore, Maryland.

Is Daisy Elizabeth Gardner the only wife you have ever had?

Yes sir.

Give me the names of all children born to you and to Daisy Elizabeth Gardner as a result of this marriage?

My wife and I had three children born to us. Our first child was Felix Eugene Gardner, who lived to the age of 58 years. Felix Eugene Gardner died on January 10th, 1949. Our second child was John Alfred Gardner who was born September 6th, 1893. Our third child was a girl child and she died just one week after it was born. Our only surviving child is now John Alfred Gardner who was born on September 6th, 1893. He has a son who is known as John A. Gardner, Jr., so therefore we often address my son as John A. Gardner, Sr. My son Felix Eugene Gardner died in Queen Anne's County, Maryland.

Do you have any grandchildren or great grandchildren?

I have one grandchild and his name is John A. Gardner, Jr., the only son and child of my son, John Alfred Gardner, Sr., He, John A. Gardner, Jr., is the only child of John Alfred Gardner and Maude Estelle K. Gardner. I have one great-grand child, and her name is Patricia Ann Gardner, and she is the only child of my grandchild, John A. Gardner, Jr., and John A. Gardner, Jr., married one Doris Palmer. My grandchild and Grand grand child live at Chester, Queen Anne's County, Maryland.

Mr. Gardner, what was your father's name?

My father's name was John Wesley Gardner. He was born in the year 1843, and he died October 26, 1921, at the age of 78 years. He died in Queen Anne's County, Maryland. I recall that my father was born in July, 1843.

What was your mother's name?

My mother's name was Mary Catherine Gardner. She died in the year 1870, on May 10th, 1870.

Give me the names of all the children of John Wesley Gardner, your father, and Mary Catherine Gardner, your mother?

Annie J. Gardner, John Y. T. Gardner (myself) and Mary Elizabeth Gardner who we all called "Mollie Gardner". My sister Annie J. Gardner when she was thirteen years old, she was born in 1866, and died 13 years later. She had no children. She died of Typhoid fever. Mollie Gardner, my sister was born on May 9th, 1870 and died on July 10th, 1896. At the time my sister Mollie Gardner died as I said before, she died on July 10th, 1896, she was living in Baltimore, Maryland. She died without a will. I wish to aginstate that Mollie, My sister, was born on May 9th, 1870. Mollie Gardner, my sister, was never married, and she died without any children. When my sister was born, my mother died in child birth. When Mollie died, she left surviving her, John Wesley Gardner, her father, and myself, John Y. T. Gardner, her brother.

Now, Mr. Gardner, I want to get some family history back to the time when the farm now known as the Jane E. Wright Farm came into your family? Referring to your records and old records and the old deeds in your possession, can you tell me from whom the farm now known as the Jane E. Wright farm came, and the date and all other data in your possession?

Yes sir. On June 10th, 1809, by a deed recorded in Liber S. T. W. No. 10, folio 351,

etc., one Thomas Richardson conveyed unto John Gardner the farm then known in the old deed as Wading Place Neck and Pascoe's Adventure. The farm as now composed was made upon in those days of four parcels of land, one of 300 acres, one of 150 acre, one of 45 acres and one of 5 acres. This John Gardner who got the farm in 1809 from Thomas Richardson had a wife, and her name was Frances Martingale Gardner. They had two children, a son John Wesley Gardner, who was born on April 27th, 1809, and who died on October 10th, 1811, being just 2 years and 6 months old when he died. They had one other child, and her name was Jane Etta Gardner, a daughter, who was born on May 29th, 1812, and who died on January. 13, 1893. John Gardner, who married Frances Martindale Gardner, died on February 24th, 1813, leaving surviving him his widow, Frances Martindale Gardner and his daughter, Jane Etta Gardner. Frances Martindale Gardner, the surviving widow of John Gardner, later married Robert Gardner, a half brother of John Gardner.

Did Frances Martindale Gardner, widow of John Gardner, who married Robert Gardner, have any children by this second marriage, and if so, give me their names?

Frances Martindale Gardner and Robert Gardner had only one child and his name was John Gardner. This John Gardner was my grandfather and he married one Susan Rollison, and by this marriage they had four children.

Now, Mr. Gardner, give me the names of the children of John Gardner, your grandfather and of Susan Rollison Gardner, your grandmother?

My grandfather, John Gardner, and my grandmother, had four children, as follows:

1. John W. Gardner known also as John Wesley Gardner, is my father, and he was born in the month of July, 1843.
2. Samuel M. Gardner, who died June 22nd, 1910, who had one child named Lemuel Gardner.
3. Theodore C. Gardner, who died Jan. 1906, who never married and who had no children.
4. Fannie Gardner, died October 11th, 1915, who had only one child, Clarence R. Gardner.

I wish to state that my grandfather John Gardner and his wife Susan Rollison Gardner were each only married once, neither one of them ever remarried, and the only children born to them were the four above named, John Wesley Gardner, Samuel M. Gardner, Theodore C. Gardner and Fannie Gardner. Samuel M. Gardner and Theodore C. Gardner were my uncles and Fannie Gardner was my aunt.

Now, Mr. Gardner, coming back to Jane Etta Gardner, I want some of her family history? Did Jane Etta Wright ever marry, and if so, who, and kindly give me some dates, and some of her family history as to children, if any, etc?

Well, Jane Etta Gardner, daughter of John Gardner and Frances Martindale Gardner, was born on May 29, 1812, and died January 13, 1893. She married one Samuel J. Wright on September 18, 1832, and they had no children. Jane Etta Gardner Wright never had any children. She and her husband, Samuel J. Wright were later divorced, and Jane Etta Gardner Wright never married. Jane Etta Gardner Wright inherited what we now know as the "Jane E. Wright Farm" from her father, John Gardner, the said John Gardner having acquired this farm from Thomas Richardson on June 10, 1809 by deed recorded in Liber S.T.W. No. 10, folio 351, etc. Jane Etta Gardner Wright was the only heir at law and only surviving child of the said John Gardner.

Now, Mr. Gardner, what relation was Jane Etta Gardner Wright to you?

She was my great aunt, she being the aunt of my father, John Wesley Gardner. Jane Etta Gardner Wright died on Jan. 13, 1893, and my father died on October 26, 1921. My father died intestate. My sister, Mollie Gardner, died on June 10th, 1896, in other words, my sister Mollie died after Jane E. Wright, but my sister Mollie Gardner pre-deceased her father and my father, John Wesley Gardner, as he did not die until October 26, 1921. When Mollie Gardner, my sister, died, her surviving relatives of the whole blood were her father, John Wesley Gardner, and myself, her only brother and only other one, of the whole blood. When father, John Wesley Gardner died on October 26, 1921, I was on the only living heir of the whole blood.

Now, Mr. Gardner, is there anything else you wish to state as to the family history?

I only wish to state that John Gardner, son of Frances Martindale Gardner, died before his mother died and died also before the death of his wife, Susan Rollison Gardner. This John Gardner I am now speaking of was my grandfather. And I wish to add further that John Gardner and Susan Rollison Gardner, my grandfather and grandmother, both died before Fannie Gardner, Theodore Gardner, Samuel Gardner, and John Wesley Gardner, their children, died. In other words, Fannie Gardner, Theodore Gardner, Samuel Gardner and John Wesley Gardner, the only children of John Gardner and Susan Rollison Gardner, all survived their father and mother.

Mr. Gardner, kindly give the month, date and year of your birth?

I was born on May 20th, 1868, in Queen Anne's County, Maryland. And my sister Mollie Gardner was born in Queen Anne's County, Maryland, on May 9th, 1870, and she died on July 10th, 1896, intestate, in Baltimore, City, Maryland, and she is buried on Kent Island, in the family burying ground near Chester, on the farm where Claude Lowery now lives. My father, John Wesley Gardner, died in Queen Anne's Maryland, intestate. Mary Catherine Gardner, my mother, died on May 10, 1870, in child birth when my sister Mollie Gardner, was born. My deceased son, Felix Eugene Gardner, left no wife or children, as he never married, and he died intestate.

Examiner's Special.

No sir.

JOHN Y. T. GARDNER
John Y. T. Gardner.

The Attorney for the Plaintiff stating that there were no other witnesses, your Examiner hereby certifies that he was present during the examination of the above witness, and that he felt that it was not necessary to ask any questions of said witness as the examination was properly conducted by the Solicitor for the Plaintiff and from my observation there were no irregularities in the proceedings. After asking the witness the Examiner's Special, I wish to state the above witness waived his fee.

Harry C. Butler, Examiner \$8.00 PAID

HARRY C. BUTLER
Harry C. Butler
One of Regular Examiners.

Filed July 21, 1950

Petition by J. William Keith,
Successor Trustee, To Close and
Terminate Trust and Give Deed.
Filed Nov. 5, 1951

JOHN Y. T. GARDNER

Vs.

B. PALMER KEATING, Trustee
JOHN W. GARDNER, et. al.

IN THE
CIRCUIT COURT

for

QUEEN ANNE'S COUNTY

IN EQUITY

No. 1572

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of J. William Keith, Successor Trustee, unto your Honors respectfully represents:

1. That this Honorable Court assumed jurisdiction of the trust estate hereinafter set out by its Order dated the 12th day of November, 1901.

2. That under the will of Jane E. Wright, being Item No. 1 therein, all that tract of land known as "Gardner's Purchase" or "The Jane E. Wright Farm" was devised as follows, to wit:

"I give and devise the farm called "Gardner's Purchase" whereon I now reside and have resided for many years, and which I inherited from my father John Gardner, who purchased from Thomas Richardson, to Thomas J. Keating and B. Palmer Keating in trust, to hold and manage the same, for the use and benefit of my niece, Fannie Gardner, my nephews Theodore C. Gardner, Samuel M. Gardner, and John W. Gardner, and my nephew John's two children John Y. T. Gardner and Mollie E. Gardner until the death of the last survivors of them and no longer, and to distribute the net annual rents, issues and profits thereof among them, one fifth to Fannie, one fifth to Theodore, one fifth to Samuel, one fifth to John W. one tenth to John Y.T. one tenth to Mollie, until they shall respectively die; and after the death of Fannie to distribute her portion to her son Clarence or his heirs, and after the death of Theodore to distribute his portion to and among whosoever may be his heirs, and after the death of Samuel to distribute his portion to and among the other portions in like proportions, and after the death of John W. to distribute his portion to and among his two children the said John Y. T. and the said Mollie, and after the death of John Y. T. to distribute his portion to and among whoever may be his heirs of the whole blood, and after the death of Mollie to distribute her portion to and among whoever may be her heirs of the whole blood, said distributions to be made as herein indicated as long as the trust hereinbefore created shall continue - and when and as soon as the uses and trusts herein before declared shall expire and terminate, it is my will and I hereby direct that the said trustees or their Successors shall by good and sufficient deed, convey the said farm, in fee simple, to such parties and persons as shall then have become the last distributees of the rents, issues and profits thereof, and in like shares and proportions."

a certified copy of said Last Will and Testament of Jane E. Wright, deceased, being filed herewith, marked "Exhibit A", and prayed to be made a part hereof.

3. That according to a Deposition of John Y. T. Gardner to Perpetuate Testimony, previously filed in this cause, Theodore C. Gardner, late of Queen Anne's County, life beneficiary under the terms of the will aforesaid, departed this life in or about the year 1906, unmarried, having no children, survived only by his brothers and sister, Fannie Gardner, Samuel M. Gardner and John Wesley Gardner as his only heirs at law, the parents of the said Theodore C. Gardner having predeceased him.

4. That according to the Deposition aforesaid, Fannie Gardner, late of Queen Anne's County, life beneficiary under the terms of the will aforesaid, departed this life on or about the 11th day of October, 1915, having no husband, and survived only by Clarence R. Gardner as her only heir at law, the said Clarence R. Gardner, under the terms of the will aforesaid, being the distributee of the rents,

7
issues and profits formerly the share of his mother, Fannie Gardner.

5. That the said Clarence R. Gardner, by deed of assignment dated the 9th day of September, 1933, recorded among the Land Records of Queen Anne's County, aforesaid, in Liber B. H. T. No. 16, folio 467, granted and conveyed all his right, title, interest and estate as distributee of the share formerly of his mother, Fannie Gardner, unto Felix Gardner, a certified copy of said deed of assignment being filed herewith, marked "Exhibit B", and prayed to be made a part hereof.

6. That according to the Deposition aforesaid, Samuel M. Gardner, late of Queen Anne's County, life beneficiary under the terms of the will of Jane E. Wright, departed this life on or about the 22nd day of June, 1910, leaving surviving a son, Lemuel Y. Gardner as his only heir at law.

7. That the said Lemuel Y. Gardner and Mary E. Gardner, his wife, by deed of assignment dated the 24th day of July, 1943, recorded among the Land Records of Queen Anne's County, aforesaid, in Liber A. S. G. Jr., No. 8, folio 106, granted and conveyed all of their right, title, interest and estate in the aforesaid tract of land or farm unto Felix E. Gardner, a certified copy of said deed of assignment being filed herewith, marked "Exhibit C", and prayed to be made a part hereof.

8. That the said Clarence R. Gardner and Lemuel Y. Gardner are still living, both residing in Queen Anne's County, State of Maryland.

9. That according to the Deposition aforesaid, John W. Gardner, late of Queen Anne's County, life beneficiary, departed this life on the 26th day of October, 1921, survived by one son, John Y. T. Gardner, as his only heir at law, his said wife and his said daughter, Mary Elizabeth Gardner, also known as Mollie Gardner, having predeceased him, the said John Y. T. Gardner, under the terms of the will aforesaid, being one of the distributees of the rents, issues and profits formerly the share of his father, John W. Gardner.

10. That according to the Deposition aforesaid, Mary Elizabeth Gardner, also known as Mollie Gardner, late of the City of Baltimore, State of Maryland, life beneficiary under the terms of the will of Jane E. Wright, departed this life, intestate, on or about the 10th day of July, 1896, unmarried, having no children, and survived by her father, John W. Gardner, and her brother, John Y. T. Gardner, as her only heirs at law.

11. That so far as is known, there has been no administration by the Orphan's Court for Queen Anne's County, Maryland, or any orphan's court or probate Court, wheresoever situate, either within or without of the State of Maryland, on the estates of Fannie Gardner, Samuel M. Gardner, Theodore C. Gardner, John W. Gardner, and Mary Elizabeth Gardner, also known as Molly Gardner.

12. That the said Felix E. Gardner, late of Queen Anne's County, grantee of the deeds of assignment of all right, title, interest and estate from Clarence R. Gardner and Lemuel Y. Gardner and wife, as herein set forth, departed this life on or about the 10th day of January, 1949, intestate, he having never married, having no children, and survived only by his father, John Y. T. Gardner, and his mother, Daisy Elizabeth Gardner, as his only heirs at law, certified copies of the Petition for Letters of Administration filed in the Orphan's Court for Queen Anne's County, and the certificate of the grant of Letters of Administration, being filed herewith, marked "Exhibit D", and prayed to be made a part hereof.

13. That John Y. T. Gardner, late of Queen Anne's County life beneficiary under the terms of the will of Jane E. Wright, departed this life, intestate, on or about the 18th day of August, 1951, survived by a son, John A. Gardner, and his widow, Daisy Elizabeth Gardner, as his only heirs at law, certified copies of the Petition for Letters of Administration in the Orphan's Court for Queen Anne's County, and a certificate of the grant of Letters of Administration, being filed herewith, marked "Exhibit E", and prayed to be made a part hereof.

14. That the said Daisy Elizabeth Gardner, by deed of assignment dated the 19th day of October, 1951, recorded among the Land Records of Queen Anne's County on the 22nd day of October, 1951, granted and conveyed all her right, title, interest and estate in and to the "Jane E. Wright Farm", unto her son, John A. Gardner, acquired by her as the heir of her son Felix E. Gardner, deceased, a certified copy of said deed being filed herewith, marked "Exhibit F", and prayed to be made a part hereof.

15. That under the provisions of the first item of the Last Will and Testament of Jane E. Wright, upon the death of John Y. T. Gardner, the last survivor of Fannie Gardner, Theodore C. Gardner, Samuel M. Gardner, John W. Gardner, John Y. T. Gardner, and Mollie Gardner, the uses and purposes of said trust ceased, terminated and expired, and by the authority thereof the trustees, or their successors are directed to convey said farm by good and sufficient deed, in fee simple, to such parties as shall be, or have become, the last distributees of the rents, issues and profits thereof.

16. That the corpus of the trust estate now consists of a farm situate in the Fourth Election District of Queen Anne's County known as "Gardner's Purchase" of "The Jane E. Wright Farm" and a liquid fund on deposit in the Centreville National Bank of Maryland in the amount of Four Hundred and Twenty-six Dollars (\$426.00) from which sum remains to be deducted attorney's fees, trustee's commissions, trustee's bond premiums, and the costs of the termination of this trust.

17. That your Petitioner has been informed that at the death of John Y. T. Gardner the only persons having any outstanding interest in the corpus of this trust estate, in any manner whatsoever, to be Clarence R. Gardner, Lemuel Y. Gardner, Daisy Elizabeth Gardner, and John A. Gardner, as in this Petition set forth, and that by the deeds of assignment herein recited Clarence R. Gardner, Lemuel Y. Gardner and Daisy Elizabeth Gardner have divested themselves, individually, and their heirs and assigns, of any and all right, title, interest and estate by them, or each of them, in said trust corpus seized and possessed, the said John A. Gardner now hav-

ing, or being entitled to, every and all interest and title in the corpus of this trust estate as distributee of the share of rents issues and profits formerly of his father, John Y. T. Gardner, and as an heir at law of his said father, and as assignee of any right, title and interest of Daisy Elizabeth Gardner, and that the said John A. Gardner is entitled to receive from your petitioner a good and sufficient deed in fee simple conveying unto him the tract or farm known as "Gardner's Purchase " or the "Jane E. Wright Farm", and to have paid over and delivered unto him the remaining cash corpus of this trust estate, after the expenditures aforesaid.

WHEREFORE YOUR PETITIONER PRAYS:

1. That this Honorable Court advise and direct your petitioner in the further administration of this trust.
2. That the trust uses and purposes arising from the will of Jane E. Wright be found to have expired and that the trust be declared to have ceased and terminated.
3. That this Honorable Court designate those who have become the last distributees of the rents, issues and profits of the corpus of this trust estate.
4. That this Honorable Court authorize and direct your petitioner to grant and convey by good and sufficient deed all that farm or tract of land in the Fourth Election District of Queen Anne's County, known as "Gardner's Purchase" or "The Jane E. Wright Farm" unto the party or parties entitled thereto, in fee simple, free clear and discharged of said trust.
5. That this Honorable Court designate and name the person or persons entitled to, as grantee or grantees, a deed for the said farm or tract, free, clear and discharged of this trust.
6. That this Honorable Court authorize and direct your petitioner to pay and deliver over the cash corpus or principal of this trust estate remaining in his hands after the payment of all commissions, fees, expenses and costs, unto the party or parties entitled thereto, free, clear and discharged of said trust.
7. That this Honorable Court designate and name the person or persons entitled to receive the cash corpus of this trust estate free, clear and discharged of this trust.

And as in duty bound, etc.,

JOHN PALMER SMITH
John Palmer Smith
Solicitor for Petitioner

J. WILLIAM KEITH
J. William Keith
Successor Trustee

Filed Nov. 5, 1951

JOHN Y. T. GARDNER

IN THE

vs.

CIRCUIT COURT FOR

B. PALMER KEATING, Trustee
JOHN W. GARDNER, et. al.

QUEEN ANNE'S COUNTY

IN EQUITY

No. 1572

ORDER OF COURT

Upon the foregoing Petition, IT IS THEREUPON, this 8th day of November, 1951, by the Circuit Court for Queen Anne's County, In Equity, ORDERED that John A. Gardner, Daisy Elizabeth Gardner, Clarence R. Gardner and Lemuel Y. Gardner show cause, if any they have, on or before the 30th day of November, 1951, why the relief prayed in said Petition should not be granted, provided a copy of this Petition and Order be served upon the said John A. Gardner, Daisy Elizabeth Gardner, Clarence R. Gardner, and Lemuel Y. Gardner, and each of them, on or before the 15th day of November, 1951.

WM. R. HORNEY
Judge

Filed Nov. 8, 1951

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 goods, chattels, credits and personal estate of JOHN Y. T. GARDNER, late of Queen Anne's County, deceased, were on the 28th day of August in the year of our Lord one thousand nine hundred and fifty-one granted and committed unto John A. Gardner who was then and there appointed ADMINISTRATOR of the said deceased, and that said letters are at this date in full force and effect.

Orphan's Court Seal.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of my office, this 15th day of October in the year of our Lord, nineteen hundred and fifty-one.

Test:

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

Filed Nov. 5, 1951

PETITION FOR LETTERS OF ADMINISTRATION
REAL ESTATE ONLY

TO THE HONORABLE, THE JUDGES OF THE ORPHANS' COURT OF QUEEN ANNE'S COUNTY:

In the Matter of the Settlement of the Estate of Felix E. Gardner, late of Queen Anne's County, deceased.

The petition of John A. Gardner, S.r, respectfully showeth that Felix E. Gardner, a resident of Queen Anne's County, State of Maryland departed this life at Chester, at his home in said County, on Monday, the 10th day of January, A.D. 1949, at 3 o'clock A.M. leaving no last will and testament that has come to the knowledge of possession of your petitioner; that said decedent left surviving him the following heirs-at-law, viz:

John Y. T. Gardner, his father, age 82, of Chester, Maryland,
Daisey Elizabeth Gardner, his mother, age 78, of Chester, Maryland,

Real Therefore your petitioner respectfully applies for Letters of Administration upon the estate of said deceased.

John A. Gardner, Sr.
John A. Gardner, Sr.,

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 fifty, before the subscriber, the Register of Wills of Queen Anne's County, personally appeared John A. Gardner, S.r, the petitioner named in the above application, and made oath in due form of law that the matters and things stated in the foregoing application are true to the best of his knowledge and belief.

Edward E. Coursey
Register of 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 foregoing is a true copy of Petition for Letters in the estate of FELIX E. GARDNER, late of Queen Anne's County, deceased, as filed and passed in this office on March 28th, 1950 and recorded in Liber E.E.C. No. 2 folio 77 in Record Book of Petitions and Orders in the Orphans' Court for Queen Anne's County, Maryland.

Orphans' Court Seal.

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of my office this 15th day of October 1951.

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

Certified Copy of Last Will
and Testament of Jane E. Wright,
deceased.
Exhibit A.
Filed November 5, 1951

In the name of God, Amen,

I, Jane E. Wright of Kent Island, Queen Anne's County, Maryland, do make, publish and declare my last will and testament to be as follows-

- 1st I give and devise the farm called "Gardner's Purchase", whereon I now reside and have resided for many years, and which I inherited from my father John Gardner, who purchased from Thomas Richardson, to - Thomas J. Keating and B. Palmer Keating in trust, to hold and manage the same, for the use and benefit of my niece Fannie Gardner, my nephews Theodore C. Gardner, Samuel M. Gardner, and John W. Gardner, and my nephew John's two children John Y. T. Gardner and Mollie E. Gardner until the death of the last survivors of them and no longer, and to distribute the net annual rents, issues and profits thereof among them, one fifth to Fannie, one fifth to Theodore, one fifth to Samuel, one fifth to John W. one tenth to John Y. T. one tenth to Mollie, until they shall respectively die; and after the death of Fannie to distribute her portion to her son Clarence R. Gardner or his heirs, and after the death of Theodore to distribute his portion to and among whoever may be his heirs, and after the death of Samuel to - distribute his portion to and among the other portions in like proportions, and after the death of John W. to distribute his portion to and among his two children the said John Y. T. and the said Mollie, and after the death of John Y. T. to distribute his portion to and among whoever may be his heirs of the whole blood, and after the death of Mollie to distribute her portion to and among whoever may be her heirs of the whole blood, said distributions to be made as herein indicated as long as the trust hereinbefore created shall continue - when and as soon as the uses and trusts herein before declared shall expire and terminate, it is my will and I hereby direct that the said Trustees or their successors shall be good and sufficient deed, convey the said farm, in fee simple, to such parties and persons as shall then have become the last distributees of the rents, issues and profits thereof, and in like shares and proportions.
- 2nd I give and bequeath to my niece Fannie Gardner the high-post bedstead in my parlor chamber and my bed and bedding at my nephew John W. Gardner's house, the high-post bedstead and bedding and the two beaureaus, in my parlor, my largest rocking chair, the wash stand and toilet table in my sleeping room and the stove in the sitting room.
- 3rd I give and bequeath to my great niece Mollie E. Gardner, the high post bedstead bed and bedding, the round top stand, the small walnut table, the bureau, the small glass and stand, the small trunk and the stove in my sleeping room and my small rocking chair.
- 4th I give and bequeath to my nephew Theodore C. Gardner the small bedstead bed and bedding in my sleeping room.
- 5th I give and bequeath to my nephew Samuel M. Gardner the low post bedstead, bed and bedding in my parlor chamber.
- 6th I give and bequeath to my grand nephew John Y. T. Gardner the cottage bedstead, bed and bedding in the small room and my wheat fan.
- 7th I give and bequeath to my nephew John W. Gardner my picture of "General Washington", which I prize very highly & my new buggy
- 8th The rest and residue of my personal property, after the payment of my funeral expenses, debts, specific legacies and expenses of administrations, I give and bequeath to Thomas J. Keating and B. Palmer Keating in trust, to be held or sold in their discretion, and to be used and applied to the same purposes and under the same directions as are set forth in the devise to them of my farm.
- 9th Should any of my nephews or nieces, herein before named, file or make any claims against my personal estate, for any alleged indebtedness by me to him, her or them, it is my will, that he she or they so filing or making such claim, shall thereby forfeit and release to my other legatees and devisees any and every benefit, bequest and devise, given, bequeathed or devised to him, her or them, in, by or under this my last will and testament.
- 10th I constitute and appoint Thomas J. Keating and B. Palmer Keating my Executors, and it is my wish that they shall direct and superintend my funeral and that after my burial, they shall divide and distribute my jewelry and clothing between my niece Fannie Gardner and my great niece Mollie E. Gardner or shall select some lady to make such division and distribution.

In witness whereof, I hereto set my hand and seal this first day of September in the year one thousand eight hundred and eighty four -

Jane E. Wright (Seal)

Signed, sealed, published and declared by the above named Jane E. Wright, as and for her last will and testament, in our presence who at her request in her presence and in the presence of each other subscribe our selves as witnesses hereto -

James E. C. Wright

Joseph C. Benton

drawn by Thos. J. Keating -

In the Orphans' Court of }
Queen Anne's County } Jan 24th 1893

Then came Thomas J. Keating custodian of the last will and testament of Jane E. Wright deceased and made oath on the Holy Evangely of Almighty God that the foregoing is her true & whole last will and testament and that he does not know of any other, that he drew said will for said testatrix, saw her sign her name there- to in the presence of James E. C. Wright and Joseph C. Benton the witnesses there- to, and saw the said witnesses sign the same in the presence of the testatrix at her request, that both of said witnesses are dead, at the same time personally appeared John O. Phillips and made oath on the Holy Evangely of Almighty God that he is ac- quainted with the handwriting of said testatrix and witness and verily believes their signatures to be bona fide and genuine -

Sworn in open Court, before Finley Roberts
Reg of Wills

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

The Register of Wills for Queen Anne's County, Maryland, does here- by certify that the within and foregoing is a true copy of the last Will and Testa- ment of JANE E. WRIGHT, late of Queen Anne's County, deceased, as filed and passed in this office on January 24th, 1893 and recorded in Liber F.R. No. 1 Folio 75, etc. in Record Book of WILLS in the Orphans' Court for Queen Anne's County, Maryland.

IN TESTIMONY WHEREOF I hereunto sub- scribed my name and affix the seal of my office this 18th day of October 1951.

Orphans' Court Seal.

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

EXHIBIT "B"
Filed Nov. 5, 1951

#16,301. QUEEN ANNE'S COUNTY, TO WIT:

Be it remembered that on the Ninth day of October, in the year nineteen hundred and thirty three, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this 30th day of September in the year nineteen hun- dred and thirty three, by Clarence R. Gardner, of Queen Anne's County, State of Mary- land.

WITNESSETH, that in consideration of the sum of Five Dollars the said Clarence R. Gardner of County and State aforesaid, does hereby grant and convey, assign and transfer unto Felix E. Gardner of Queen Anne's County, State of Maryland, his heirs and assigns, in fee simple.

ALL the right title interest and estate of the said Clarence R. Gardner in and to all that farm and tract of land, known as "Gardners Purchase" or the "Jane E. Wright farm", situated, lying and being in the Fourth Election District of Queen Anne's County, Maryland, on the public road leading from Stevensville to Kent Island Narrows and adjoining the lands of Carrie R. Goodhand and being the same land and real estate of which the said Jane E. Wright, late of Queen Anne's County, died seized and possessed; and also all my right title interest and estate in law or in equity, which was devised to me by the 1st Will and Testament of Jane E. Wright, which Will is recorded among the Will records of Queen Anne's County.

Witness my hand and seal this 30 day of September, nineteen hundred and thirty three.

Witness: H. D. Fairbank. CLARENCE X R. GARDNER (SEAL)
his mark

State of Maryland Queen Annes County to-wit:

I hereby certify that on this 2nd day of Oct., in the year nineteen hundred and thirty three, before me the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared Clarence R. Gardner and acknowledged the foregoing Deed and Assignment to be his act

Witness my hand this 2nd day of October nineteen hundred and thirty three.

H. D. FAIRBANK J. P. (SEAL)
Justice of the Peace

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

I hereby certify that the foregoing is truly taken and copied from Liber B. H. T. No. 16, folio 467, a Land Record Book 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 Fifteenth day of October, in the year nineteen hundred and fifty- two.

T. SORDEN PIPPIN
Clerk

Filed Nov. 5, 1951

#EXHIBIT C"
Filed Nov. 5, 1951

.....
#21,928. QUEEN ANNE'S COUNTY, TO WIT:
Be it remembered that on the Thirty First day of July, in the year nineteen hundred and forty three, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this 24th day of July in the year nineteen hundred and forty three, between Lemuel Y. Gardner and Mary E. Gardner, his wife, of Queen Anne's County in the State of Maryland, parties of the first part and Felix E. Gardner, of the same place, party of the second part,

WITNESSETH; that the parties of the first part for and in consideration of the sum of Five Dollars, the receipt of which is hereby acknowledged do hereby grant, convey, release, assign and transfer unto the party of the second part, his heirs and assigns in fee simple,

ALL the right, title, interest and estate of him, the said Lemuel Y. Gardner, in, to and of ALL that farm or tract of land called or known as "Gardner's Purchase" or as "The Jane E. Wright Farm" situate, lying and being on Kent Island in the Fourth Election District of Queen Anne's County in the State of Maryland on the public road leading from Stevensville to Kent Island Narrows adjoining the farm called "The Carrie R. Goodhand Farm" and also all the right, title, interest and estate, both in law or in equity of the said Lemuel Y. Gardner in, to and of the land above described under the last will and testament of Jane E. Wright, deceased; the land described and called as aforesaid is the same land of which the said Jane E. Wright died seised and possessed and which is mentioned and described in her last will and testament recorded among the will record books of Queen Anne's County aforesaid.

IN TESTIMONY WHEREOF the parties of the first part have hereunto affixed their names and their seals the day and year first hereinabove written.

Test as to Lemuel Y. Gardner: LEMUEL Y. GARDNER (SEAL)
DELHA DANCY ROLPH Lemuel Y. Gardner

Test as to Mary E. Gardner: MARY E. GARDNER (SEAL)
Mary E. Gardner

DELHA DANCY ROLPH

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

I hereby certify that on this twenty fourth day of July in the year nineteen hundred and forty three, before me, the subscriber a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Lemuel Y. Gardner, one of the above named Grantors and he did acknowledge the foregoing DEED to be his act.

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

DELHA DANCY ROLPH
Delha Dancy Rolph
NOTARY PUBLIC

Notary
Public
Seal.

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

I hereby certify that on this 26th day of July in the year nineteen hundred and forty three, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Mary E. Gardner, one of the above named grantors 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.

DELHA DANCY ROLPH
NOTARY PUBLIC

Notary
Public
Seal.

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

I hereby certify that the foregoing is truly taken and copied from Liber A. S. G. Jr. No. 8, folio 106, a Land Record Book 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 Fifteenth day of October, in the year nineteen hundred and fifty-one.

T. SORDEN PIPPIN
Clerk

Exhibit D
Filed Nov. 5, 1951

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 goods and chattels, credits and personal estate of FELIX E. GARDNER, late of Queen Anne's County, deceased, were on the 28th day of March in the year of our Lord one thousand nine hundred and fifty-----granted and committed unto John A. Gardner, Sr. who was then and there appointed ADMINISTRATOR of the said deceased, and that said letters are at this date in full force and effect.

Orphans' Court Seal

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of my office, this 15th day of October in the year of our Lord, nineteen hundred and fifty-one.

Test:

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

Filed Nov. 5, 1951

"EXHIBIT E"
Filed Nov. 5, 1951

PETITION FOR LETTERS OF ADMINISTRATION

TO THE HONORABLE, THE JUDGES OF THE ORPHANS' COURT OF QUEEN ANNE'S COUNTY:

In the Matter of the Settlement of the Estate of JOHN Y. T. GARDNER, late of Queen Anne's County, deceased.

The petition of John A. Gardner, respectfully showeth that John Y. T. Gardner a resident of Queen Anne's County, State of Maryland departed this life at Chester, in said County, on Saturday, the 18th day of August, A.D. 1951, at 1.05 o'clock P.M. leaving no last will and testament that has come to the knowledge or possession of your petitioner; that said decedent left surviving him the following heirs-at-law, viz:

Daisy Elizabeth Gardner, wife, 80 years, Chester, Md.,
John A. Gardner, son, 58 years, Chester, Md.,

Therefore your petitioner respectfully applies for Letters of Administration upon the personal estate of said deceased.

John A. Gardner
John A. Gardner,

State of Maryland,

Queen Anne's County to wit:

I hereby certify that on this 28th day of August in the year nineteen hundred and fifty one, before the subscriber, the Register of Wills of Queen Anne's County, personally appeared John A. Gardner, the petitioner named in the above application, and made oath in due form of law that the matters and things stated in the foregoing application are true to the best of his knowledge and belief.

Edward E. Coursey
Register of 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 foregoing is a true copy of Petition for Letters in the estate of JOHN Y. T. GARDNER, late of Queen Anne's County, deceased, as filed and passed in this office on August 28th, 1951 and recorded in Liber E. E. C. No. 2 Folio 408 in Record Book of Petitions and Orders in the Orphans' Court for Queen Anne's County, Maryland.

Orphans' Court Seal.

IN TESTIMONY WHEREOF I hereunto subscribed my name and affix the seal of my office this 15th day of October 1951.

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

Filed Nov. 5, 1951

"EXHIBIT F"
Filed Nov. 5, 1951

THIS DEED, made this 19th day of October, in the year one thousand nine hundred and fifty-one, by and between Daisy Elizabeth Gardner, widow-lady, party of the first part, "Grantor", and John A. Gardner, party of the second part, "Grantee".

WITNESSETH: That the said Daisy Elizabeth Gardner, widow-lady, for and in consideration of the sum of Ten Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, does hereby grant, convey, release, assign and transfer unto the said John A. Gardner, his heirs and assigns, in fee simple,

ALL the right, title, interest and estate of her, the said Daisy Elizabeth Gardner, in, to and of

ALL that farm and tract and tracts of land called or known as "Gardner's Purchase" or as "The Jane E. Wright Farm", situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, State of Maryland, located on both sides of the public roads leading from Stevensville to Kent Island Narrows, adjoining the farm called "The Carrie R. Goodhand Farm" and the lands of others, containing 500 acres of land, more or less, and located on the waters of the Kent Island Narrows, Piney Creek, Chester River, Hog Bay, Eastern Bay and others waters of Queen Anne's County, and being the farm and tract or tracts of land described and called as aforesaid by Jane E. Wright in the last will and testament of the said Jane E. Wright, and being the same farm and property of which the said Jane E. Wright, died seized and possessed.

The interest of the Grantor herein being that acquired by virtue of her being one of the heirs of Felix Gardner, late of Queen Anne's County, deceased, the said Felix Gardner leaving surviving him as his only heirs at law his father, John Y. T. Gardner and his mother, the said Daisy Elizabeth Gardner, the said Felix Gardner having died intestate and a single man. The said Felix Gardner, in his life-time acquired two deeds of assignment of all the right, title, interest and estate of one Clarence R. Gardner, dated September 30th, 1933, recorded in Liber B. H. T. #16, folio 467, and of all the right, title, interest and estate of one Lemuel Y. Gardner, dated July 24, 1943, recorded in Liber A. S. G. Jr., No. 8, folio 106, The said John Y. T. Gardner, husband of the said Daisy Elizabeth Gardner, died intestate, in Queen Anne's County, Maryland, leaving surviving him as his only heirs at law, his widow, Daisy Elizabeth Gardner, and the grantee herein, the said John A. Gardner.

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

TO HAVE AND TO HOLD the land and premises, above described and mentioned and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said John A. Gardner, his heirs and assigns, forever in fee simple.

AND the said Daisy Elizabeth Gardner, widow-lady, does hereby covenant that she has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that she will warrant specially the property granted and conveyed; and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said Grantor.

TEST:

DAISY ELIZABETH GARDNER (SEAL)
Daisy Elizabeth Gardner

CHARLOTTE A. SEVERA
Charlotte A. Severa

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

I HEREBY CERTIFY, that on this 19th day of October, in the year one thousand nine hundred and fifty-one, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Daisy Elizabeth Gardner, widow-lady, to me personally known and known by me to be a widow and she acknowledged the foregoing Deed to be her act.

Witness my hand and notarial seal.

CHARLOTTE A. SEVERA
Charlotte A. Severa
Notary Public
Notary
Public
Seal.

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

I hereby certify that the aforesaid is truly taken and copied from the original deed and filed in the office of the Clerk of the Circuit Court on October 22, 1951 and the same now remains on file in the aforesaid office.

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 Twenty second day of October, in the year nineteen hundred and fifty-one.

Filed Nov. 5, 1951

T. SORDEN PIPPIN
Clerk

SUGGESTION OF DEATH OF JOHN A. GARDNER
with Copy of Will and of Letters of
Testamentary.
Filed Jan. 26, 1953

JOHN Y. T. GARDNER,

VS.

B. PALMER KEATING, ET AL.,

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. 1572

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of J. William Keith, Trustee in this Cause, by John Palmer Smith, his Solicitor, respectfully represents:

That since filing the Petition in this Cause on November 5th, 1951, John A. Gardner has departed this life, having died on November 11th, 1952, at his home in Chester, Queen Anne's County, Maryland, leaving a last will and testament that has been duly probated in the Orphans' Court of Queen Anne's County, and under which Will M. Estelle K. Gardner, his wife, was named Executrix, the said Executrix having duly qualified.

Under the terms of said Will of John A. Gardner, M. Estelle K. Gardner is residuary devisee and legatee.

Also under the terms of said will of John A. Gardner, Jr., son of John A. Gardner, deceased, is the devisee of the farm and real estate in these proceedings mentioned and described as "The Jane Wright Farm" or "Gardner's Purchase."

Certified copy of said will and of said certificate of letters testamentary are filed herewith as part hereof.

Your petitioner therefore prays that M. Estelle K. Gardner, as Executrix aforesaid, and M. Estelle K. Gardner, as residuary legatee and devisee, and John A. Gardner, Jr., as devisee aforesaid of said farm, be made parties to this Cause.

And as in duty bound, etc.,

JOHN PALMER SMITH
Attorney for Petitioner.

Copy of above petition left with Howad Wood, 3rd, this 23rd day of January, 1953.

JOHN PALMER SMITH
John Palmer Smith

Filed Jan. 26, 1953

JOHN Y. T. GARDNER,

VS.

B. PALMER KEATING, ET AL.,

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY.

CHANCERY NO. 1572.

ORDER OF COURT.

Upon the foregoing Suggestion of Death of John A. Gardner, IT IS ORDERED this 27th day of January, 1953, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that M. Estelle K. Gardner, in her individual capacity, and M. Estelle K. Gardner, Executrix of the last will and testament of John A. Gardner, deceased, and John A. Gardner, Jr., be, and they are hereby made parties to this proceeding in the place and stead of John A. Gardner, deceased.

WM. R. HORNEY
Judge.

Filed Jan. 27, 1953

Queen Anne's County, to wit: Be it remembered that on the twenty ninth day of November, in the year 1933, the following Release was brought to be recorded, to wit:-

THIS RELEASE, made this 21st. day of October, 1933, by John Y. T. Gardner and Clarence R. Gardner, of Queen Anne's County, in the State of Maryland.

Whereas, by the last will and testament of Jane E. Wright dated the first day of September, 1884, duly admitted to probate by the Orphan's Court for Queen Anne's County, Maryland and now of record in the office of the Register of Wills for said County in

Liber F. R. # 1, folio 75 Ve. the tract of land or farm known as "Gardner's Purchase", lying on both sides of the public road leading from Kent Island Narrows, to Stevensville was by said testator devised in trust to Thomas J. Keating and B. Palmer Keating to pay over the net income therefrom as follows:-
 One-fifty to Fannie Gardner (afterwards Fannie Story) a niece of the testator and the mother of said Clarence R. Gardner;
 one-fifth to Samuel M. Gardner, a nephew of the testator;
 one-fifth to Theodore Gardner, a nephew of the testator;
 one-fifth to John W. Gardner, a nephew of the testator;
 one-tenth to John Y. T. Gardner, a son of said John W. Gardner;
 and one-tenth to Mollie E. Gardner, daughter of said John W. Gardner, and sister of the whole blood of said John Y. T. Gardner;
 and after the death of said Fannie Story, nee Gardner, to distribute her part to said Clarence R. Gardner, her son or his nieces; and after the death of said Theodore Gardner to distribute his part to his heirs; and after the death of Samuel M. Gardner to distribute his part to the other portions in like proportions; and after the death of John W. Gardner to distribute his part to his said son and daughter, John Y. T. Gardner and Mollie E. Gardner.

And whereas, on the 12th. day of November, 1901, the grantee in this release, Thomas J. Keating, son of the aforesaid Thomas J. Keating, trustee, was, after the death of his said father, appointed trustee in the place and stead of the said original trustees, Thomas J. Keating and B. Palmer Keating.

And whereas, all the aforesaid beneficiaries named in said last will and testament of said Jane E. Wright have departed this life, except the said John Y. T. Gardner and the said Clarence R. Gardner, after having received their respective portions of the annual income and which annual income has, since the death of the others, been received by said Clarence R. Gardner, and said John Y. T. Gardner, the latter of whom has continuously occupied said tract of land or farm since the death of said testatrix with the consent and approval of the other said beneficiaries.

And whereas, said Fannie Story, nee Gardner, departed this life in and about the year 1915, leaving as her only issue the said Clarence P. Gardner; and whereas the said Theodore C. Gardner has long since departed this life without ever having married or had issue survived by no other heirs than his two brothers, said Samuel M. Gardner and said John W. Gardner, and a sister, the said Fannie Story, nee Gardner.

And whereas, previous to the appointment of the present trustee, Thomas J. Keating, the said Mollie E. Gardner, sister of said John Y. T. Gardner, departed this life without ever having married or had issue and was survived by an only brother of the whole blood, the said John Y. T. Gardner, and by no sisters of the whole blood or the descendants of any deceased brother or sister of the whole blood.

And, whereas, by mutual arrangement and understanding by and between the aforesaid beneficiaries named in said last will and testament, it was agreed that said John Y. T. Gardner should occupy cultivate and farm the greater part of said farm or tract of land, and should make and keep up certain permanent and annual repairs, insurance premiums, taxes and the fertility of the soil of said farm and should receive the proceeds from the crop grown thereon as remuneration therefor; and that said Samuel M. Gardner should, during his life, occupy and possess that part of said tract of land or farm known as Sandy Point, with certain buildings thereon for his share in the income; and that said John W. Gardner and said Theodore C. Gardner should occupy and possess, during their respective lives, certain other real estate on said Kent Island belonging to said John W. Gardner, Samuel M. Gardner, Theodore C. Gardner and Fannie Story; and that said Fannie Story should have and possess so long as she might desire so to do, one the dwell f the dwellings on said tract free of rent and in addition thereto should be paid annually the amount of twenty five dollars as and for her share in the proceeds from said tract of land or farm.

And, whereas, since the death of his said mother, Fannie Story, the said Clarence R. Gardner has elected to receive and has received an annuity or annual payment of twenty five dollars as and for his full share and proportion of the net proceeds from said farm and trust estate.

And, whereas, said Clarence R. Gardner, by deed dated September 30, 1933, has conveyed unto Felix Gardner all his right, title, interest and estate acquired, or to which he became entitled under the terms and provisions of said last will and testament of said Jane E. Wright, deceased, in the aforesaid trust estate and farm or tract of land, and it is now the desire and wish of said John Y. T. Gardner and said Clarence R. Gardner to make known, and certify to, by the execution of these presents, the hereinbefore recited facts and to release the present trustee, Thomas J. Keating, his personal representatives, heirs and assigns of and from any and every claim, liability, damage, demand and or liability from, for and or arising out of the rents, issues, profits and income from said trust estate and the proceeds thereof.

Now therefor, in consideration of the premises and of the sum of five dollars (\$5.00) we, the said John Y. T. Gardner and said Clarence R. Gardner, jointly and severally, do hereby release, acquit, exonerate and discharge the said Thomas J. Keating, his heirs, personal representatives and assigns of and from all and every action, suit, claim, demand or damage which could or might possibly be brought, instituted, exhibited or prosecuted against him, them, or any of them for or on account of the aforesaid trust estate created by and or under said last will and testament of said Jane E. Wright deceased, and all and every the rents, issues, moneys, proceeds, and profits therefrom or thereout hereby declaring ourselves and each of us fully satisfied, contented and paid to, and including, the date hereof.

Given under our hands and seals this 21st. day of October, in the year nineteen hundred and thirty three.

Test: Marie K. Connolly,
 Test as to Clarence R. Gardner.

his
 Clarence R. x Gardner (SEAL)
 mark

Testas to John Y. T. Gardner:
 Marie K. Connolly
 Test as to John Y. T. Gardner.

John Y. T. Gardner (SEAL)

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

I hereby certify that on this 21st. day of October, in the year nineteen hundred and thirty three, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County personally appeared Clarence R. Gardner and did acknowledge the foregoing release to be his act and deed.

Witness my hand and notarial seal the day and year last above written.

Notary
Public
Seal.

Marie K. Connolly.
(Notary Public.)

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

I hereby certify that on this 13th. day of November, in the year nineteen hundred and thirty three, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared John Y. T. Gardner and acknowledged the within and foregoing release to be his act and deed.

In testimony whereof, I hereunto subscribe my name and notarial seal affix, the day and year herein last above written.

Notary
Public
Seal.

Marie K. Connolly.
Notary Public.

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

I hereby certify that the foregoing is truly taken and copied from liber B.H.T. No. 1, folio 166 etc., a Trustee's Release 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-fifth day of February, in the year nineteen hundred and fifty-three.

Clerk's Seal.

T. SORDEN PIPPIN
Clerk

Stipulations between Clarence R. Gardner
and J. Wm. Keith, Trustee.
Filed June 9, 1953

JOHN Y. T. GARDNER,

VS.

B. PALMER KEATING, TRUSTEE,
JOHN W. GARDNER, ET AL.,

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY CAUSE NO. 1572.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

It is hereby stipulated between the parties hereto as follows:

1. That Clarence R. Gardner shall execute forthwith to John A. Gardner, Jr., a deed of conveyance of all his right, title, interest and estate in and to "The Jane E. Wright Farm" or "Gardner's Purchase", the land and real estate and farm and tract of land described in these proceedings.

2. That Clarence R. Gardner directs an assignment and transfer of all his right, title, interest and estate in and to any and all funds or cash corpus now in the hands of J. William Keith, Trustee, to the use of John A. Gardner, Jr.

3. That Clarence R. Gardner does hereby consent to the immediate passage of such decrees or orders as prayed in the Petition of the Trustee filed in this Cause on November 5th, 1951, and to such other decrees and orders as may be passed in the premises, and does further consent to the passage forthwith of such decree or order empowering, authorizing, directing and ordering J. William Keith, Trustee in this Cause, to grant and convey by deed of conveyance to John A. Gardner, Jr., in fee simple, the title to the aforesaid farm known as "Gardner's Purchase" or the The Jane E. Wright Farm".

4. That Clarence R. Gardner agrees that the papers in this Cause be submitted for decree forthwith.

Dated this ninth day of June, 1953.

Witness to the mark of
Clarence R. Gardner:-

his
CLARENCE R. X GARDNER
mark

HOWARD WOOD, 3rd.
Howard Wood, 3rd.,

Howard Wood, 3rd.
Howard Wood, 3rd.,
Solicitor for Clarence
R. Gardner.

JOHN PALMER SMITH
Solicitor for Trustee.

J. WILLIAM KEITH
J. William Keith
Trustee.

Filed June 9, 1953

Stipulations Between Lemuel
Y. Gardner and Mary E. Gardner
and J. Wm. Keith, Trustee.

Filed June 9, 1953

JOHN Y. T. GARDNER,

VS.

B. PALMER KEATING, TRUSTEE;
JOHN W. GARDNER, ET AL.,

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY CAUSE NO. 1572.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

It is hereby stipulated between the parties hereto as follows:

1. That Lemuel Y. Gardner (and Mary E. Gardner, his wife, joining) shall execute forthwith to John A. Gardner, Jr., a deed of conveyance of all his right, title, interest and estate in and to "The Jane E. Wright Farm" or "Gardner's Purchase", the land and real estate and farm and tract of land described in these proceedings.

2. That Lemuel Y. Gardner (and Mary E. Gardner his wife, joining) directs an assignment and transfer of all his right, title, interest and estate in and to any and all funds or cash corpus now in the hands of J. William Keith, Trustee, to the use of John A. Gardner, Jr.

3. That Lemuel Y. Gardner (and Mary E. Gardner, his wife, joining) does hereby consent to the immediate passage of such decrees or orders as prayed in the Petition of the Trustee filed in this Cause on November 5th, 1951, and to such other decrees and orders as may be passed in the premises, and doth further consent to the passage forthwith of such decree or order empowering, authorizing, directing and ordering J. William Keith, Trustee in this Cause, to grant and convey by deed of conveyance to John A. Gardner, Jr., in fee simple, the title to the aforesaid farm known as "Gardner's Purchase" or "The Jane E. Wright Farm".

4. That Lemuel Y. Gardner (and Mary E. Gardner, his wife, joining) agrees that the papers in this Cause be submitted for decree forthwith.

Dated this ninth day of June, 1953.

TURNER & TURNER
Turner & Turner

B. HACKETT TURNER JR.
B. Hackett Turner Jr.
Solicitors for Lemuel Y.
Gardner and Mary E. Gardner,
his wife.

JOHN PALMER SMITH
John Palmer Smith,
Solicitor for Trustee.

Filed June 9, 1953

LEMUEL Y. GARDNER
Lemuel Y. Gardner

MARY E. GARDNER
Mary E. Gardner

J. WILLIAM KEITH
J. William Keith
Trustee,

Decree
Filed June 9, 1953

JOHN Y. T. GARDNER,

VS.

B. PALMER KEATING, TRUSTEE,
JOHN W. GARDNER, ET AL.,

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY.

CHANCERY CAUSE NO. 1572

This Cause being submitted, the proceedings were by the Court read and considered.

IT IS ORDERED AND DECREED, this 9th day of June, in the year nineteen hundred and fifty-three, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, as follows:

1. That the trust uses and purposes arising from the Will of Jane E. Wright having expired, the trust herein is hereby declared to have ceased and terminated.

2. That John A. Gardner, Jr., of Queen Anne's County, State of Maryland, be and he is hereby designated and declared the last distributee of the rents, issues and profits of the real estate corpus of this trust estate.

3. That John A. Gardner, Jr., be and he is hereby designated and named the sole person entitled to, as trustee, a deed for the farm and tract of land known as "Gardner's Purchase" or "The Jane E. Wright Farm" described in these proceedings.

4. That J. William Keith, Trustee in this Cause, be and he is hereby empowered, authorized, ordered and directed to forthwith grant and convey by a good and sufficient deed, all that farm or tract of land on Kent Island, in the Fourth Election District of Queen Anne's County, State of Maryland, known as "Gardner's Purchase" or "The Jane E. Wright Farm" unto John A. Gardner, Jr., in fee simple, free and discharge of the trust in this Cause.

5. That John A. Gardner, Jr., be and he is hereby designated and named as the sole person to receive the remainder of the cash corpus of this trust fund in the hands of the trustee in this cause after payment of all costs incident to this cause.

6. That J. William Keith, Trustee in this Cause, pay to the Clerk of the Court the court costs in this cause out of the cash corpus, and pay unto himself the sum of One Hundred---Dollars (\$100.00) for his services, and to pay the remainder of the cash corpus unto John A. Gardner, Jr.

WM. R. HORNEY
Judge.

Filed June 9, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Seventeenth day of July in the year nineteen hundred and fifty three, the following Order to Docket Suit was filed for record, to wit:

C A U S E N O. 3694

THOMAS J. KEATING, JR., IN THE CIRCUIT COURT FOR
Centreville, Maryland, ASSIGNEE
versus
CHARLES V. SNYDER, Grasonville, Maryland, and JEAN ELIZABETH SNYDER, his wife, Baltimore, Maryland. MORTGAGORS
IN EQUITY.

ORDER TO DOCKET SUIT

TO: Nellie B. Whiteley, Clerk.

DEFAULT having occurred:

YOU will docket suit as per the above Titling for foreclosure of the two (2) following Mortgages, to wit:

(1) Mortgage from Charles V. Snyder and Jean Elizabeth Snyder, his wife, to The Centreville National Bank of Maryland, a body corporate, dated July 5, 1947, recorded in Liber ASG, JR., No. 17, folio 417, a Land Record Book for Queen Anne's County; and

(2) Mortgage from Charles V. Snyder and Jean Elizabeth Snyder, his wife, to Otto Stichel and Mary A. Stichel, his wife, dated July 5, 1947, recorded in Liber ASG, Jr., No. 17, folio 419, a Land Record for Queen Anne's County, Maryland.

YOU will please file in said Cause certified copies of the above Mortgages and Assignments, together with this Order and the accompanying Military Affidavit.

THOS. J. KEATING, JR. (Thomas J. Keating, Jr.) ASSIGNEE

Filed July 17, 1950

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

ON this 17th day of July 1950, before the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Thomas J. Keating, Jr., Assignee, and made oath in due form of law that after diligent inquiry it has been found that Charles V. Snyder and Jean Elizabeth Snyder, his wife, the Mortgagors and present owners of the Mortgaged property are middle aged people and that the said Charles V. Snyder resides at the Mortgaged premises and that the said Jean Elizabeth Snyder lives in Baltimore City, her exact address being unknown; that said Mortgagors are not now in the Military Service of the United States, nor have they been in such service within three (3) months prior herto.

IN TESTIMONY WHEREOF, I hereunto set my hand and Notarial Seal affix the day and year herein last above written.

NELLIE B. WHITELEY Clerk

Filed July 17, 1950

Certified Copy of Mortgage Filed July 17, 1950

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

THIS FIRST PURCHASE MONEY MORTGAGE made this 5th day of July, 1947, by Charles V. Snyder and Jean Elizabeth Snyder, his wife, of Queen Anne's County in the State of Maryland.

WHEREAS the said Charles V. Snyder and Jean Elizabeth Snyder, his wife, are justly indebted unto the Centreville National Bank of Maryland, a body corporate, in the full and just sum of \$3,500.00 for money this day loaned and advanced unto them in order to purchase the real estate hereinafter described, and for which said sum they have drawn and passed unto said body corporate their promissory note bearing even date herewith and payable three months after date at the banking house of said body corporate in Centreville, Maryland, said loan to bear interest at the rate of 5% per annum.

And whereas it was a condition precedent to making the aforesaid loan as represented by the aforesaid promissory note, that the same, together with any and all renewals or part renewals thereof, should be secured 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 Charles V. Snyder and Jean Elizabeth Snyder, his wife, do hereby grant and convey unto The Centreville National Bank of Maryland, a body corporate, its successors and assigns, in fee simple, all the following described real estate, to wit:

All that lot or parcel of land improved by a frame dwelling house called or known or formerly called or known as "The George A. Hall and Mary C. Hall Property", situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, in the section thereof called or known as "Winchester" and/or as "Grasonville," on the west side of the public road branching from the Queens-town-Kent Island Stone Road to lead to Jackson's Creek and the Old Steamboat Wharf which was formerly located on Jackson's Creek, the land hereby conveyed being composed of all those two several lots or parcels of land adjacent one to the other which are known as lot No. 3 and lot No. 20 of the Sub-Division of the Property of the Chester River Steamboat Company at Jackson Creek and which are described as lot No. 3 and lot No. 20 respectively on the plat of the Sub-division of said property of said company recorded in Liber W. H. C. No. 7, a land record book for Queen Anne's County aforesaid, on folios 88 and 89.

Being the same land conveyed unto the said Charles V. Snyder and Jean Elizabeth Snyder, his wife, by deed bearing even date herewith, from Otto Stichel and Mary A. Stichel, his wife, and intended to be recorded among the land records of Queen Anne's County immediately preceding this mortgage.

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 Charles V. Snyder and Jean Elizabeth Snyder his wife, their heirs, executors, administrators or assigns, shall well and truly pay to the said The Centreville National Bank of Maryland, a body corporate, its successors or assigns, the aforesaid sum of Three thousand five hundred dollars and interest, 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 Charles V. Snyder and Jean Elizabeth Snyder, his wife, their heirs and assigns, shall possess said property.

AND the said Charles V. Snyder and Jean Elizabeth Snyder, his wife, their heirs, executors, administrators and assigns, hereby covenant to and with the mortgagee, its successors and 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 The Centreville National Bank of Maryland, a body corporate, its successors or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies, in case of loss, shall be applied to the payment of the loan secured by this first purchase money mortgage, and to deliver, upon demand, to the mortgagee The Centreville National Bank of Maryland, its successors, or assigns, said policy or policies, and that no act or thing shall be done where by 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 The Centreville National Bank of Maryland, its successors 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 given 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 Charles V. Snyder and Jean Elizabeth Snyder, 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 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 granted the said The Centreville National Bank of Maryland, a body corporate its successors or assigns, or 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 Charles V. Snyder and Jean Elizabeth Snyder, 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.

Test:

KATHERINE C. O'NEAL
Katherine C. O'Neal

CHARLES V. SNYDER (SEAL)
Charles V. Snyder

JEAN ELIZABETH SNYDER (SEAL)
Jean Elizabeth Snyder

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

THIS IS TO CERTIFY that on this 5th day of July, 1947, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Charles V. Snyder and Jean Elizabeth Snyder, his wife, and acknowledge the foregoing First Purchase Money Mortgage to be their respective act; and at the same time also personally appeared A. Sydney Gadd Jr., Cashier of the Centreville National Bank of Maryland, a body corporate, Mortgagee, and made oath in due form of law that the consideration stated in said First Purchase Money Mortgage is true and bona fide, as therein set forth, and that he is the duly authorized officer of said body corporate to make this oath.

IN TESTIMONY WHEREOF, I hereunto set my hand and notarial seal, the day and year herein last above written.

Notary
Public
Seal.

KATHERINE C. O'NEAL
Notary Public
Katherine C. O'Neal

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Seventeenth day of July, in the year nineteen hundred and fifty, the following Assignment was filed for record, to wit:-

For value received the within and foregoing mortgage is hereby transferred and assigned to Thomas J. Keating, Jr. attorney, for the purpose of foreclosure and collection.

Witness the hand of the said body corporate by H. F. McPherson, its Vice-President, attested by and its seal affixed by A. Sydney Gadd, Jr. its Cashier, this eleventh day of July, 1950.

THE CENTREVILLE NATIONAL BANK OF MARYLAND

ATTEST:

BY H. F. McPHERSON
H. F. McPherson
its Vice President

A. SYDNEY GADD JR.
A. Sydney Gadd Jr.
its Cashier

Corporate 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 A. S. G., Jr., No. 17, folios 417, etc., a Land Record Book for Queen Anne's County.

In TESTIMONY WHEREOF, I hereunto subscribe my hand and affix the seal of the Circuit Court of Queen Anne's County, this seventeenth day of July, nineteen hundred and fifty.

Clerk's Seal Place

NELLIE B. WHITELEY
Clerk

Certified Copy of Mortgage
Filed July 17, 1950

.....
#25,698. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Seventh day of July in the year nineteen hundred forty seven the following Mortgage was brought to be recorded, to wit:-

THIS SECOND PURCHASE MONEY MORTGAGE made this 5th day of July, 1947, by Charles V. Snyder and Jean Elizabeth Snyder, his wife, of Queen Anne's County, Maryland, witnesseth:

Whereas the said Charles V. Snyder and Jean Elizabeth Snyder, his wife, are justly indebted unto Otto Stichel and Mary A. Stichel, his wife, as tenants by the entireties, in the full and just sum of \$1,800.00 for money due and owing unto them as a part of the purchase money for the real estate hereinafter described, which said sum of \$1,800.00 shall be paid unto the said Otto Stichel and Mary A. Stichel, his wife, or the survivor of them, or the personal representatives or said survivor, at the expiration of three years from the date hereof, with interest thereon in the meanwhile at the rate of 5% per annum, payable semi-annually.

And whereas it was a condition precedent to the sale of the real estate hereinafter described, that this second purchase money mortgage is to be given to secure \$1,800.00 of the purchase money, which said mortgage is to be subject to the priority of another mortgage securing the sum of \$3,500.00 from these Mortgagors to the Centreville National Bank of Maryland, bearing even date herewith and intended to be recorded immediately prior hereto.

Now, therefore, in consideration of the premises and the sum of one dollar, receipt of which is hereby acknowledged, the said Charles V. Snyder and Jean Elizabeth Snyder, his wife, do hereby grant and convey unto Otto Stichel and Mary A. Stichel, his wife, as tenants by the entireties, all the following described real estate, to wit:

All that lot or parcel of land improved by a frame dwelling house called or known or formerly called or known as "The George A. Hall and Mary C. Hall Property," situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, in the section thereof called or known as "Winchester" and/or as "Grasonville," on the west side of the public road branching from the Queenstown-Kent Island Stone Road to lead to Jackson's Creek and the Old Steamboat Wharf which was formerly located on Jackson's Creek, the land hereby conveyed being composed of all those two several lots or parcels of land adjacent one to the other which are known as lot No. 3 and lot No. 20 of the Sub-division of the Property of the Chester River Steamboat Company at Jackson Creek and which are described as lot No. 3 and lot No. 20 respectively on the plat of the Sub-division of said property of said company recorded in Liber W. H. C. No. 7, a land record book for Queen Anne's County aforesaid, on folioes 88 and 89.

Being the same land conveyed unto the said Charles V. Snyder and Jean Elizabeth Snyder, his wife, by deed bearing even date herewith, from Otto Stichel and Mary A. Stichel, his wife, and intended to be recorded among the land records of Queen Anne's County preceding this mortgage.

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 Charles V. Snyder and Jean Elizabeth Snyder, his wife, their heirs, executors, administrators, or assigns, shall well and truly pay to the said Otto Stichel and Mary A. Stichel, his wife, their executors, administrators or assigns, the aforesaid sum of One thousand eight hundred dollars and interest 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 Charles V. Snyder and Jean Elizabeth Snyder, his wife, their heirs and assigns, shall possess said property.

AND the said Charles V. Snyder and Jean Elizabeth Snyder, his wife, their heirs, executors, administrators and assigns, hereby covenant to and with the mortgagee their 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 Otto Stichel and Mary A. Stichel, his wife, 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 the loan secured by this second purchase money mortgage and to deliver, upon demand, to the mortgagees Otto Stichel and Mary A. Stichel, his wife, 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 monies owing hereunder or secured hereby shall be due and demandable and the said Otto Stichel and Mary A. Stichel, his wife, their 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 given 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 same 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 Charles V. Snyder and Jean Elizabeth Snyder, 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 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 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 granted the said Otto Stichel and Mary A. Stichel, his wife, their executors, administrators, or assigns, or 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 Charles V. Snyder and Jean Elizabeth Snyder, 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.

TEST:

KATHERINE C. O'NEAL
Katherine C. O'Neal

CHARLES V. SNYDER (SEAL)
Charles V. Snyder

JEAN ELIZABETH SNYDER (SEAL)
Jean Elizabeth Snyder

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

THIS IS TO CERTIFY THAT on this 5th day of July, 1947, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Charles V. Snyder and Jean Elizabeth Snyder, his wife, and acknowledged the foregoing Second Purchase Money Mortgage to be their respective act; and at the same time also personally appeared Otto Stichel, one of the mortgagees, and made oath in due form of law that the consideration stated in said second purchase money mortgage is true and bona fide as therein set forth.

IN TESTIMONY WHEREOF I hereunto set my hand and notarial seal, the day and year herein last above written.

Notary
Public
Seal.

KATHERINE C. O'NEAL
Notary Public
Katherine C. O'Neal

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Seventeenth day of July, in the year nineteen hundred and fifty, the following Assignment was filed for record, to wit:-

For value received, we hereby assign the within and foregoing mortgage to Thomas J. Keating, Jr., for the purpose of collection by foreclosure or otherwise.

Witness our hands and seals this 15th day of July, 1950.

Witness: (as to both signatures)

J. THOMAS CLARK
J. Thomas Clark

OTTO STICHEL (SEAL)
Otto Stichel

MARY A. STICHEL (SEAL)
Mary A. Stichel

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 419, etc., a Land Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF I hereunto subscribe my hand and affix the seal of the Circuit Court of Queen Anne's County, this seventeenth day of July, nineteen hundred and fifty.

Clerk's Seal.

NELLIE B. WHITELEY
Clerk

Certified Copy of Bond
Filed July 26, 1950

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Twenty Sixth day of July, in the year nineteen hundred and fifty, on the following BOND was filed for record, to wit:

Bond No. 508664

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, as Surety, are held and firmly bound unto the State of Maryland in the full and just sum of Six Thousand Dollars (\$6,000.00) 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 do hereby bind ourselves and each of our heirs, execu-

tors, administrators and successors, in the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this 24th day of July in the year 1950.

WHEREAS, the above bounden, Thomas J. Keating, Jr., as Assignee, is about to exercise the Power of Sale contained in two (2) Mortgages from Charles V. Snyder and Jean Elizabeth Snyder, his wife, both bearing date the 5th day of July 1947, and one being to The Centreville National Bank of Maryland, recorded in Liber ASG, Jr., No. 17, folio 417, and the other being given to Otto Stichel and Mary A. Stichel, his wife, recorded in Liber ASG, Jr., #17, folio 419, a Land Record Book for Queen Anne's County, default having occurred in the terms of both of said Mortgages and Suit having been docketed in the Circuit Court for Queen Anne's County, in Equity, in a Cause therein numbered 3694, Chancery.

NOW, the condition of the above obligation is such that if the above bounden Thomas J. Keating, Jr., as Assignee aforesaid, shall well and faithfully abide by and fulfil any Order or Decree which shall be made by any Court of Equity in relation to the sale of the Mortgaged property of the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and operation in law.

SIGNED, SEALED and DELIVERED
in the presence of:

THOS. J. KEATING, JR. (SEAL)
(Thomas J. Keating, Jr.) ASSIGNEE

MARY KER KEATING

FIDELITY AND DEPOSIT COMPANY OF
MARYLAND, a body corporate,

As to Surety:

by E. V. SHOCKLEY
E. V. Shockley,
Attorney-in-fact

B. CARSON
B. Carson

Corporate Seal Place.

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

Security approved and BOND filed July 26, 1950.

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 181, 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 26th. day of July, 1950.

Clerk's Seal.

NELLIE B. WHITELEY
Clerk

REPORT OF SALE
Filed Aug. 16, 1950

THOMAS J. KEATING, JR.,
Assignee,

versus

Charles V. Snyder and
Jean Elizabeth Snyder, his wife,
Mortgagors.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHY #3694

REPORT OF SALE

TO THE HONORABLE, the Judges of said Court:

THE REPORT OF SALE of Thomas J. Keating, Jr., Assignee, respectfully shows unto your Honors:

THAT DEFAULT HAVING OCCURRED in the terms of two (2) Mortgages, one from Charles V. Snyder and Jean Elizabeth Snyder, his wife, to The Centreville National Bank of Maryland, a body corporate, dated July 5, 1947, recorded in Liber ASG, No. 17, folio 417, and the other from Charles V. Snyder and Jean Elizabeth Snyder, his wife, to Otto Stichel and Mary A. Stichel, his wife, dated July 5, 1947, recorded in Liber ASG, Jr., No. 17, folio 419, a Land Record Book for Queen Anne's County, and said Mortgages having been assigned unto Thomas J. Keating, Jr., for foreclosure and collection, your Assignee, after docketing Suit and filing in this Cause certified copies of said Mortgages and Assignments, and also filing the usual Military Affidavits, did proceed to advertise the Mortgaged property which was covered by the two (2) aforesaid Mortgages in the Queen Anne's Record-Observer, a newspaper printed and published in Queen Anne's County, Maryland, for four (4) successive weeks before the 15th day of August, 1950, a certified copy of said advertisement and the publication thereof being filed herewith.

On said Tuesday, August 15, 1950, your Assignee did attend in front of the Court House door in the town of Centreville, Queen Anne's County, Maryland, at 1.30 o'clock, P.M., and by virtue of the Power of Sale contained in the said Mortgages, did offer the Mortgaged property at public sale to the highest bidder, after reading said advertisement of sale, through J. Elmer Anthony, Auctioneer, who, after crying said sale, for some time, did sell said Mortgaged property unto Otto Stichel and Mary A. Stichel, his wife, as tenants by the entireties, at and for the sum of Fifty-six Hundred Dollars (\$5600.00), the Mortgaged property being described as follows:

ALL that lot or parcel of land improved by a frame dwelling house called or known, or formerly called or known as "The George A. Hall and Mary C. Hall Property", situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, in the section thereof called or known as "Winchester", and/or as "Grasonville", on the West side of the public road branching from the Queenstown-Kent Island Stone Road to lead to Jackson's Creek and the Old Steamboat Wharf which was formerly located on Jackson's Creek, the land hereby conveyed being composed of all those two several lots or parcels of land adjacent one to the other which are known as Lot No. 3 and Lot no. 20 of the Sub-division of the Property of the Chester River Steamboat Company at Jackson Creek, and which are described as Lot No. 3 and Lot No. 20 respectively on the Plat of the Sub-division of said property of said Company recorded in Liber WHC No. 7, a Land Record Book for Queen Anne's County, aforesaid, on folios 88 and 89.

THE terms of sale were those set forth in the advertisement and the additional announcement that Taxes on the property for the year 1950 would be adjusted to the day of sale and that possession would be given to the Purchaser upon ratification of the sale by the Court.

THE Purchasers have complied with the terms of sale by payment of One Thousand Eight Hundred Sixty-six Dollars and Sixty-six Cents (\$1866.66) on account of the purchase price.

The Report states the amount of sales to be Fifty-six Hundred Dollars (\$5600.00).

Respectfully submitted,

THOS. J. KEATING, JR.
(Thomas J. Keating, Jr.) ASSIGNEE

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

THIS IS TO CERTIFY that on this 16th day of August, 1950, before the subscriber, Clerk of The Circuit Court for Queen Anne's County, in Equity, personally appeared Thomas J. Keating, Jr., Assignee of the within described Mortgages, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale were true and bona fide as therein set forth, and that the sale was fairly made;

IN TESTIMONY WHEREOF, I hereunto set my hand and Notarial Seal affix the day and year herein last above written.

NELLIE B. WHITELEY
CLERK

Filed Aug. 16, 1950

MORTGAGE SALE

of Valuable

RESIDENCE PROPERTY

DEFAULT having occurred in the terms of two (2) certain Mortgages, one from Charles V. Snyder and Jean Elizabeth Snyder, his wife, unto The Centreville National Bank of Maryland, dated July 5, 1947, recorded in Liber A.S.G., Jr., No. 17, folio 417, and the other from Charles V. Snyder and Jean Elizabeth Snyder, his wife, to Otto Stichel and Mary A. Stichel, his wife, dated July 5, 1947, and recorded in Liber A.S.G. Jr., No. 17, folio 419, a land record book for Queen Anne's County, the undersigned Assignee, to whom said Mortgages have been assigned for purposes of foreclosure and collection, will, by virtue of the Power of Sale contained in said Mortgages, offer at public sale to the highest bidder on TUESDAY, AUGUST 15, 1950 at 1:30 o'clock, P.M. (D.S.T.) in front of the Courthouse door in the town of Centreville, Queen Anne's County, Maryland, the following described mortgaged property, to wit:

ALL that lot or parcel of and improved by a frame dwelling house called or known, or formerly called or known as "The George A. Hall and Mary C. Hall Property," situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, in the section thereof called or known as "Winchester", and/or as "Grasonville", on the West side of the public road branching from the Queenstown-Kent Island Stone Road to lead to Jackson's Creek and the Old Steamboat Wharf which was formerly located on Jackson's Creek, the land hereby conveyed being composed of all those two several lots or parcels of land adjacent one to the other which are known as Lot No. 3 and Lot No. 20 of the Sub-division of the Property of the Chester River Steamboat Company at Jackson Creek and which are described as Lot No. 3 and Lot No. 20, respectively on the Plat of the Sub-division of said property of said Company recorded in Liber W.H.C. No. 7, a Land Record Book for Queen Anne's County, aforesaid, on folios 88 and 89.

THIS property offers an exceptional opportunity to anyone desiring a home near the water.

TERMS OF SALE: one-third of the purchase money will be required in cash on the day of sale, and the balance thereof shall be paid in cash upon ratification of the sale by the Circuit Court for Queen Anne's County, in Equity. All title papers and revenue stamps at the purchaser's expense and other terms will be announced at the time of sale.

THOMAS J. KEATING, JR.
Assignee of Mortgage.

J. Elmer Anthony, Auctioneer

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. August 16, 1950

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Mortgage Sale in the case/estate of Charles V. Snyder and Jean Elizabeth Snyder unto the Centreville National Bank of Md. 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 15th day of August 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 20th day of July 1950 and the last insertion on the 10th day of August 1950.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed Aug. 16, 1950

ORDER NISI
Filed Aug. 16, 1950

N I S I

Thomas J. Keating, Jr.,
Assignee,

VS.

Charles V. Snyder and
Jean Elizabeth Snyder, his wife,
Mortgagors

) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) CHANCERY NO 3694

ORDERED, This 16th. day of August A.D. 1950, 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 17th. 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 16th. day of September next.

The Report states the amount of sales to be \$5600.00

NELLIE B. WHITELEY Clerk

Filed August 16, 1950

Filed Oct. 18, 1950

NISI

Thomas J. Keating, Jr.,
Assignee,

vs.

Charles V. Snyder and
Jean Elizabeth Snyder, his wife,
Mortgagors.

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
IN EQUITY
CHANCERY NO. 3694

ORDERED, This 16th. day of August A.D., 1950, 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 17th. 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 16th. day of September next.

The Report states the amount of sales to be \$5,600.00.

NELLIE B. WHITELEY
Clerk

Filed: August 16, 1950
True Copy
Test: Nellie B. Whiteley

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. October 17 1950

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. Charles V. Snyder and Jean Elizabeth Snyder, his wife, Mortgagors. Chancery No. 3694 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 September 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 17th day of August 1950, and the last insertion on the 7th day of September 1950.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

BY BARBARA L. BINEBRINK

Filed Oct. 18, 1950

THOMAS J. KEATING, JR.,
ASSIGNEE,

versus

CHARLES V. SNYDER and
JEAN ELIZABETH SNYDER, his wife,
MORTGAGORS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

Chancery No. 3694

STATEMENT OF MORTGAGE DEBT

Thomas J. Keating, Jr., Assignee, sets forth below the amount of the Mortgage debts due and owing by Charles V. Snyder and Jean Elizabeth Snyder, his wife, under the two (2) Mortgage Foreclosures in this Cause, as of August 15, 1950, the day of sale, as follows:

| | | |
|--|--------------|-------------------|
| Principal balance due under First Mortgage from Charles V. Snyder and wife, to The Centreville National Bank of Maryland dated July 5, 1947 | \$3,325.00 | |
| Interest thereon from July 5, 1950, to August 15, 1950 | 18.93 | |
| Insurance Premium advanced | <u>21.51</u> | |
| TOTAL amount due and owing into The Centreville National Bank of Maryland | \$3,365.44 | \$3,365.44 |
| Principal amount due under Second Mortgage from Charles V. Snyder and wife, to Otto Stichel, and Mary A. Stichel, his wife, dated July 5, 1947 | | |
| Interest thereon from January 5, 1950 to August 15, 1950 | \$1,800.00 | |
| | <u>55.00</u> | |
| TOTAL amount due and owing unto Otto Stichel and wife | \$1,855.00 | <u>\$1,855.00</u> |
| | | |
| TOTAL | | \$5,220.44 |
| Attorney's Fee for collection of Mortgage debt as provided in the Mortgage at 5% | | <u>261.02</u> |
| TOTAL MORTGAGE DEBT | | \$5,481.46 |

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)
Assignee of Mortgage

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

THIS IS TO CERTIFY that on this 19th day of October 1950, before the subscriber, Clerk of the Circuit Court for Queen Anne's County personally appeared Thomas J. Keating, Jr., Assignee of Mortgage, and made oath in due form of law that the foregoing Statement of Mortgage debt is true and bona fide as therein set forth to the best of his knowledge and belief and that no part of the same has been paid.

Filed Oct. 19, 1950

NELLIE B. WHITELEY
CLERK

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Queen Anne's County in Equity, this 21st day of October, 1950, THAT the sale of the real estate 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 commissions and such proper expenses, not personal, as he shall produce vouchers for to the Auditor.

WM. R. HORNEY
JUDGE

Filed Oct. 21, 1950

Thomas J. Keating, Jr.,

Assignee,

vs.

Charles V. Snyder and
Jean Elizabeth Snyder, his wife,
Mortgagors.

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

Cause No. 3694

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 both the mortgages foreclosed in this cause for the purpose of collection, and vendor in these proceedings; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest, insurance premiums and attorney's fee amounting under both mortgages to the total sum of \$5,481.46 as of the day of sale, per statement of mortgage indebtedness filed herein, that such deficiency amounts to the sum of \$314.09, and that such deficiency is due Otto Stichel and Mary A. Stichel, his wife, Mortgagees under the second mortgage herein foreclosed, from the Mortgagors, with interest thereon from August 16, 1950.

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 for his commission in accordance with the terms of both mortgages, for the following amounts due, per bills exhibited; the Court costs of this cause, the cost of the premium on said Assignee's corporate surety bond, the fee of the auctioneer who cried this sale, and the cost of advertising the sale and order nisi thereon, and he is then allowed thereout for the cost of the order nisi to be passed as to this Audit and for the auditor's fee, and, finally, the net proceeds of sale, in the sum of \$5,167.37 on account of the aforesaid items making up the total mortgage debt, per statement thereof filed.

Respectfully submitted,

HOWARD WOOD, 3rd
Auditor

October 27, 1950

Filed Oct. 27, 1950

Cause No. 3694

The proceeds of the sale of land reported in this cause, in account with Thomas J. Keating, Jr., Assignee of both mortgages foreclosed in these proceedings (and vendor of said land).

Cr.

| | | |
|---------|---|------------|
| 1950 | | |
| Aug. 16 | By gross proceeds of the sale of said land, per report of said vendor, to wit: | \$5,600.00 |

Dr.

| | | |
|--|-------------------|------------|
| To Thomas J. Keating, Jr., assignee (and vendor) for his commissions for making the sale, per terms of both mortgages | \$269.00 | |
| To do., for an amount due Nellie B. Whiteley, Clerk for the court costs of this cause, per bill for same exhibited, to wit: | 34.75 | |
| To do., for an amount due Fidelity and Deposit Company of Maryland, for the cost of said assignee's corporate surety bond, per bill for same exhibited, to wit: | 24.00 | |
| To do., for an amount due J. Elmer Anthony, for crying said sale per bill for same exhibited, to wit: | 35.00 | |
| To do., for amounts due the Queen Anne's Record-Observer, per bills for same exhibited: For publishing advertisement of sale | \$48.38 | |
| For publishing order nisi on sale | 7.50 | 55.88 |
| 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 Mortgages for collection, the net proceeds of this sale (on account of the total mortgage indebtedness, under both mortgages foreclosed in this cause, of \$5,481.46, per statement thereof filed), to wit: | 5,167.37 | |
| | <u>\$5,600.00</u> | \$5,600.00 |

October 27, 1950
Filed Oct. 27, 1950

HOWARD WOOD, 3rd
Auditor

NISI RATIFICATION OF AUDIT

Thomas J. Keating, Jr.,
Assignee,

VS

Charles V. Snyder and
Jean Elizabeth Snyder, his wife,
Mortgagors.

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3694

ORDERED, This 27th. day of October 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 24th. day of November, 1950; provided a copy of this order be published once a week in each of two successive weeks before the 17th. day of November, 1950, in some newspaper printed and published in Queen Anne's County.

Filed October 27, 1950.

NELLIE B. WHITELEY Clerk

NISI RATIFICATION OF AUDIT
Filed Nov. 29, 1950

NISI RATIFICATION OF AUDIT

Thomas J. Keating, Jr., Assignee

Vs.

Charles V. Snyder and Jean Elizabeth
Snyder, his wife.
Mortgagors.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

CAUSE NO. 3694

ORDERED, This 27th day of October 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 24th. day of November, 1950; provided a copy of this order be published once a week in each of two successive weeks before the 17th. day of November, 1950, in some newspaper printed and published in Queen Anne's County.

Filed: October 27, 1950.
True Copy
Test: Nellie B. Whiteley, Clerk

NELLIE B. WHITELEY, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. NOV. 29, 1950

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Audit Nisi in the case/estate of Thomas J. Keating, Jr. assignee vs Charles V. Snyder and Jean Elizabeth Snyder, 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 17th day of November 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 2nd day of November 1950, and the last insertion on the last insertion on the 9th day of November 1950.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed Nov. 29, 1950

FINAL ORDER OF RATIFICATION

Ordered, by the Circuit Court for Queen Anne's County, in Equity, this 1st day of December, in the year 1950, that the Report and Account filed in these proceedings by Howard Wood, 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 directed by the preceding Order Nisi; and the Assignee is directed to apply the proceeds accordingly, with due proportion of interest as the same has been or may be received.

WM. R. HORNEY
JUDGE

Filed Dec. 1, 1950



.....

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eighth day of September in the year nineteen hundred and fifty one, the following Bill of Complaint was filed for record, to wit:

C A U S E N O. 3749

AUSTIN JONES and ANNA JONES, his wife,
Chester, Maryland,
EDITH COLLIER and HERMAN COLLIER, her
husband, Queenstown, Maryland,
GEORGE WASHINGTON JONES, Chester, Maryland,
Complainants.

IN THE CIRCUIT COURT FOR

VS.

EDGAR JONES and DOROTHY JONES, his wife,
Chester, Maryland,
MARTIN GARDNER, Upper Marlboro,
Maryland,
NELLIE THOMAS and EDWARD THOMAS, her
husband, Queenstown, Maryland,
CARROLL DeJESSA and FLORENCE DeJESSA,
83 Denarest St., Newark, New Jersey,
EDNA DeJESSA, 83 Denarest St., Newark,
New Jersey,
KENNETH DEJESSA AND JEANNE DEJESSA;
Infants, 120 Broadway, Newark, New
Jersey, UNKNOWN Executors or Administrators,
devises, legatees and heirs-at-law of
JAMES NEEDLES, deceased.

QUEEN ANNE'S COUNTY,

IN EQUITY.

Cause No.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining, say:

1. That John M. Needles, late of Queen Anne's County, Maryland, deceased, died intestate in the year 1920, possessed of no personal estate of any value and no letters of administration have been granted on his estate; but seized and possessed of a lot or tract of land, improved by a small two story dwelling house, situate, lying and being in or near Grasonville, Queen Anne's County, Maryland, adjoining the lands of Oliver Lynch, Carey Jewell, Nathan Johnson and Annatte Griffin, containing one half acre of land, more or less, a part of which was granted and conveyed to the said John M. Needles by James E. Collier by deed bearing date of August 17th., 1891, and recorded in Liber W.D. No. 6, folio 122, a Land Record Book for Queen Anne's County, a certified copy of which is filed herewith and prayed to be taken as a part hereof, said land being described in said deed as containing one quarter of an acre of land, more or less; the other part of said lot consists of a lot that the said John M. Needles is supposed to have purchased from James Little but for which he never had a deed of record, but which from 1900 to the time of his death and since his death his heirs have held exclusive, hostile, notorious and continuous possession thereof and under a claim of right, a the two tracts of land have together a length of one hundred and sixty feet and a depth of one hundred and twenty eight feet, more or less.

2. That the said John M. Needles, being so seized and possessed at the time of his death, left surviving him as his only heirs at law, the following, to wit: Lottie Jones formerly Lottie Needles, a daughter; Martin Gardner a son of Cora Gardner formerly Cora Needles, a daughter of John M. Needles, who predeceased him; James Needles, a son. That since the death of John M. Needles the said Lottie Jones died intestate in January 1951, leaving surviving her as her only heirs-at law, her surviving husband, the Plaintiff, George Washington Jones, and the following children and grand-children, to wit: The Plaintiffs, Austin Jones and Edith Collier, the Defendants Edgar Jones, and the children of Edna DeJessa, formerly Edna Jones, a daughter of Lottie Jones, to wit: Nellie Thomas, Carroll DeJessa, Edna DeJessa and Jeanne DeJessa: That since the death of John M. Needles his son, James Needles who was living at the time of the death of John M. Needles, has died, and it is not known to your orators whether he died intestate or not, whether letters of testamentary or of administration have been granted on his estate, who are his legatees and devisees if he left a will or who are his heirs-at-law if he died intestate.

3. That the defendant Edgar Jones is married to Dorothy Jones, they live at Chester, Maryland, and he is seized of an undivided 1/18 interest; that the plaintiffs, George Washington Jones, Chester, Maryland, surviving husband of Lottie Jones, is seized of an undivided 1/9 interest; that the plaintiff, Austin Jones resides with his wife Anna Jones, at Chester, Maryland, is seized of an undivided 1/18 interest; that the plaintiff, Edith Collier is married to the plaintiff Herman Collier, they reside at Queenstown, Maryland, and she is seized of an undivided 1/18 interest that the defendant, Nellie Thomas is married to the defendant Edward Thomas, they reside at Queenstown, and she is seized of an undivided 1/90 interest; That the Defendant Carroll DeJessa is married to the defendant, Florence DeJessa, and they reside at 83 Denarest St., Newark, New Jersey, and he is seized of an undivided 1/90 interest; that the defendant, Edna DeJessa is unmarried and lives at 83 Denarest St., Newark, New Jersey, and is seized and possessed of an undivided 1/90 interest; that the defendants Kenneth DeJessa and Jeanne DeJessa are both infants, they reside at 120 Broadway, Newark, New Jersey, and are each seized and possessed of an undivided 1/90 interest; all subject however to any debts that might be owed by either John M. Needles or Lottie Jones.

4. That the Defendant, James Needles, son of John M. Needles, died in 1922, it is unknown to your orators, whether he died intestate or left a will, whether letters testamentary or administration or either have been granted on his estate and it is unknown to your orators, who his legatees or devisees or heirs-at law are: which devisees or heirs-at-law are entitled to undivided 1/3 interest.

5. That the aforesaid real estate is not susceptible of division among those parties entitled to the same without loss or injury

Wherefore your Oators pray:

1. That a Trustee may be appointed to make sale of the real estate herein mentioned and after paying the costs of these proceedings to have distributed the net proceeds of sale to those entitled.

2. That your Orators may have such other and further relief as may be right and proper in the premises.

RICHARD T. EARLE
Atty. for Complainants

Filed Sept. 8, 1951

Certified copy of Deed
Filed Sept. 8, 1951.

.....

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fifteenth day of September in the year One Thousand eight hundred and ninety one, the following Deed was brought to be recorded, to wit:

This Deed, made this Seventeenth day of August, in the year of Our Lord Eighteen hundred and ninety-one, by me, James E. Collier of Winchester, Queen Anne's County, State of Maryland, Witnesseth: that in consideration of the sum of One Hundred and thirty seven dollars do hereby bargain and sell to John M. Needles of the aforesaid County and State all that lot or parcel of land including dwelling situated in Winchester and of the aforesaid County and State, and more particularly described by the following bounds; On the North by the land of James Little (col) on the east by the land of Chas. W. Butler on the South by the lands of Chas. C. Fisher (col) on the West by the lands of Geo. Summers. Said lot or parcel of land contains one quarter of an acre, more or less, in fee simple.

TEST:

JAMES E. COLLIER (SEAL)

EDWIN A. ROBERTS

Winchester, Queen Anne's Co. State of Md. to wit: I hereby certify that before me, one of the Justices of the Peace, in and for the aforesaid County and State, personally appeared James E. Collier and did acknowledge the foregoing Deed to be his respective act.

EDWIN A. ROBERTS J.P.

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

I hereby certify that the foregoing is truly taken and copied from Liber W. D., No. 6, folio 122, a Land Record Book for Queen Anne's County.

Clerk's Office

In Testimony Whereof, I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this Tenth day of September, in the year nineteen hundred and fifty-one.

T. SORDEN PIPPIN
Clerk

ORDER OF PUBLICATION
Sept. 8, 1951

ORDER OF PUBLICATION

| | | |
|---|---|----------------------|
| AUSTIN JONES and ANNA JONES, his wife, Chester, Maryland, | # | |
| EDITH COLLIER and HERMAN COLLIER, her husband, Queenstown, Maryland, | # | |
| GEORGE WASHINGTON JONES, Chester, Maryland, Complainants, | # | IN THE CIRCUIT COURT |
| VS. | # | FOR |
| EDGAR JONES and DOROTHY JONES, his wife, Chester, Maryland, | # | QUEEN ANNE'S COUNTY, |
| MARTIN GARDNER, Upper Marlboro, Maryland, | # | IN EQUITY. |
| NELLIE THOMAS and EDWARD THOMAS, her husband, Queenstown, Maryland, | # | Cause No. 3749 |
| CARROLL DeJESSA and FLORENCE DeJESSA, his wife, EDNA DeJESSA, 83 Denarets St., Newark, New Jersey, | # | |
| KENNETH DeJESSA and JEANNE DeJESSA, Infants, 120 Broadway, Newark, New Jersey, | # | |
| Unknown Executors, or Administrators, Devisees, Legatees, or Heirs-at-law of JAMES NEEDLES, deceased, | # | |
| Defendants | # | |

The object of this suit is to have a Trustee appointed to make sale of the real estate of which John M. Needles, died seized and possessed and to distribute the net proceeds of sale among those entitled agreeably to their respective interest.

The Bill of Complaint states that John M. Needles died intestate in 1920, leaving no personal estate of any value, no letters of administration have been granted on his estate, but seized and possessed of one half acre of land, more or less, improved by a two story frame dwelling house in or near Grasonville, Queen Anne's County, Maryland; that subject to this debts, that George Washington Jones is seized of an undivided 1/9 interest; Edgar Jones and Edith Collier are each seized of an undivided 1/18 interest; that Marton Gardner is seized of an undivided 1/3 interest; that Nellie Thomas, Carroll DeJessa, Edna DeJessa, Kenneth DeJessa and Jeanne DeJessa are each seized of an undivided 1/90 interest; that James Needles died in 1922, that his unknown Executors, Administrators, Devisees, Legatees, or Heirs-at-law, if any, are seized of an undivided 1/3 interest. That the aforesaid real estate is not susceptible of division among those entitled without loss or interest. That Carroll DeJessa and Florence DeJessa, his wife, Edna DeJessa, Kenneth DeJessa, Infant, Jeanne DeJessa, Infant, are non residents of the State of Maryland, that said real estate is not susceptible of division without loss of injury.

IT IS THEREUPON this 8th. day of September, 1951, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that notice be given by inserting a copy of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks before the 13th. day of October, 1951, warning the said Carroll DeJessa and Florence DeJessa, his wife, Edna DeJessa, Kenneth DeJessa, Infant, and Jeanne DeJessa, infant, non residents of the State of Maryland, and the unknown Executors or Administrators, Devisees, Legatees or Heirs-at Law of James Needles, deceased, to be and appear in this Court in person or by solicitor on or before the 29th. day of October, 1951, to show cause if any have why the relief prayed in said Bill of Complaint should not be granted and to abide by and perform such order or decree as may be passed in the premises.

T. SORDEN PIPPIN Clerk

Filed Sept. 8, 1951

(EQUITY SUBPOENA)
Filed Sept. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO
Martin Gardner
Upper Marlboro, 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 October next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Austin Jones and Anna Jones, his wife, Chester, Maryland, Edith Collier and Herman Collier, her husband, Queenstown, Maryland, George Washington Jones, Chester, 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 3rd. day of September, 1951.

Issued the 8th. day of September, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Martin Gardner and left copy of Subpoena and Bill of Complaint with him this 22nd day of September, 1951.

Carlton G. Beace
Sheriff

EQUITY SUBPOENA
Filed Sept. 28, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Nellie Thomas and Edward Thomas,
her husband, Queenstown, 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 Austin Jones and Anna Jones, his wife, Echester, Maryland, Edith Collier and Herman Collier, her husband, Queenstown, Maryland, and George Washington Jones, Chester, 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 3rd. day of September, 1951.

Issued the 8th. day of September, 1951

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Served on September 24th. 1951, by reading same to Nellie Thomas and Edward Thomas, copy of summons and copy of Bill of Complaint left with each of them.

FRANK Y. WHITELEY
Sheriff

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Edgar Jones and Dorothy Jones, his wife,
Chester, 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 Austin Jones and Anna Jones, his wife, Chester, Maryland, Edith Collier and Herman Collier, her husband, Queenstown, Maryland, and George Washington Jones, Chester, 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 3rd. day of September, 1951

Issued the 8th. day of September, 1951

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Served September the 14th. 1951, by Reading same to Edgar Jones and Dorothy Jones and copy of same and copy of Bill of Complaint left with each of them

FRANK Y. WHITELEY
Sheriff

Military Affidavit
Filed Nov. 23, 1951

Austin Jones et al.,

VS.

Edgar Jones et al.

In the Circuit Court for Queen

Anne's County, in Equity.

Cause No. 3748.

I hereby certify that on this 27th day of October, 1951, before me, the subscriber, a Notary public of the State of Maryland in and for Queen Anne's County, personally appeared Austin Jones, one of the Plaintiffs in above entitled cause and made oath in due form of law that the Defendants in above cause are not engaged in the Military Services of the United States nor have been so engaged within 60 days from the date of making this affidavit. This affidavit is made in compliance with the Soldiers and Sailors' Civil Relief Act. In witness whereof I have hereunto subscribed my name and affixed my Notarial Seal the day and year last above written.

Notary Public Seal

CHARLOTTE A. SEVERA
Notary Public

Filed Nov. 23, 1951

Certificate of Publication
of Order of Publication
Filed Nov. 23, 1951

Order of Publication

Austin Jones and Anna Jones,
his wife, Chester, Maryland,
Edith Collier and Herman Collier,
her husband, Queenstown, Maryland,
George Washington Jones, Chester,
Maryland, Complainants,

Vs.

Edgar Jones and Dorothy Jones,
his wife, Chester, Maryland, Martin
Gardner, Upper Marlboro, Maryland,
Nellie Thomas and Edward Thomas,
her husband, Queenstown, Maryland,
Carroll DeJessa and Florence DeJessa,
his wife, Edna DeJessa, 83 Denarets
St., Newark, New Jersey, Kenneth
DeJessa and Jeanne DeJessa, Infants,
120 Broadway, Newark, New Jersey,
Unknown Executors, or Administrators,
Devisees, Legatees, or Heirs-at-law of
James Needles, Defendants

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3749

The object of this suit is to have a Trustee appointed to make sale of the real estate of which John M. Needles, died seized and possessed and to distribute the net proceeds of sale among those entitled agreeably to their respective interest.

The Bill of Complaint states that John M. Needles died intestate in 1920, leaving no personal estate of any value, no letters of administration have been granted on his estate, but seized and possessed of one half acre of land, more or less, improved by a two story frame dwelling house in or near Grasonville, Queen Anne's County, Maryland; that subject to his debts, that George Washington Jones is seized of an undivided 1-9 interest; Edgar Jones and Edith Collier are each seized of an undivided 1-.8 interest; that Marton Gardner is seized of an undivided 1-3 interest; that Nellie Thomas, Carroll DeJessa, Edna DeJessa, Kenneth DeJessa and Jeanne DeJessa are each seized of an undivided 1-90 interest; that James Needles died in 1922, that his unknown Executors, Administrators, Devisees, Legatees, or Heirs-at-Law, if any, are seized of an undivided 1-3 interest. That the aforesaid real estate is not susceptible of division among those entitled without loss or interest. That Carroll DeJessa and Florence DeJessa, his wife, Edna DeJessa, Kenneth DeJessa, infant, Jeanne DeJessa, infant, are non-residents of the State of Maryland, without loss or injury; that said real estate is not susceptible of division.

IT IS THEREUPON this 8th day of September, 1951, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that notices be given by inserting a

of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks before the 13th day of October, 1951, warning the said Carroll DeJessa and Florence DeJessa, his wife, Edna DeJessa, Kenneth DeJessa, Infant and Jeanne DeJessa, infant, non residents of the State of Maryland, and the unknown Executors or Administrators, Devisees, Legatees or Heirs-at-law of James Needles, deceased to be and appear in this Court in person or by solicitor on or before the 29th day of October, 1951, to show cause if any have why the relief prayed in said Bill of Complaint should not be granted and to abide by and perform such order or decree as may be passed in the premises.

T. SORDEN PIPPIN,
Clerk.

True Copy:

Test: T. SORDEN PIPPIN, Clerk

Filed September 8, 1951.

THE QUEENSTOWN NEWS

Queenstown, Md. Oct. 8, 1951

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 Austin Jones et al Vs. Edgar Jones et al. Cause No. 3749 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 13th day of Oct. 1951, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 14th day of Sept. 1951

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Nov. 23, 1951

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM
Filed Nov. 23, 1951

AUSTIN JONES et al.,

VS.

EDGAR JONES et al.

In the Circuit Court for Queen Anne's

County, in Equity.

Cause No. 3749.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Complainants by Richard T. Earle, their attorney, to your Honors respectfully shows:

1. That the Defendants, Kenneth DeJessa and Jeanne DeJessa, are Infants and that they have notice of this suit by An Order of Publication as per certificate of publication filed herein and have failed to appear either in person or by solicitor

That your Petitioners pray that a Guardian Ad litem be appointed for said Infants to enter his appearance and file an answer for said Infants.

Respectfully submitted.

RICHARD T. EARLE
Atty. for Petitioners.

Filed Nov. 23, 1951

Petition for Decree Pro Confesso
Filed Nov. 26, 1951

AUSTIN JONES et al.

VS.

EDGAR JONES et al.

In the Circuit Court for Queen

Anne's County, in Equity.

#

#

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Complainants by Richard T. Earle, their attorney, to your Honors respectfully shows:

That the defendants Edgar Jones and Dorothy Jones, his wife, Martin Gardner, Nellie Thomas and Edward Thomas, her husband, residents of the State of Maryland have all been summoned; and the Defendants Carroll DeJessa and Florence DeJessa and Edna DeJessa and the Unknown Executors or Administrators, devisees, Legatees, or heirs at law of James Needles have all been given notice by An Order of Publication passed in this cause, a certificate of publication thereof having been filed in this case, and none of said defendants have appeared either in person or by solicitor although the time for entering said appearance is passed.

Wherefore your Petitioners pray that said Bill of Complaint be taken pro confesso against said defendants.

Respectfully submitted.

RICHARD T. EARLE
Atty. for Petitioners

Filed Nov. 23, 1951

ORDER OF COURT
Filed Nov. 26, 1951

ORDER OF COURT

The foregoing Petition having been read and considered and the said Infants appear to have been given notice as per the certificate of publication of the Order of Publication passed herein, the said Infants being non-residents of the State of Maryland, J. Thomas Clark is hereby appointed Guardian Ad Litem for the Infant Defendants, Kenneth DeJessa and Jeanne DeJessa to enter his appearance for said Infants and to file an answer for them in this cause.

Dated - November 26th, 1951

WM. R. HORNEY
Judge.

Filed Nov. 26, 1951

PETITION
Filed

The foregoing petition having been read and considered, IT IS THEREUPON this 26th day of November, 1951, ORDERED that said Bill of Complaint be and it is hereby taken pro confesso against the defendants, Edgar Jones and Dorothy Jones his wife, Martin Gardner, Nellie Thomas and Edward Thomas, her husband, Carroll DeJessa and Florence DeJessa, Edna DeJessa and the Unknown Executors or Administrators, Devisees, legatees or heirs-at-law of James Needles, deceased, and leave is hereby granted to the Complainants to take depositions before one of the regular examiners of this Court to substantiate the allegations of the said Bill of Complaint.

WM. R. HORNEY
Judge.

Filed

Answer of Guardian Ad Litem
Filed Nov. 27, 1951

AUSTIN JONES et al.,
VS.

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

EDGAR JONES at al.

Cause No. 3749.

TO THE HONORABLE, THE JUDGES OF SAID COURT;

The Answer of Kenneth DeJessa and Jeanne DeJessa, Infants, by J. Thomas Clark, their Guardian ad Litem to your Honors respectfully shows:

That these Defendant being Infants can not admit any of the matters and facts set forth in the Bill of Complaint exhibited against them and others but submit their rights to the protection of this Honorable Court.

Respectfully submitted.

J. THOMAS CLARK
Guardian ad Litem for Kenneth DeJessa
and Jeanne DeJessa, infants.

Filed Nov. 27, 1951

EXHIBIT B
Filed

AUSTIN JONES et al.

IN THE CIRCUIT COURT FOR QUEEN

VS.

ANNE'S COUNTY, IN EQUITY.

EDGAR JONES et al.

Cause No. 3749.

REPORT OF EXAMINER AND DEPOSITIONS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

At the request of Richard T. Earle, Atty. for Complainant, I went to the office of the said Atty. on December 11th., 1951, at 11 o'clock A.M. and took the depositions of Edward E. Coursey and Walter Jewell and then again on Saturday December 29th., 1951, at 2 P.M. I took the depositions of Mrs. Harmon Collier, all witnesses were duly sworn before taking said depositions.

Respectfully submitted

HARRY C. BUTLER
One of Regular Examiners

AUSTIN JONES ET AL.

In the Circuit Court for

VS.

Queen Anne's County, in equity.

EDGAR JONES ET AL.

#

First witness called by the Complaint, being of lawful age, having been duly sworn, deposes and states.

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

A. My name is Edward E. Coursey, I live at Grasonville, I am Register of Wills for Queen Anne's County, Maryland.

2nd. Int. Are you familiar with land values around Grasonville?

A. Yes I have owned several pieces of property in that neighborhood, and I think that I know land values there.

3rd. Int. Do you know the real estate of which John M. Needles, died seized and possessed in 1920.

A. I do

4th. Int. I hand you a deed to the said John M. Needles from James E. Collier, is that a description of the property that he died seized and possessed and where he lived at the time of his death.

A. He lived there, but I think that he always claimed a some what larger piece of land, claiming that he bought a small piece of land adjoining same from James Little

5th. Is this land susceptible of division among three or four parties or more, if not, why not?

A. This property is improved by a small two story frame dwelling house, and there is not sufficient land attached thereto to constitute another lot of the size that is generally sold in that neighborhood and the house constitutes nearly the entire value of said property.

6th. In your opinion as a land owner and being familiar with values in that locality what do you consider a fair price for said property.

A. About \$600.00

Examiner's Special.

A. No.

EDWARD E. COURSEY

The next witness of lawful age called by the Complainants, being duly sworn, deposes and states.

State your name, residence and occupation?

A. Walter Jewell, I live in Grasonville, Md., and I have retired from business.

2nd. Int. Are you familiar with land values in the neighborhood of Grasonville?

A. Yes, I have owned several developments and have had many transactions in real estate in that neighborhood and I should be familiar with land values there.

3rd. Int. Do you know the real estate on which John M. Needles lived at the time of his death and was he seized and possessed of same?

4th. Yes, I know that the property where he lived and died and I understand that he had a deed for a part of this land and always claimed and occupied another small piece of land, claiming that he bought the same from James Little.

4th. I hand you a certified copy of a deed to the said John W. Needles from James E. Collier, dated August 17th., 1891, is that the property of which John M. Needles died seized and possessed?

A. I think that the land he occupied embrace the land in said deed, also a small lot of land adjoining same, which Needles always claimed that he bought from James Little.

5th. Int. Is the land of which John M. Needles died seized and possessed susceptible of division, without loss or injury, if not, why not?

A. No. the same is improved by a small two story dwelling house, and the balance of the land would have very little value if any.

6th. Int. From your knowledge of values of real estate that neighborhood, what in your opinion is the value of the property for sale in this cause?

Examiner's Special.

A. No.

WALTER JEWELL

The next witness called by the Complainant, having been duly sworn, deposes and states.

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

A. My name is Edith Collier, wife of Harmon Collier, I am 56 years of age, reside at Queenstown, I keep house for my husband.

2nd. Int. Did you know John M. Needles? Is he living or dead, if dead when did he die, has his estate been administered upon or not?

A. John M. Needles was my grandfather, he died without leaving a will sometime in the year 1920, and no administration has been taken out on his estate.

3rd. Int. Do you know who are now the heirs of John M. Needles are?

A. When John M. Needles died he left my mother, Lottie Jones, a daughter, and her sister, Cora Needles, who I think predeceased her father, and had only one child, Martin Gardner, and a son, James Needles.

4th. Int. Is your Mother, Lottie Jones formerly, Lottie Needles, living or dead, if dead, did she die leaving a will or not, and state if you know who her heirs are?

A. My mother, Lottie Jones formerly Lottie Needles died without leaving a will in January 1951, no letters of Administration have been granted on her estate, she left surviving as her as her only heirs-at-law, my father, George Washington Jones, her surviving husband, my brothers Edgar Jones and Austin Jones, and the children of my sister, Edna DeJessa, who are Edna DeJessa, Kenneth DeJessa and Jeanne DeJessa and Carroll DeJessa, and myself, Nellie Thomas, who was Nellie DeJessa

5th. Int. Do you know the marital status of the heirs-at-law of your mother, their residence and whether they are adults or not?

A. I am an adult and am married to Harmon Collier and live in Queenstown; my brother Austin Jones is an adult and married to Anna Jones and they reside at Chester, Maryland; my brother, Edgar Jones is married to Dorothy Jones and they reside at Chester in this County; my niece Nellie Thomas, is an adult, married to Edward Thomas and they reside at Queenstown, this County; my sister, Edna married a Mr. DeJessa, and died before my mother, leaving the following children, to wit: Carroll DeJessa, adult, married to Florence DeJessa and they reside at Newark, N.J. Edna DeJessa, a daughter, adult and she lives with her brother Carroll and is single; Kenneth DeJessa a son, is under 21 years of age and his sister, Jeanne DeJessa, also an infant, they reside in Newark, New Jersey, my father, George Washington Jones is now single and lives at Chester, Maryland.

6th. Int. State if you know who are the heirs-at-law of Cora Gardner formerly Cora Needles.

A. Cora Gardner died before her father, John M. Needles, leaving one son and only heir-at-law, Marting Gardner, who resides at Upper Marlboro, Maryland, he is a divorced man, and is an adult.

Int. Do you know James Needles, a son of John M. Needles?

A. I did know my uncles James, but it has been many years, at least 20 since I have heard anything of it, my mother and all of us believed that he was dead, I do not know whether he was ever married or not, now when or the place of his death, and from talking to other members of the family, they know as little as I do about him.

8th. Int. I now hand you a certified copy of a deed from James E. Collier to John M. Needles, are you familiar with the land mentioned and described in said deed?

A. Yes, I am very familiar with the said land, after the death of my grand father, my mother lived on that place, that deed calls for a part of the land, my grand-father bought also a piece of land from James Little, I have never seen a deed for it, but I am positive that for many years my grand-father first, and after his death, my mother, occupied more land that is set forth in said deed.

9th., Int. I now hand you a survey made by John C. Fisher, purporting to be the land on which your grand-father lived and on which after his death your mother lived, can you state that they resided on that land or not?

A. Yes, I am positive that the land according to said survey has been fully occupied by my grand-father and since his death by my mother, for at least the last 30 years.

Mr. Examiner I now hand you the survey made by Mr. Fisher and ask you to mark the same as an Exhibit and file in this cause.

Examiner's Special.

No.

EDITH COLLIER

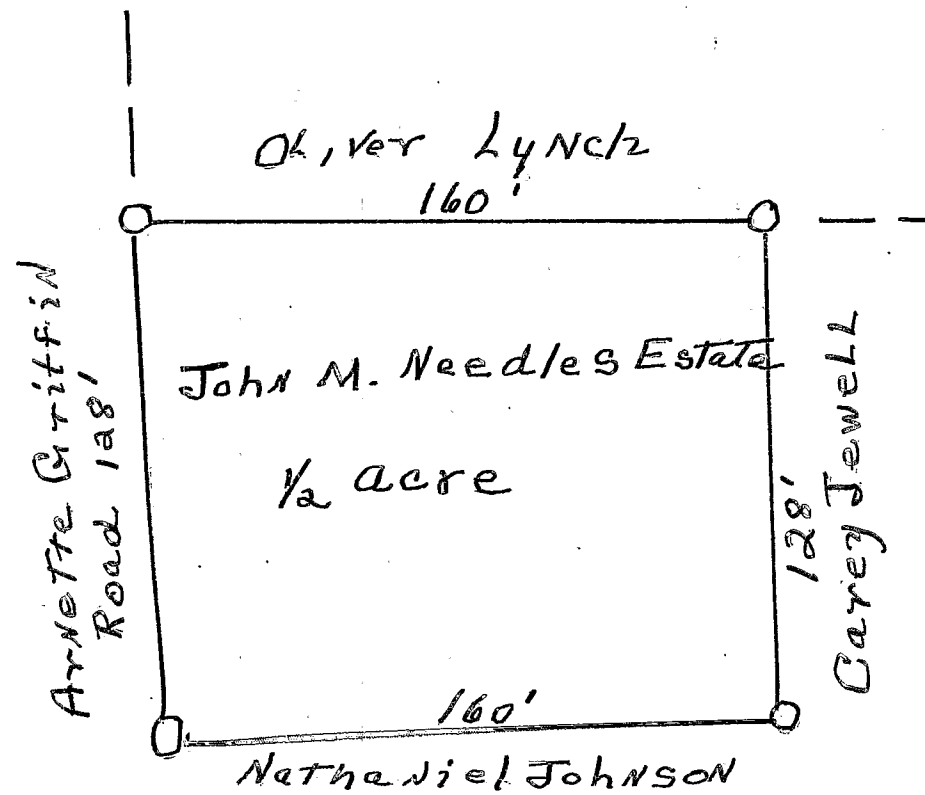
Being advised by Mr. Earle that he had no further depositions to take, I herewith file this report.

Witnesses waived fees-

Harry C. Butler, Examiner -----\$10.00

Respectfully submitted.

HARRY C. BUTLER



Scale 1"=50' QUEEN ANNE'S COUNTY, STATE OF MARYLAND.
Fifth Election District,

DECREE OF SALE
Filed June 16, 1952

| | | |
|----------------------|---|--------------------------------|
| AUSTIN JONES et al., | # | IN THE CIRCUIT COURT FOR QUEEN |
| VS. | # | ANNE'S COUNTY, IN EQUITY. |
| EDGAR JONES et al. | # | Cause No. 3749 |
| | # | |

DECREE OF SALE.

The above cause standing ready for hearing and being submitted without argument and the proceedings being read and considered, IT IS THEREUPON this 16th day of January in the year nineteen hundred and fifty two, 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 these proceedings be sold for the purpose of partition and that Richard T. Earle be and he is hereby appointed trustee to make said sale, and that the course and manner of his proceedings shall be as follows: he shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and a surety or sureties to be approved by this Court or the Clerk thereof, in the penalty of One Thousand Dollars (\$1000.00), if a corporate bond is given, or double that amount if a personal bond be given, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future order or decree passed in the premises: he shall then proceed to make said sale, having given at least three weeks previous notice by advertisement in some newspaper 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 shall be one third of the purchase price in cash on day of sale, balance upon final ratification of said sale, or all cash on day of sale, at the option of the purchaser or purchasers, taxes and insurance to be adjusted to day of sale, possession to be given upon ratification of sale, title papers, revenue and recordation stamps at the expense of the purchaser or purchasers, and as soon as may be convenient after such sale, the said trustee shall return to this Court a full and particular account of his proceedings, relative to such sale, with an annexed affidavit of the truth thereof and that said sale was fairly made and on obtaining a ratification thereof by this Court and on the payment of the whole purchase money (and not before) the said trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers thereof, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claims of the parties to this proceedings and those claiming by, from or under them or any of them. And the said Trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court after deduction of the costs of this suit and such commissions to said trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity he shall appear to have discharged his trust.

And it is further Ordered and decreed that at the time of the advertisement of said sale that a Notice to Creditors of John M. Needles, deceased, James Needles, deceased, and Lottie Needles Jones, deceased, be given to file their claims with proper vouchers thereto attached with the Clerk of this Court within 90 days from the date of sale, or else be bared from participating in the proceeds of said sale.

WM. R. HORNEY
Judge.

Petition to Vacate Decree and
Filed Amendment to Bill of
Complaint
Filed Feb. 9, 1952

AUSTIN JONES et al., # IN THE CIRCUIT COURT FOR
VS. # QUEEN ANNE'S COUNTY, IN EQUITY.
EDGAR JONES et al. # Cause No. 3749.

PETITION TO AMEND BILL OF COMPLAINT.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Complainants by Richard T. Earle, their attorney, to your Honors respectfully shows:

1. That your Honors have passed a decree for the sale of the property mentioned and, described in these proceedings, said decree of sale is dated January 16th., 1952, that in the Bill of Complaint it is alleged that James Needles, a son of John H. Needles died in 1922, and it is unknown whether he died intestate or not, that no letters of either testamentary or of administration have been granted on his estate and that his heirs, devisees or legatees are unknown to the complainants; but since the passing of said decree, it has come to the knowledge of your Complainants that the said James Needles died intestate in or about the year 1922, that he left surviving him a daughter, Pearl Needles, his only heir at law, and that the said Pearl Needles has since married and is now Pearl Wickham, who with her husband, Jay Wickham, reside at Springlake, New Jersey.

2. That the said Pearl Wickham inherited the estate of her father, James Needles, subject to his debts, and on account of said change the various interests of the parties in these proceedings in the land in question will have to be changed in accordance herewith.

3. That on account of the facts as herein alleged, your Petitioners prays:

1. That said decree of sale be vacated and set aside;
2. That Pearl Wickham and Jay Wickham, her husband, be made parties to this cause.
3. That your Petitioners be granted leave to file an amendment to the Bill of Complaint, amending Paragraph 3 and Paragraph 4 in accordance with the facts herein alleged.

Respectfully submitted.

RICHARD T. EARLE
Atty. for Petitioners

Filed Feb. 9, 1952

ORDER OF COURT

The foregoing petition having been read and considered, IT IS THEREUPON this 11th day of February, 1952, ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Decree of Sale heretofore passed in this cause be and it is hereby set aside and that leave be and it is hereby granted to make Pearl Wickham and Jay Wickham, her husband, parties to this suit, and that the Complainants be granted the right to file an amendment to said Bill of Complaint as prayed.

WM. R. HORNEY
Judge

Filed Feb. 11, 1952

Amendment to Bill of Complaint
Filed Feb. 25, 1952

AUSTIN JONES et al. # IN THE CIRCUIT COURT FOR
VS. # QUEEN ANNE'S COUNTY, IN EQUITY.
EDGAR JONES et al. # Cause No. 3749

AMENDMENT TO BILL OF COMPLAINT.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

That Leave of Court having been first had and obtained vacating the Decree of Sale heretofore passed herein and permitting amendment to the Bill of Complaint to include the following facts, to wit:

1st., That Pearl Wickham and Jay Wickham, residing at Spring Lake, New Jersey, are hereby made parties defendants in this cause.

2nd. That James Needles, a son of John M. Needles, died intestate in the year 1922, that no letters of administration have been granted on his estate, that he left surviving him as his only heir-at-law a daughter, Pearl Needles, who has since married Jay Wickham and they reside at Springlake, New Jersey; and that the undivided one third moiety in said estate of which the said James Needles died seized and possessed upon his death became vested in the said Pearl Wickham subject to the debts of James Needles.

Also that Martin Gardner, a son of Cora Gardner formerly Cora Needles, being the only heir-at-law of Cora Gardner is seized and possessed of an undivided one third moiety in said real estate subject however to the debts of Cora Gardner, who died intestate and whose estate no letters of administration have been granted.

And as in duty bound & etc.

RICHARD T. EARLE
Atty. for Complainants

Filed Feb. 25, 1952

Answer of Guardian Ad Litem
Filed Feb. 25, 1952

| | | |
|----------------------|---|--------------------------------|
| AUSTIN JONES et al., | # | |
| VS. | # | IN THE CIRCUIT COURT FOR QUEEN |
| EDGAR JONES et al. | # | ANNE'S COUNTY, IN EQUITY |
| | # | |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of J. Thomas Clark, Guardian Ad Litem for Kenneth DeJessa and Jeanne DeJessa Infants, to the Amendment to the Bill of Complaint filed in this cause, say:

That the said Kenneth DeJessa and Jeanne DeJessa are Infants and that he submits there rights to the protection of this Honorable Court.

J. THOMAS CLARK
Guardian ad Litem for Kenneth
DeJessa and Jeanne DeJessa

Filed Feb. 25, 1952

Petition to dismiss amendment to Bill
of Complaint and leave of Court thereon.
Filed April 26, 1952

| | | |
|----------------------|---|--------------------------------|
| AUSTIN JONES et al., | # | |
| VS. | # | IN THE CIRCUIT COURT FOR QUEEN |
| EDGAR JONES et al. | # | ANNE'S COUNTY, IN EQUITY. |
| | # | No. 3749 |
| | # | |

The petition of the Complainants by Richard T. Earle, their attorney, to your Honors respectfully shows:

That by a Petition heretofore filed in this cause by your Petitioners, the decree of sale passed herein was vacated and your petitioners were granted leave to file an amendment to the Bill of Complaint, setting another defendant to this cause: At the time of asking leave to amend, your petitioner was advised by Pearl Wickham and her husband, the new parties defendant, that Mrs. Wickham was the only heir of James Needles, deceased, that now Mrs. Wickham and her husband refused to testify to that effect and your petitioners have no other way of proving same.

Wherefore, on account of being unable to prove the allegations in the said amendment to the Bill of Complaint, your Petitioners pray this Honorable Court may grant leave to your Petitioners to dismiss said amendment leaving the original bill of Complaint as already proven.

RICHARD T. EARLE
Atty. for Petitioners.

Filed April 26, 1952

ORDER OF COURT:

The foregoing petition having been read and considered, IT IS THEREUPON this 26th day of April, 1952, that leave be and it is hereby granted the petitioners to dismiss the amendment to the Bill of Complaint heretofore filed in this Cause.

WM. R. HORNEY
Judge

Filed April 26, 1952

ORDER TO DISMISS AMENDMENT TO BILL OF COMPLAINT
Filed April 29, 1952

| | | |
|----------------------|---|--------------------------------|
| AUSTIN JONES et al., | # | IN THE CIRCUIT COURT FOR QUEEN |
| VS. | # | ANNE'S COUNTY, IN EQUITY. |
| EDGAR JONES et al. | # | Cause No. 3749. |

Mr. T. Sorden Pippin, Clerk:

Leave of Court first being had and obtained, you will mark the Amendment to the Bill of Complaint heretofore filed in this cause "Dismissed".

RICHARD T. EARLE
Atty. for Complainants.

Filed April 29, 1952

DECREE OF SALE
Filed May 1, 1952

| | | |
|----------------------|---|--------------------------------|
| AUSTIN JONES et al., | # | IN THE CIRCUIT COURT FOR QUEEN |
| VS. | # | ANNE'S COUNTY, IN EQUITY. |
| EDGAR JONES et al. | # | Cause No. 3749 |

The above cause standing ready for hearing and being submitted without argument and the proceedings being read and considered, IT IS THEREUPON this 1st day of May, in the year nineteen hundred and fifty two, 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 these proceedings be sold for the purpose of partition and that Richard T. Earle, be, and he is hereby, appointed Trustee to make said sale, and that the course and manner of his proceedings shall be as follows: he shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and a surety or sureties to be approved by this Court, or the Clerk thereof, in the penalty of One Thousand Dollars (\$1,000.00) if a corporate bond be given, or double that amount if a personal bond be given, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future order or decree passed in the premises; he shall then proceed to make said sale, having given at least three weeks previous notice by advertisement in some newspaper 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 shall be one third of the purchase price in cash on day of sale, balance upon final ratification of said sale, or all cash on day of sale, at the option of the purchaser or purchasers, taxes and insurance to be adjusted to day of sale, possession to be given upon ratification of sale, title papers, revenue and recordation stamps, at the expense of the purchaser or purchasers, and as soon as may be convenient after such sale, the said trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an annexed affidavit of the truth thereof and that said sale was fairly made, and on obtaining ratification thereof by this Court and on the payment of the whole purchase money (and not before) the said trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers thereof, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claims of the parties to this proceeding and those claiming by, from or under them or any of them. And the said Trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court after deduction of the costs of this suit and such commissions to said trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity he shall appear to have discharged his trust.

And it is further ORDERED AND DECREED that at the time of the advertisement of said sale that said trustee shall give a Notice to Creditors of John M. Needles, deceased, James Needles, Lottie Needles Jones, Cora Gardner and Edna DeJessa, all deceased, to file their claims, with proper vouchers there-to attached with the Clerk of this Court within ninety days from the day of sale, or else be barred from participating in the proceeds of sale.

WM. RL. HORNEY
Judge

Filed May 1, 1952

Bond
Filed May 21, 1952

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-first day of May in the year nineteen hundred and fifty-two, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, Richard T. Earle, of Queen Anne's County, Maryland, as principal, and 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 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, administrators, successors and assigns, jointly and severally firmly by these presents sealed with our seals and dated this 21st. day of May, 1952.

WHEREAS, the above bounden, Richard T. Earle, was appointed by a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 1st. day of May, 1952, Trustee to make sale of the real estate in a cause in said Court entitled Austing Jones et vs. Edgar Jones et al., being cause No. 3749 in said Court:

Now the Condition of the above obligation is such that if the above bounden, Richard T. Earle, does 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.

Signes, Sealed and delivered
in the presence of:

RICHARD T. EARLE (SEAL)
Richard T. Earle

ANN M. STARKEY

GLENS FALLS INDEMNITY CO.

By L. HERMAN MEREDITH
L. Herman Meredith
Its attorney-in-fact.
Corporate Seal.

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and Bond filed May 21, 1952.

T. Sorden Pippin, Clerk

STATE OF MARYLAND

COUNTY OF QUEEN ANNE'S, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber A.S.G.Jr. No. 1, folio 268, a Bond Record Book 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 Twenty-first day of May in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Report of Sale
Filed July 3, 1952

AUSTIN JONES et al.,

VS.

EDGARD JONES et al.

#

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

Cause No. 3749.

REPORT OF SALE.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of Richard T. Earle, Trustee, to your Honors respectfully shows:

That your Trustee having complied with all prerequisites, and having giving at least three weeks previous notice of sale in the Queenstown News, a paper printed and published in Queen Anne's County, as per certificate of publication attached hereto; did on Saturday 21st., of June between the hours of one and two o'clock P.M., on the premises in or near Grasonville, after reading said advertisement of sale and terms thereof, offer for sale all that lot of land containing one half acre of land, more or less, and being the same land of which John N. Needles, died seized and possessed, running with the property of Nathan Johnson 160 feet, with the property of Anette Griffin 128 feet, with the property of Oliver Lynch 160 feet, and with the property of Carey Jewell 128 feet, and sold the same to Helen Little, she being then and there the highest bidder for same at and for SEVEN HUNDRED DOLLARS, and the said Helen Little has paid one third of the purchase money and has agreed to pay the balance upon ratification of sale.

Respectfully submitted.

RICHARD T. EARLE
Trustee

I hereby certify that on this 3rd. day of July, 1952, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Richard T. Earle, Trustee in the above entitled cause, and made oath in due form of law that the matters and facts set forth in within report of sale are true as therein stated and that the sale was fairly made.

T. SORDEN PIPPIN
Clerk of the Circuit Court for
Queen Anne's County.

Filed July 3, 1952

TRUSTEE'S SALE OF VALUABLE
REAL ESTATE
Filed July 3, 1952

The undersigned Trustee by virtue of a decree of The Circuit Court for Queen Anne's County, in Equity, dated May 1st, 1952, passed in a cause therein entitled "Austin Jones et al. vs. Edgar Jones et al., being cause No. 3749 in said Court, the undersigned will offer for sale on SATURDAY, JUNE 21, 1952 between the hours of 1 and 2 p.m. on the property, located in or near Grasonville.

All that lot or tract of land, improved by a two story dwelling house in good condition adjoining the property of Nathan Johnson et al, containing one half acre of land, more or less, composed of two tracts, one of which was granted and conveyed to John M. Needles by deed dated August 17th, 1891, by James E. Collier and recorded in Liber W.D. No 6, folio 122 etc., a Land Record Book for Queen Anne's County, the other lot was purchased by John M. Needles from James Little, but for which he had no deed, although he occupied the same for many years prior to his death, being the same land of which John M. Needles died, intestate, seized and possessed.

TERMS OF SALE-One third of the purchase money in cash on day of sale, the balance upon ratification of sale, or all cash on day of sale at the option of the purchaser; possession to be given upon ratification of sale, state and county taxes and fire insurance premiums to be adjusted to day of sale, title papers, Internal Revenue and Recordation Stamps at the expense of the purchaser.

RICHARD T. EARLE,
Trustee.

J. Elmer Anthony, Auctioneer.

THE QUEENSTOWN NEWS

Queenstown, Md. July 2, 1952

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Trustee Sale of Real Estate in the case/ estate of Chancery No. 3749 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 21st day of June 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 30th day of May 1952

THE QUEENSTOWN NEWS

By GEORGE J. S TEINFELT

Filed July 3, 1952

Notice to Creditors
Filed July 3, 1952

NOTICE TO CREDITORS

All creditors of John M. Needles, Lottie Needles, Jones, Cora Needles Gardner, and Edna DeJessa, all deceased, are hereby notified to file their claims, with proper vouchers for same thereto attached with the Clerk of the Circuit Court for Queen Anne's County on or before the 30th day of August, 1952, or else be barred from participation in the proceeds of sale of the above real estate.

RICHARD T. EARLE
Trustee.

THE QUEENSTOWN NEWS

Queenstown, Md. July 2, 1952

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Notice to Creditors in the case/ of John M. Needles, Lottie Needles Jones, Cora Needles Gardner and Edna DeJessa 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 30 day of Aug. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 30th day of May 1952

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed July 3, 1952

ORDER NISI
Filed July 3, 1952

N I S I

Austin Jones, et al.,

VS.

Edgar Jones, et al.

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

CHANCERY NO. 3749

ORDERED, This 3rd day of July A.D., 1952, 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 11th. 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 \$700.00

T. SORDEN PIPPIN Clerk.

Filed July 3, 1952

Nisi
Austin Jones, et al.

vs.

Edgar Jones, et al.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY
Chancery No. 3749

ORDERED, This 3rd day of July A.D., 1952, 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 11th 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 \$700.00

T. SORDEN PIPPIN,
Clerk.

True Copy:

Test: T. SORDEN PIPPIN, Clerk.

Filed July 3, 1952

THE QUEENSTOWN NEWS

Queenstown, Md. July 10, 1952

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 Austin Jones, et al., Chancery No. 3749 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 11th day of Sept. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 11th day of July 1952

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Aug. 6, 1952

Ordered this 10th day of October, 1952, that the sale made and reported in this cause by Richard T. Earle, Trustee, be and it is hereby officially ratified and confirmed no cause to the contrary having been shown, although notice appears to have been given in accordance with certification of publication of nisi of said sale. The trustee is allowed usual commission and all expenses not personal, upon production of voucher for issues.

WM. R. HORNEY
Judge

Octo. 10, 1952

AUDIT

Filed Nov. 21, 1952

AUSTIN JONES, et al.,

vs.

EDGAR JONES et al.

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

Cause No. 3749

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 is stated at the request of Richard T. Earle, Trustee appointed by decree of this Honorable Court dated May 1, 1952 (Paper No. 23) to make sale of the real estate of John M. Needles, deceased, and divide the proceeds among the heirs at law in lieu of partition of the land.

2. That in the within account the trustee is charged with the sale proceeds per his Report of Sale and the additional amount of \$30.00, representing rent which the trustee collected with respect to the land sold, according to his statement to the auditor. That the trustee is then allowed his commissions, the court costs of the cause, his appearance fee, the auctioneer's fee, the cost of his surety bond, the fee of the surveyor who "measured" the real estate sold, the State and County taxes on said land for 1951 and 1952 until the date of sale, the cost of advertising the order of publication, notice of sale, notice to creditors and the several orders nisi of the cause, the auditor's fee and the cost of recording

a quit claim deed from Pearl Wickham and husband to Richard T. Earle conveying all right, title and claim of the grantors in the property sold, which said Richard T. Earle has reconveyed to the purchaser of the property. This quit claim deed was deemed necessary in view of an unproven claim of Pearl Wickham, mentioned in the trustee's petition to vacate the original decree of January 16, 1952 (Paper No. 16).

3. That the balance remaining charged to the Trustee as aforesaid, being the net proceeds of sale, is then distributed among the joint owners of the land sold, in accordance with the allegations of the Bill of Complaint and the testimony filed herein; except that the one-half share of Martin Gardner is distributed herein to Austin Jones (himself one of the said joint owners) as assignee under a written instrument of assignment presented to your auditor by Richard T. Earle, Esq., and filed herewith as a part of this audit bearing date the 1st day of November, 1952.

Respectfully submitted,

HOWARD WOOD, 3rd.
Auditor

November 20, 1952

Filed Nov. 21, 1952

Cause No. 3749

The proceeds of the sale of land reported in this cause, in account with Richard T. Earle, Trustee appointed by Decree of this Court to make said sale.

1952

Cr.

| | | |
|---------|---|-----------------|
| June 21 | By gross proceeds of the sale of said land, per report of said Trustee, vendor of said land, to wit: | \$700.00 |
| | By amount of rent collected, with which Trustee charges himself, per his statement to the auditor, to wit:..... | 30.00 |
| | | <u>\$730.00</u> |

DR.

| | | | |
|-----|---|-----------------|--------------------------|
| " " | To Richard T. Earle, Trustee (and vendor) for his commissions for making the sale, per rule of Court, to wit:..... | \$49.95 | |
| | To do., for court costs of this cause paid T. Sorden Pippin, Clerk, per receipt exhibited, to wit: Cost of T. Sorden Pippin, Clerk..... | \$67.95 | |
| | Fees of Sheriff, Queen Anne's County.. | 3.00 | |
| | Fee of Sheriff, Prince George's County: | .75 | |
| | Fee of J. Thomas Clark, Guardian ad Litem..... | 4.00 | |
| | Fee of Harry C. Butler, Examiner..... | 10.00 | 85.70 |
| | To do., for the appearance fee of Richard T. Earle | | 10.00 |
| | To do., for an amount paid J. Elmer Anthony, for crying said sale, per his receipt exhibited, to wit:..... | | 25.00 |
| | To do., for an amount paid L. Herman Meredith, agent, for the cost of said Trustee's corporate surety bond, per receipt exhibited, to wit: | | 10.00 |
| | To do., for an amount paid John C. Fisher, Surveyor for surveying the real estate sold, per receipt, to wit:..... | | 35.00 |
| | To do., for amounts paid Claude Lowery, Treasurer for State and County taxes on the land sold, per receipt exhibited, to wit: 1951 taxes, interest and costs | \$7.13 | |
| | 1952 taxes, sellers' share..... | 3.74 | 10.87 |
| | To do., for amounts paid The Queenstown News, for the advertising costs of this cause, per receipts exhibited, as follows: Order of Publication..... | \$38.00 | |
| | Notice of Sale..... | 24.69 | |
| | Notice to Creditors..... | 5.00 | |
| | Order Nisi on sale..... | 5.00 | 72.69 |
| | 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, for stating this audit | | |
| | To Richard T. Earle, for the cost of recording a quit-claim deed from Pearl Wickham and husband, to perfect the title of the land sold, per receipt exhibited, to wit:..... | 1.50 | |
| | | <u>\$317.71</u> | |
| | To Balance, carried forward for distribution, to wit: | | 412.29 |
| | | | <u>\$730.00</u> \$730.00 |

HOWARD WOOD, 3rd Auditor

CR.

By above Balance, brought forward..... \$412.29

DR.

Distributed as follows, among joint owners of land sold:

To AUSTIN JONES:

As assignee of Martin Gardner,
 one-half thereof.....\$206.15
 As child of Lottie Needles Jones,
 deceased, one-twelfth thereof... 34.35 \$240.50

To GEORGE WASHINGTON JONES, husband of Lottie
 Needles Jones, deceased, one-sixth thereof 68.72

To EDGAR JONES, child of Lottie Needles Jones,
 deceased, one-twelfth thereof..... 34.36

To EDITH COLLIER, child of Lottie Needles Jones,
 deceased, one-twelfth thereof..... 34.36

To Children of Edna DeJessa, deceased child of
 Lottie Needles Jones, deceased, as follows, to wit:

To NELLIE THOMAS, one-sixtieth thereof..... 6.87
 To EDNA DeJESSA, one-sixtieth thereof..... 6.87
 To KENNETH DeJESSA, one-sixtieth thereof..... 6.87
 To JEANNE DeJESSA, one-sixtieth thereof..... 6.87
 To CARROLL DeJESSA, one-sixtieth thereof..... 6.87

\$412.29 \$412.29

Respectfully submitted,

HOWARD WOOD, 3rd.
 Auditor

November 20, 1952.

Filed Nov. 21, 1952

Nisi Ratification of Audit
 Filed Nov. 21, 1952

NISI RATIFICATION OF AUDIT

| | | |
|----------------------|---|-------------------------|
| Austin Jones et al., |) | IN THE CIRCUIT COURT |
| VS. |) | FOR QUEEN ANNE'S COUNTY |
| Edgar Jones et al. |) | IN EQUITY |
| |) | Cause No. 3749 |

ORDERED, This 21st day of November in the year nineteen hundred and fifty two 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 December, 1952; provided a copy of this order be published once a week in each of two successive weeks before the 12th day of December, 1952, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk.

Filed Nov. 21, 1952

NISI RATIFICATION OF AUDIT

| | | |
|----------------------|---|--------------------------|
| Austin Jones, et al. |) | In the Circuit Court for |
| vs. |) | Queen Anne's County |
| Edgar Jones, et al. |) | in Equity |
| |) | Cause No. 3749 |

ORDERED, This 21st day of November, in the year nineteen hundred and fifty-two, 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 December, 1952; provided a copy of this order be published once a week in each of two successive weeks before the 12th day of December, 1952, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk.

True Copy
 Test: T. SORDEN PIPPIN, Clerk
 Filed Nov. 21, 1952

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper printed and published in Centreville, in Queen Anne's County, Maryland, once a week for 2 successive weeks before the 12th day of December 1952, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD OBSERVER was on the 27th day of November 1952, and the last insertion on the 4th day of December 1952.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING
COMPANY

BY BARBARA L. BINEBRINK

Filed Dec. 8, 1952

ORDER OF COURT

ORDERED, this 22nd day of December, 1952, that the foregoing report and ausit of Howard Wood, 3rd. 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 certoficute of publication to Nisi thereto.

WM. R. NORNEY

Judge.

Filed Dec. 22, 1952

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Seventeenth day of July in the year nineteen hundred and fifty-two the following Order to Docket Suit and Military Affidavit were filed for record, to wit:

C A U S E N O. 3801

| | | |
|--|---|----------------------|
| CLAYTON C. CARTER, ASSIGNEE | * | |
| Centreville, Maryland | * | IN THE CIRCUIT COURT |
| VS. | * | FOR |
| KENNERSLEY FARM DAIRY, Incorporated Maryland | * | QUEEN ANNE'S COUNTY |
| and | * | Cause No. 3801 |
| EUGENE M. CALLIS and ESTHER PERRY CALLIS, his wife, Mortgagors | * | |
| Church Hill, Maryland | * | |

ORDER TO DOCKET SUIT

To: T. Sorden Pippin, Clerk:

You will please docket suit as per above titling for foreclosure of the mortgage from Kennersley Farm Dairy, Incorporated, and Eugene M. Callis and Esther Perry Callis, his wife, dated September 3, 1949, recorded in Liber N. B.W. No. 4, folio 112, a land record book for Queen Anne's County, Maryland, and duly assigned to Clayton C. Carter for collection by foreclosure or otherwise, default having occurred in the terms thereof by reason of the non-payment of the quarterly installments of principal and interest payable under the terms of the promissory note secured by said mortgage at the times therein provided for the payment thereof, and the non-payment of the 1951 State and County taxes levied on the mortgaged premises; and you will file a certified copy of said mortgage and assignment, as well as the accompanying affidavit.

CLAYTON C. CARTER
Assignee

Filed June 17, 1952

MILITARY AFFIDAVIT

I HEREBY CERTIFY, that on this 17th day of June, 1952, 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 Eugene M. Callis and Esther Perry Callis, two of the mortgagors in the above-mentioned mortgage, are middle-aged and reside near Church Hill, Maryland, and at 1900 Rittenhouse Square, Philadelphia, Pennsylvania, and they are not now in the military service of the United States, as defined by the Soldiers' and Sailors' Civil Relief Act of 1940, with amendments thereto, and Chapter 710 of the Laws of Maryland of 1941, nor have they been in such service within three (3) months prior hereto.

T. SORDEN PIPPIN
T. Sorden Pippin
Clerk

Filed June 17, 1952

Certified Copy of Mortgage
Filed June 17, 1953

.....

#28,009. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fifteenth day of September, in the year nineteen hundred and forty nine, the following Mortgage was brought to be recorded, to wit:

Thirty-Five Dollar Fifty Cent Recordation
Tax Stamps Endorsed G&W 9/15/49

THIS MORTGAGE, Made this 3rd day of September, in the year one thousand nine hundred and forty-nine, by and between, KENNERSLEY FARM DAIRY, INCORPORATED, a body corporate, duly incorporated under the Laws of the State of Maryland, EUGENE M. CALLIS and ESTHER PERRY CALLIS, his wife, of Queen Anne's County, in the State of Maryland, parties of the first part, Mortgagors; and PHILADELPHIA LIFE INSURANCE COMPANY, a body corporate, duly incorporated under the laws of the Commonwealth of Pennsylvania, having its principal office at 111 N. Broad Street, Philadelphia, Pennsylvania, party of the second part, Mortgagees.

WHEREAS, the said Mortgagors stand bond fide indebted unto the said mortgagee in the full and just sum of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), being cash money this day loaned and advanced by the latter to the former, for the repayment of which said principal sum of money, the said mortgagors have made and passed unto the mortgagee, their joint and several, negotiable promissory note, dated of even date herewith and payable to the order of the mortgagee in the full and just sum of One Hundred Fifty Thousand Dollars (\$150,000.00) in quarterly installments of Twenty-Five Hundred Dollars (\$2500.00) each, the first of said in-

installments being due and payable at the expiration of three months from the date hereof and the remaining installments being payable quarterly thereafter until the expiration of fifteen years from the date hereof when the entire balance of principal shall be due and payable together with interest to accrue on the unpaid balances of the principal indebtedness hereby secured in quarterly installments at the rate of five per cent (5%) per annum until paid, both principal and interest being payable in lawful money of the United States of America; and

WHEREAS, the mortgagors shall further pay unto the mortgagee, in addition to and concurrently therewith an additional sum of money equal to one-fourth of the annual taxes, fire insurance premiums and other public dues or charges levied or assessed or to be levied or assessed against the herein described premises; and

WHEREAS, privilege is hereby given the mortgagors to prepay the mortgage indebtedness hereby secured, provided that such additional payments, plus the regular amortization payments above scheduled, do not exceed in any one mortgage year hereunder, twenty per cent (20%) of the original principal sum and that no such making of such additional payments shall entitle the mortgagor to forego making payment of the next ensuing regular amortization payment as herein provided. The mortgagors shall have the further privilege on any installment date of making full payment of the principal sum or any balance thereof during the first five years of the terms hereof upon payment of a bonus of two per cent (2%) per annum of the original sum hereby secured, after the expiration of five years from the date hereof the balance then due and owing hereunder can be paid without the payment of any bonus charge whatsoever; and

WHEREAS, it is understood and agreed that if the mortgagors fail to pay the real estate taxes, insurance premiums or any charges as aforesaid, the mortgagee may, at its sole option and without being under any obligation to do so, advance sums from time to time in payment thereof and all monies so advanced if not repaid by the mortgagors forthwith, without demand, may, at the option of the mortgagee be added to and be deemed a part of the aforesaid principal debt and in such case shall be recoverable as such in all respects, together with interest at the rate of six per cent per annum from the date of said advance; and

WHEREAS, Eugene M. Callis and Esther Parry Callis, his wife, hereby assume the full obligation due hereunder as maker; and

WHEREAS, the said mortgagors, for themselves, their successors, heirs and assigns do hereby assign and set over unto the mortgagee all rents, issues, and profits from the above mortgaged property hereafter accruing as additional security for the indebtedness hereby secured and for the purpose of keeping said mortgaged property in proper repair and the mortgagee is given the prior and continuing lien thereon and said mortgagors do appoint the said mortgagee's Attorney to collect said rents and profits with or without suit and apply the same, less expense of collections, to the said indebtedness to the secured items and said repairs in such manner as said mortgagee may elect, provided however, that until there be a default under the terms of this mortgage, the mortgagors may continue to collect and enjoy said rents, issues and profits without accountability to the said mortgagee. This assignment of rents and power of attorney shall be irrevocable and shall be in addition to the other remedies herein provided for in the event of default and may be put into effect independently of or concurrently with any other remedy, but no liability shall be attached to the mortgagors for failure to collect any rent herein assigned. This assignment of rents and Power of Attorney shall apply to all rents, issues and profits hereafter accruing from present leases and renewals thereof of the mortgaged property and from all leases or renewals hereafter made by the present or any future owners of the property and any purchaser of the mortgaged property shall take title subject to the conditions and provisions hereof; and

WHEREAS, it was a condition precedent to the granting of said loan that it be secured by a mortgage, wherefore these presents are executed.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH: that for and in consideration of the premises and the sum of One Dollar (\$1.00), the receipt whereof is hereby acknowledged, the said parties of the first part, Mortgagors, do hereby grant and convey unto the said party of the second part, Mortgagee, its successors and assigns, in fee simple, All that lot of ground surveyed on July 14, 1933, by Wirt D. Bartlett, Engineer, called or known as Kennersley, the Massey Farm, Tully's Delight or Spark's Choice, situate, lying and being in the Second Election District of Queen Anne's County, in the State of Maryland, on the public road leading from Southeast Creek to Starkey's Corner and also on Island Creek, Southeast Creek and Back Creek, and which is contained within the following metes and boundes, courses and distances, to wit:

BEGINNING at a fence post on the southwest side of the junction of the two above mentioned public roads, and running thence along the west side of the road leading from Southeast Creek to Starkey's Corner, the following three courses and distances: south twenty-six degrees fifty minutes west one thousand two hundred ninety-five and thirteen one hundredths feet to a fence post, thence south thirty degrees, twenty-six minutes west one hundred ninety-seven and fifty-two one-hundredths feet to a fence post; thence south thirty-five degrees seven minutes west six hundred thirty-eight and seventy-seven one-hundredths feet to a fence post thence along said lands of Louise Crane Withgott north eighty degrees forty-eight minutes west five thousand eight hundred seventy-four and seventeen one-hundredths feet to a stake and stones on the east bank or shore of Island Creek and witnessed by two black walnut trees, thence along the eastern bank or shore of Island Creek, the following fifteen courses and distances, north ten degrees eighteen minutes west three hundred sixty-three and sixty-two one-hundredths feet to a stake, witnessed by a white pine, white oak and a gum tree, thence north twenty-five degrees twenty-five minutes west five hundred and sixty-three and ten one-hundredths feet to a stake, thence north seven, degrees fourteen minutes east one hundred seventy-eight and thirty-one hundredths feet to a stake, thence north sixty-eight degrees fifty-six minutes east one thousand two hundred sixty-eight and seventeen one-hundredths feet to a stake; thence south seventy-eight degrees fifty-one minutes east two

hundred eighty-four and seventy-two one-hundredths feet to a stake; thence north fifty-three degrees fifty-nine minutes east one hundred seventy-one and thirty-five one-hundredths feet to a stake; thence north fifty-six degrees twenty-nine seconds east three hundred fifty-eight and seventy-one one hundredths feet to a stake; thence north twelve degrees thirty-six minutes east two hundred forty and thirty-nine one-hundredths feet to a stake; thence north twelve degrees forty-seven minutes east three hundred ninety-one and forty-three one-hundredths feet to a stake; thence north twenty degrees thirty-eight minutes east three hundred sixty-one and twenty-seven one-hundredths feet to a stake; thence north eighty-seven degrees eighteen minutes east four hundred thirty and sixty one-hundredths feet to a stake; thence north fifty-one degrees fifty-five minutes east three hundred and forty-three and ninety one-hundredths feet to a stake; thence north eleven degrees twenty-eight minutes west two hundred seventy-three and twenty-six one-hundredths feet to a stake; thence north fifty-five degrees forty-nine minutes east six hundred twelve and sixty-eight one-hundredths feet to a stake; thence north eighty degrees fifty-three minutes east two hundred eleven and thirty-nine one-hundredths feet to a stake at the mouth of Island Creek and on the southern bank of shore of Southeast Creek; thence by the south bank or shore of said Southeast Creek the following four courses and distances: South thirty degrees ten minutes east one hundred sixteen and thirty-five one-hundredths to a stake; thence south thirty-three degrees seven minutes east one hundred eighty-nine and thirty-four one-hundredths feet to a stake; thence south eighty-six degrees seven-teen minutes east two hundred thirteen and fifty-three and one-hundredths feet to a stake; thence north eighty-four degrees thirty-five minutes east six hundred ten and twenty-four one-hundredths feet to a stake on the west bank of the mouth of Back Creek; thence along the west bank of said Back Creek, the following twelve courses and distances; South twenty degrees fifty-nine minutes east three hundred eighty-seven and ninety-two one-hundredths feet to a stake, witnessed by two white oak trees; thence south eighteen degrees, eighteen minutes east three hundred sixty-one and ninety-six one-hundredths feet to a stake; thence south forty-nine degrees twenty-six minutes east four hundred forty-five and ten one-hundredths feet to a stake witnessed by two beech trees; thence south sixty-six degrees twenty-three minutes east two hundred sixty-three and seventy-three one-hundredths feet to a stake witnessed by a hemlock tree, thence south twenty-two degrees fifty minutes east two hundred eighty-one and eighty-three one-hundredths feet to a stake witnessed by two beech trees; thence south nine degrees forty-four minutes east three hundred six and sixty one-hundredths feet to a stake witnessed by a beech and a hemlock tree; thence south twenty-seven degrees fifty-five minutes east one hundred sixty-five and fifty-one-hundredths feet to a stake witnessed by a maple and a beech tree; thence south fourteen degrees twenty-nine minutes east two hundred thirty-eight and eighty six one-hundredths feet to a stake witnessed by a white pine and a beech tree; thence south twenty-nine degrees seventeen minutes west eighty and seventy-four one-hundredths feet to a stake witnessed by a beech and a hemlock tree; thence south fifteen degrees twenty-seven minutes east one hundred sixty-two and eighty-nine one-hundredths feet to a stake witnessed by a white pine tree; thence south twenty degrees thirty minutes east two hundred seventy-six and six one-hundredths feet to a stake; thence south fifty degrees fifty-six minutes east one hundred seventy-four and ten one-hundredths feet to a stake witnessed by two willow trees thence across said Back Creek and by lands of Irving Walker north sixty-eight degrees twenty-three minutes east nine hundred thirty-eight and fifty-two one-hundredths feet to an old stone on the south side of the public road leading from Church Hill to Southeast Creek; thence along the south side of said road south sixty-six degrees, thirty minutes east four hundred eleven and eighty-one one-hundredths feet to a fence post the place of beginning. Containing four hundred one and six hundred thirty-seven one-thousandths acres strict measure.

BEING the same tract of land described in a deed from Eugene M. Callis and wife to Kennersley Farm Dairy, Incorporated dated January 1, 1949 and recorded among the land records of Queen Anne's County in Liber N.B.W. No. 3, folio 20, and also including and intended to convey hereunder a parcel of land containing 6.206 acres, more or less, reserved in said deed to the said Eugene M. Callis and wife, it being the intention of these presents to convey the entire tract of land, including the 6.206 acres belonging to Eugene M. Callis and wife.

TOGETHER with all and singular, the buildings, streets, alleys, passage ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances and all improvements whatsoever there unto belonging or anywise appertaining, including all machinery and equipment used in the operation of a dairy farm and all fixtures, heating, plumbing, sprinkling, ventilating, electrical and other equipment, screens, storm doors, shutters and similar accessories and together with the reversions and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said lot of land with the improvements and appurtenances aforesaid, unto the said mortgagors, its successors and assigns, in fee simple, forever.

PROVIDED, that if the said principal sum of money loaned as aforesaid and the interest thereon, shall be paid when due, and if all of the covenants herein mentioned shall be performed, then this mortgage shall be void.

BUT upon any default being made in the payment of the said principal and or interest, in whole or in part, when due, or upon any default being made in any covenant or condition of this mortgage, then the whole mortgage debt hereby secured shall thereupon be deemed due and payable forth with.

AND upon any default in the terms of this mortgage, a sale may be made by the said mortgagee its successors or assigns, or by their attorney under Article LXVI, sections 6 to 10 inclusive, of the Maryland Code of 1904, Public General Laws, or any other general or local laws of the State of Maryland relating to mortgages; and such sale shall be of the property as a whole and it shall not be the duty of the party selling to sell the same in parts or in lots; and the sale shall be made after giving twenty days' notice of the time, place, manner and terms of sale in some newspaper printed in the County in which the land is situate; and the party selling may also give such other notice as he may deem expedient; and the terms of sale may be

all cash upon ratification of the sale or such other terms as the party selling may deem expedient.

AND it is agreed that upon any sale of said property under this mortgage, the proceeds of sale shall be applied as follows, to wit: first, to the payment of all expenses incident to said sale, including a counsel fee of fifty dollars for conducting the proceedings if without context, but if legal services be rendered to the mortgagee, its successors or assigns, or to the party selling under the power of sale in connection with any contested matter in the proceedings then such other counsel fees and expenses shall be allowed out of the proceeds of sale as the court may deem proper; also a commission to the party making said sale equal to the commission allowed trustees for making sales of property under a decree of a court of equity in Maryland; second, to the payment of all claims of the mortgagee, its successors or assigns hereunder whether the same shall have then matured or not; and third, the balance, if any, to the said mortgagors, their heirs, personal representatives, successors or assigns, and half of such commissions and all such expenses and costs shall be paid by the mortgagors their heirs, personal representatives, successors and assigns, in the event that the mortgage debt shall be paid after any advertisement of said property, but before sale thereof.

AND it is covenanted that until default be made in any covenant or condition of this mortgage (but not thereafter), the said mortgagors, their heirs, personal representatives, successors or assigns shall have possession of the property, upon paying in the meantime all taxes and assessments, ground rents, public dues and charges levied or assessed or to be levied or assessed on the mortgaged property and on the mortgage debt and interest, which mortgage debt and interest, taxes, assessments, ground rents, public dues and charges the said Mortgagors for themselves, their heirs, personal representatives, successors and assigns covenant to pay when legally due, and upon payment thereof to exhibit to the mortgagee the receipted bills thereof, at the place of business of the mortgagee, or its agent, And upon any default in any of the covenants of this mortgage, the mortgagee shall be entitled, without notice to the mortgagors, to the immediate appointment of a receiver of said property, without regard to the adequacy or inadequacy of the property as security for the mortgage debt; and upon any such default, whether or not a receiver be appointed, the rents and profits of said property are hereby assigned to the mortgagee as additional security.

AND the said mortgagors covenant to keep the improvements on the land insured against loss by fire, in an insurance company or companies selected by, and in an amount designated by the said mortgagee, and to cause all of the policies covering said premises to be so framed or endorsed as in case of fire to insure to the benefit of the said mortgagee, its successors or assigns to the extent of its lien or claim under this mortgage, and to deliver all of the policies covering said premises to the mortgagee, to be kept by the mortgagee. And in the event of any loss by fire the insurance company or companies are hereby directed by the mortgagors to make payment for such loss to the mortgagee only, and not to the mortgagors and mortgagee jointly; such payment at the option of the mortgagee may be applied to the extinguishment of the principal, interest and expenses secured by this mortgage whether then due or not, but shall not exceed the amount payable under this mortgage; provided that the mortgagee in lieu of such application may, in writing, consent to the use by the mortgagors of said insurance money for the reconstruction of the improvements on the mortgaged property.

AND the said mortgagors covenant to warrant specially the said property and to execute such further assurances thereof as may be requisite.

WITNESS: the signature of the said body corporate by the hand of Eugene M. Callis its President and its corporate seal hereto affixed, duly attested by its Secretary.

WITNESS ALSO: the hands and seals of the within named Mortgagors, Eugene M. Callis and Esther Perry Callis, his wife.

ATTEST:

Seal's
Place

KENNERSELEY FARM DAIRY, INCORPORATED

EDITH J. PORTER
Secretary

By: EUGENE M. CALLIS
President

WITNESS:

EUGENE M. CALLIS (SEAL)
Eugene M. Callis

JAMES B. CARTER

ESTHER PERRY CALLIS (SEAL)
Esther Perry Callis

SARA C. DELAHA

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

I HEREBY CERTIFY that on this third day of September, in the year one thousand nine hundred and forty-nine before me the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally, appeared Eugene M. Callis the President of KENNERSELEY FARM DAIRY, INCORPORATED, one of the within named Mortgagors, and he acknowledged the foregoing Mortgage to be the act of said body corporate; and also personally appeared EUGENE M. CALLIS and ESTHER PERRY CALLIS, his wife, two of the within named Mortgagors and they acknowledged the foregoing Mortgage to be their respective act.

At the same time also personally appeared Frank Jackson 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 also made oath that he is the agent of the mortgagee.

IN TESTIMONY WHEREOF, I have affixed my official seal the day and year aforesaid.

Notary
Public
Seal.

KATHERINE C. O'NEAL
Notary Public

My Commission expires May 7-1951

Partial Release of above mortgage is recorded in Liber N. B. W. no. 8, folio 282, etc., a land record book for Queen Anne's County.

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the Seventeenth day of June, in the year nineteen hundred and fifty two, the following Assignment was brought to be recorded, to wit:-

"FOR VALUE RECEIVED, Philadelphia Life Insurance Company does hereby assign the within and foregoing mortgage unto Clayton C. Carter for collection by foreclosure or otherwise.

WITNESS the signature of Philadelphia Life Insurance Company, a body corporate, by T. C. Knapp, its Executive Vice-President, and its corporate seal here-to affixed, duly attested by its Secretary, George E. Townsend, this Ninth day of June, 1952.

Corporate
Seal.

Philadelphia Life Insurance Company

BY T. C. KNAPP
Executive Vice-President

ATTEST:

GEORGE E. TOWNSEND
Secretary

STATE OF MARYLAND

COUNTY OF QUEEN ANNE'S, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber N.B.W. No. 4, folios 112, 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 Seventeenth day of June in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

.....
#29,810. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Second day of January, in the year nineteen hundred and fifty-one, the following Partial Release of Mortgage was brought to be recorded, to wit:-

THIS PARTIAL RELEASE OF MORTGAGE, made this 26th day of December in the year nineteen hundred fifty, by Philadelphia Life Insurance Company, a body corporate duly incorporated under the laws of the Commonwealth of Pennsylvania, having its principal office at 111 North Broad Street, Philadelphia, Pennsylvania, hereinafter called "Mortgagee".

WHEREAS, Kennersley Farm Dairy, Incorporated, a body corporate, duly incorporated under the laws of the State of Maryland, having its principal office at Church Hill, Queen Anne's County, Maryland, Eugene M. Callis and Esther Perry Callis, his wife, hereinafter called "Mortgagors", have heretofore conveyed to said Mortgagee a certain tract of land and its appurtenances, situate in the last named County and State, by mortgage bearing date the 3rd day of September, 1949, and recorded among the land records of Queen Anne's County, aforesaid, in Liber N.B.W. No. 4, folios 112, etc., for the purpose of securing the indebtedness in said mortgage mentioned; and

WHEREAS, among other property, there was included in said mortgage "all machinery and equipment used in the operation of dairy farm"; and

WHEREAS, it was the intention of said parties that said mortgage should cover only such dairy machinery, equipment and accessories of the Mortgagors, or any of them, as were a part of, or attached to the buildings on the mortgaged premises; and

WHEREAS, at the request of the Mortgagors, and pursuant to proper corporate resolution passed in accordance with law and its corporate charter and by-laws, the Mortgagee has consented to execute and deliver this Partial Release to the Mortgagors for the purpose of releasing from the operation of said Mortgage all machinery and equipment used in the operation of a dairy farm which is not a part of, or attached to the buildings on said mortgaged land, retaining the lien of its said mortgage, however, upon all property not hereby released;

NOW, THEREFORE, THIS PARTIAL RELEASE WITNESSETH, that for and in consideration of the premises and the sum of Five Dollars (\$5.00) the receipt of which is hereby acknowledged, the said Mortgagee does hereby release from the lien, legal operation and effect of said mortgage, all machinery and equipment used in the operation of a dairy farm which is not a part of, or attached to the

buildings on the land conveyed by said mortgage, to the intent, however, that all other property conveyed by said mortgage, and not hereby released shall remain unto the said mortgagee, its successors and assigns, as heretofore.

IN TESTIMONY WHEREOF, the Mortgagee, a body corporate as aforesaid, has hereto set its name, by T. C. Knapp its Vice President, and affixed its corporate seal, duly attested by George E. Townsend, its Secretary, on the day and year first hereinabove mentioned:

WITNESS:

JOSEPH H. DULLES

PHILADELPHIA LIFE INSURANCE COMPANY

By T. C. KNAPP
Vice President

ATTEST: (as to corporate seal);

Seal's Place

GEORGE E. TOWNSEND
Secretary

COMMONWEALTH OF PENNSYLVANIA)

PHILADELPHIA COUNTY)

TO WIT:

I Hereby Certify, that on this 27th day of December, 1950, before me, the subscriber, a Notary Public of the Commonwealth of Pennsylvania, in and for Philadelphia County aforesaid, personally appeared T. C. Knapp, Vice President of Philadelphia Life Insurance Company, a body corporate, and acknowledged the within and foregoing PARTIAL RELEASE to be the act of said body corporate.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal, the day and year last hereinabove mentioned.

HELEN E. KEUL
Notary Public
NOTARY PUBLIC
My Commission Expires Feb. 7, 1953

Notary Public Seal.

In the Courts of Common Pleas of Philadelphia County

State of Pennsylvania)

County of Philadelphia, ss.)

I, Meredith Hanna, 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 Certificates,

do Certify, That Helen E. Keul Esquire, whose name is subscribed to the certificate of the acknowledgement of the annexed instrument and thereon written, was at the time of such acknowledgment a NOTARY PUBLIC for the Commonwealth of Pennsylvania, residing in the County aforesaid, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgments and 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 hand writing of the said NOTARY PUBLIC and verily believe the signature thereto is genuine, and I further certify that the said instrument is executed and acknowledged in conformity with the laws of the State of Pennsylvania.

The impression of the Seal of the Notary Public is not required by law to be filed in the office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, this 29th day of DECEMBER in the year of our Lord one thousand nine hundred fifty (1950)

Meredith Hanna, Prothonotary.

By BENJAMIN C. CLARK Deputy
Prothonotary Durante Absentia,
Secundum Legem

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

I hereby certify that the foregoing is truly taken and copied from Liber N.B.W. No. 8, folios 282, 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 Seventeenth day of June in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Statement of Debt
Filed August 1, 1952

| | | |
|--------------------------------|---|----------------------|
| CLAYTON C. CARTER | * | IN THE CIRCUIT COURT |
| Assignee | * | FOR |
| VS. | * | QUEEN ANNE'S COUNTY |
| KENNERSLEY FARM DAIRY, INC. | * | |
| AND | * | IN EQUITY |
| EUGENE M. CALLIS and | * | |
| ESTHER PERRY CALLIS, his wife, | * | |
| Mortgagors | * | No. <u>3801</u> |

STATEMENT OF DEBT

Kennersley Farm Dairy, Incorporated and Eugene M. Callis and Esther Perry Callis, his wife

TO:

Clayton C. Carter, Assignee of Note and Mortgage, DR.

| | | | |
|---------|--|--|---------------------|
| 1951 | | | |
| Sept. 3 | To Principal balance due on promissory note dated September 3, 1949, in the amount of \$150,000.00, secured by mortgage of same date, recorded in Liber N. B. W. No. 4, folio 112, a land record book of Queen Anne's County, Maryland | | \$130,000.00 |
| | To interest on \$130,000.00 from September 3, 1951 to date of sale, August 4, 1952, at 5% per annum | | 5,976.38 |
| 1952 | | | |
| May 6 | To funds advanced to Claude Lowery, Treasurer, for State and County real estate taxes levied on real estate secured by mortgage for calendar year 1951..... | | 2,112.13 |
| | To interest on \$2112.13 from May 6, 1952 to date of sale, August 4, 1952, at 6% per annum, per terms of mortgage..... | | 31.33 |
| | Total Debt..... | | <u>\$138,119.84</u> |

CLAYTON C. CARTER
Assignee of Mortgage

STATE OF MARYLAND QUEEN ANNE'S COUNTY to wit:

I HEREBY CERTIFY, that on this 1st day of August, 1952, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Clayton C. Carter, the above named assignee of note and mortgage, and made oath in due form of law that the foregoing is a true and just statement of the amount of indebtedness under the note and mortgage above mentioned and described, now remaining due and unpaid, to the best of his knowledge and belief.

T. SORDEN PIPPIN
Clerk

Filed August 1, 1952

Certified Copy of Bond
Filed August 1, 1952

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this First day of August in the year nineteen hundred and fifty-two, 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, 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 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 HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) current money of the United State 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 1st day of August, 1952;

WHEREAS, a certain mortgage from Kennersley Farm Dairy, Incorporated,

Eugene M. Callis and Esther Perry Callis, his wife, to Philadelphia Life Insurance Company, a body corporate, dated September 3rd, 1949 and recorded in Land Liber N.B.W. No. 4, folio 112, etc., 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 quarterly installments of principal and interest payable under the terms of the promissory note secured by said mortgage at the times therein provided for the payment thereof, and the none-payment of the 1951 state and County taxes levied on the mortgaged premises.

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 virtue in law.

SIGNED, sealed and delivered in the presence of:

CLAYTON C. CARTER (SEAL)
Clayton C. Carter

VIRGINIA S. WHITE

UNITED STATES FIDELITY AND GUARANTY COMPANY:

Corporate Seal.

By B. HACKETT TURNER JR.
B. Hackett Turner Jr.
ITS ATTORNEY-IN-FACT

Attest:

VIRGINIA S. WHITE

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and Bond filed August 1, 1952.

T. Sorden Pippin Clerk

STATE OF MARYLAND

to wit:

QUEEN ANNE'S COUNTY,

I hereby certify that the foregoing Bond was truly taken and copied from Liber A. S. G. Jr. No. 1, folio 280, 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 August in the year nineteen hundred and fifty-two.

Clerk's Seal.

T. SORDEN PIPPIN
Clerk

REPORT OF SALE
Filed August 5, 1952

CLAYTON C. CARTER,
Assignee

VS.

KENNERSLEY FARM DAIRY,
INCORPORATED and
EUGENE M. CALLIS AND ESTHER
PERRY CALLIS, his wife,
Mortgagors

: IN THE CIRCUIT COURT
:
: FOR
:
: QUEEN ANNE'S COUNTY
:
: IN EQUITY
:
: Cause No. 3801
:
: : : : :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of Clayton C. Carter, Assignee, unto your Honors, respectfully shows:

1. That the above-named Mortgagors by mortgage dated September 3, 1949 and recorded among the land records of Queen Anne's County in Liber N.B.W. No. 4, folio 112, a certified copy thereof having been filed herein, granted and conveyed unto Philadelphia Life Insurance Company, its successors and assigns, certain land in said mortgage described to secure unto it the payment of a certain promissory note in the amount of One Hundred and Fifty Dollars (\$150,000.00) and the interest thereon agreed to be paid, which said mortgage contains a power of sale of the mortgaged property to be exercised by the said mortgagee, its successors or assigns, upon any default in the terms of said mortgage.

2. That default having occurred in the terms of said mortgage by reason of the non-payment of the quarterly installments of principal and interest payable under the terms of the promissory note secured by said mortgage at the times therein provided for the payment thereof, and the none-payment of the 1951 State and County taxes levied on the mortgaged premises, said mortgagee assigned said note and mortgage to Clayton C. Carter for collection by foreclosure or otherwise, by assignment dated June 9, 1952, and the assignment of said mortgage was recorded at the foot of said mortgage in the aforementioned land record book.

3. That prior to the day of sale hereinafter mentioned, said assignee filed with the Clerk of this Court a bond, duly approved by said Clerk, 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 Hundred Fifty Thousand Dollars (\$150,000.00), 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.

4. That thereafter said assignee gave more than twenty (20) days previous notice of sale of the mortgaged property by advertisement of said sale in the Queen Anne's Record-Observer, a weekly newspaper published in Queen Anne's County, a certificate of the publication thereof being filed with this report.

5. That in addition to the advertisement above-mentioned, a short notice of said sale was published twice in the following newspaper, viz: Wall Street Journal of New York City, N.Y., Philadelphia Inquirer of Philadelphia, Penna., Washington Star of Washington, D.C., and The Sun of Baltimore, Maryland, and a brochure of said mortgaged premises was also prepared and distributed to all interested persons who made inquiries concerning the sale of this premises, a copy of said short notice and brochure being filed with this report.

6. That pursuant to the advertised notices of sale, said assignee did attend on the mortgaged premises in front of Kennersley Manor House, Church Hill, Maryland, on the 4th day of August, 1952, at 1:30 o'clock P.M. (D.S.T.) and then and there proceeded to make sale of the property so advertised for sale, in the following manner: the advertisement of sale published in the Queen Anne's Record-Observer as aforesaid was read aloud by said assignee; said assignee then proceeded to offer at public sale at the time and place above-mentioned, to the highest bidder, by J. Elmer Anthony, Auctioneer, all of the real estate described in said advertisement of sale, together with all and singular, the buildings, streets, alleys, passage ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances and all improvements whatsoever thereunto belonging or in anywise appertaining, including all fixtures, heating, plumbing, sprinkling, ventilating, electrical and other equipment, screens, storm doors, shutters and similar accessories and together with the reversions and remainders, rents, issues and profits thereof; and after said auctioneer had cried such sale for a considerable length of time, said assignee, in execution of the power of sale contained in said mortgage, sold the property so offered unto the mortgagee, Philadelphia Life Insurance Company, it being then and there the only bidder therefor, at and for the sum of One Hundred Forty-five Thousand Dollars (\$145,000.00).

7. That the said Philadelphia Life Insurance Company is prepared to pay all costs and expenses of said sale upon final ratification by this Court and to otherwise comply with the terms of sale:

Respectfully submitted:

CLAYTON C. CARTER
Assignee

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

I HEREBY CERTIFY, that on this 5th day of August, 1952, before me, 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 matters and facts set forth in the foregoing Report of Sale are true and bona fide as therein stated, and that the same made by him as Assignee, and therein reported, was fairly made.

T. SORDEN PIPPIN
Clerk

Filed Aug. 5, 1952

EASTERN SHORE OF MARYLAND

"KENNERSLEY PLANTATION"

1710-1952
MORTGAGE FORECLOSURE SALE
To Be Sold on the Premises
NEAR CHURCH HILL
QUEEN ANNE'S COUNTY, MARYLAND
BY CLAYTON C. CARTER, ASSIGNEE
CENTREVILLE, MARYLAND
AUGUST 4TH, 1952

One of the truly beautiful and authentic properties of colonial America located in the heart of Maryland's famed Eastern Shore with a mile frontage on one of its picturesque waterways.

The brick manor house with all the original interior has been restored with great care and elegant taste. Modern farm buildings, manger's home and tenant houses are practically new. Adequate water systems, surfaced roads, fencing and other improvements were made. It's genuine rural setting, laws, fences and gardens give it distinctive charm. For many years outstanding in the annual garden tours of famous colonial properties of Maryland.

Built in 1710 by a famous colonial family of Maryland, Kennersley consists of a central section and two dependent wings. The east wing with two master bedrooms and bath for guests, the central section with hall and winding stairway, living room, library, powder room and three master bedrooms and baths, the west wing with dining room, pantry, kitchen and servants quarters. Cellar with modern heating system, laundry and storage.

Farm buildings consist of two modern dairy barns with silos, calf and maternity barn, dairy, bull pens, cattle sheds, implement storage, work shop, granary and poultry houses, Brick managers' home and several new tenant houses all with modern conveniences.

The farm proper is now in operation as a dairy farm. Considerable acreage in good permanent pasture and alfalfa. Farm well drained and well fenced, 403 acres in all-excellent soil.

Kennersley is in short driving distance to two county seat towns and by water a few minutes of a yacht and country club. Two hours from Washington and three and a half hours from New York City.

Here is one of the truly beautiful and valuable properties of Maryland--in excellent condition throughout--to be sold under mortgage foreclosure through no fault of its own as it has been successfully operated for years. A great opportunity and a great bargain for some one.

ASSIGNEE'S SALE

OF
VALUABLE DAIRY FARM
COMPRISING 401.637 ACRES,
MODERN DAIRY PROCESSING
AND BOTTLING PLANT, AND
HISTORIC BRICK MANORHOUSE

Default having occurred in the terms of a mortgage from Kennersley Farm Dairy, Incorporated, and Eugene M. Callis and Esther Perry Callis, his wife, to Philadelphia Life Insurance Company, dated September 3, 1949, and recorded in Liber N.B.W. No. 4, folio 112, a Land Record Book for Queen Anne's County, Maryland, and duly assigned to Clayton C. Carter for collection by foreclosure or otherwise, the undersigned Assignee, by virtue of the power of sale contained in said mortgage, will offer at public auction ON THE PREMISES IN FRONT OF KENNERSLEY MANOR HOUSE CHURCH HILL, MARYLAND ON MON. AUGUST 4, 1952 1:30 O'clock P.M. (D.S.T.)

THE FOLLOWING DESCRIBED REAL ESTATE, to-wit:

All that lot of ground surveyed on July 14, 1933, by Wirt D. Bartlett, Engineer, called or known as Kennersley, the Massey Farm, Tulley's Delight or Spark's Choice, situate, lying and being in the Second Election District of Queen Anne's County, in the State of Maryland, on the public road leading from Southeast Creek, to Starkey's Corner and also on Island Creek, Southeast Creek and Back Creek, and which is contained within the following metes and bounds, courses and distances, to wit:

BEGINNING at a fence post on the southwest side of the junction of the two above mentioned public roads, and running thence along the west side of the road leading from Southeast Creek to Starkey's Corner, the following three courses and distances: south twenty-six degrees fifty minutes west one thousand two hundred ninety-five and thirteen one-hundredths feet to a fence post, thence south thirty degrees, twenty-six minutes west one hundred ninety-seven and fifty-two one-hundredths feet to a fence post; thence south thirty-five degrees seven minutes west six hundred thirty-eight and seventy-seven one-hundredths feet to a fence post on line of lands, of Louise Crane Withgott, formerly of Curtis E. Crane; thence along said lands of Louise Crane Withgott north eighty degrees forty-eight minutes west five thousand eight hundred seventy-four and seventeen-hundredths feet to a stake and stones on the east bank or shere of Island Creek and witnessed by two black walnut trees, thence along the eastern bank or shere of Island Creek, the following fifteen courses and distances, north ten degrees eighteen minutes west three hundred sixty-three and sixty-two one-hundredths feet to a stake, witnessed by a white pine, white oak and a gum tree, thence north twenty-five degrees twenty-five minutes west five hundred and sixty-three and ten one-hundredths feet to a stake, thence north seven degrees fourteen minutes east one hundred seventy-eight and thirty one-hundredths feet to a stake, thence north sixty-eight degrees fifty-six minutes east one thousand two hundred sixty-eight and seven one-hundredths feet to a stake; thence south seventy-eight degrees, fifty-one minutes east two hundred eighty-four and seventy-two one-hundredths feet to a stake; thence north fifty-three degrees fifty-nine minutes east one hundred seventy-one and thirty-five one-hundredths feet to a stake; thence north fifty-six degrees twenty-nine seconds east three hundred fifty-eight and seventy-one one-hundredths feet to a stake; thence north twelve degrees thirty-six minutes east two hundred forty and thirty-nine one-hundredths feet to a stake; thence north twelve degrees forty-seven minutes east three hundred ninety-one and forty-three one-hundredths feet to a stake; thence north twenty degrees thirty-eight minutes east three hundred sixty-one and twenty seven one-hundredths feet to a stake; thence north eighty-seven degrees eighteen minutes east four hundred thirty and sixty one-hundredths feet to a stake; thence north fifty-one degrees fifty-five minutes east three hundred and forty-three and ninety one-hundredths feet to a stake; thence north eleven degrees twenty-eight minutes west two hundred seventy-three and twenty-six one-hundredths feet to a stake; thence north fifty-five degrees forty-nine minutes east six hundred twelve and sixty-eight one-hundredths feet to a stake; thence north eighty degrees fifty-three minutes east two hundred eleven and thirty-nine one-hundredths feet to a stake at the mouth of Island Creek and on the southern bank of shore of Southeast Creek; thence by the south bank or shere of said Southeast Creek the following four courses and distances; south thirty four degrees ten minutes east one hundred sixteen and thirty-five one-hundredths feet to a stake; thence south thirty-three degrees seven minutes east one hundred eighty-nine and thirty-four one-hundredths feet to a stake; thence south eighty-six degrees seventeen minutes east two hundred thirteen and fifty-three one-hundredths feet to a stake; thence north eighty-four degrees thirty-five minutes east six hundred ten and twenty-four one-hundredths feet to a stake on the west bank of the mouth of Back Creek; thence along the west bank of said Back Creek, the following twelve courses and distances: South twenty degrees fifty-nine minutes east three hundred eighty-seven and

ninety-two one-hundredths feet to a stake, witnessed by two white oak trees; thence south eighteen degrees, eighteen minutes east three hundred sixty-one and ninety-six one-hundredths feet to a stake; thence south forty-nine degrees twenty-six minutes east four hundred forty-five and ten one-hundredths feet to a stake witnessed by two beech trees; thence south sixty-six degrees twenty-three minutes east two hundred sixty-three and seventy-three one-hundredths feet to a stake witnessed by a hemlock tree, thence south twenty-two degrees fifty minutes east two hundred eighty one and eighty-three one-hundredths feet to a stake witnessed by two beech trees; thence south nine degrees forty-four minutes east three hundred six and sixty one-hundredths feet to a stake witnessed by a beech and a hemlock tree; thence south fourteen degrees twenty-nine minutes east two hundred and thirty eight and eighty-six one-hundredths feet to a stake witnessed by a white pine and a beech tree; thence south twenty-nine degrees seventeen minutes west eighty and seventy-four one-hundredths feet to a stake witnessed by a beech and a hemlock tree; thence south fifteen degrees twenty-seven minutes east one hundred sixty-two and eighty-nine one-hundredths feet to a stake witnessed by a white pine tree; thence south twenty degrees thirty minutes east two hundred seventy-six and six one-hundredths feet to a stake; thence south fifty degrees fifty-six minutes east one hundred seventy-four and ten one-hundredths feet to a stake witnessed by two willow trees; thence across said Back Creek and by lands of Irving Walker north sixty-eight degrees twenty-three minutes east nine hundred thirty-eight and fifty-two one-hundredths feet to an old stone on the south side of the public road leading from Church Hill to Southeast Creek; thence along the south side of said road south sixty-six degrees, thirty minutes east four hundred eleven and eighty-one one-hundredths feet to a fence post the place of beginning. Containing four hundred one and six hundred thirty-seven one-thousandths acres strict measure.

BEING the same tract of land described in a deed from Eugene M. Callis and wife to Kennersley Farm Dairy, Incorporated, dated January 1, 1949, and recorded among the Land Records of Queen Anne's County aforesaid in Liber N.B.W. No.3, folio 20, and also including a parcel of land containing 6.206 acres, more or less, reserved in said deed to the said Eugene M. Callis and wife.

TOGETHER with all and singular, the buildings, streets, alleys, passage ways, waters, water courses, rights, liberties, privileggs, hereditaments and appurtenances and all improvements whatsoever thereunto belonging or in anywise appertaining, including all fixtures, heating, plumbing, sprinkling, ventilating, electrical and other equipment screens, storm doors, shutters and similar accessories and together with the reversions and remainders, rents, issues and profits thereof.

NOT INCLUDING personal property or farm or dairy machinery and equipment used in the operation of a dairy farm which is not a part of, or attached to the buildings on said mortgaged land.

IMPROVEMENTS

MANOR HOUSE:

Old historic "Kennersley" brick manor house, dating to 1710, beautifully and elegantly restored, and consisting of a 2½ story central section, two wings and cellar.

The Central Section has a large entrance hall with winding stairway to second floor and a large living room and library on first floor. There are two bedrooms and two baths on second floor and a large room on third floor.

The East Wing has two guest bedrooms and bath.

The West wing has, on the first floor, a dining room, kitchen and pantry. The second floor has two bedrooms and one bath. The third floor has a large bedroom, sitting room, and bath.

The Cellar has a modern heating plant, laundry and storage area.

The Original Interior includes mantels, fireplaces, doors, locks and flooring.

The Gardens and Lawn contain 6.206 acres, with the manor house situated thereon among magnificent old trees.

A Three Car Garage is conveniently located near the Manor House, together with pump house.

DAIRY FARM:

Land--Approximately 31½ acres of tillable land in high state of cultivation. Fields well fenced.

Buildings -Two large frame modern dairy barns with 88 stanchions and with a dairy, containing a cold storage room, attached; one large concrete maternity and calf barn and shed; three large concrete silos; one frame granary and corn crib; one large frame cattle shed and bull pen.

DAIRY PROCESSING AND BOTTLING PLANT:

Situate near dairy barns. Consists of one large frame and concrete block building with cold storage room, storage rooms, engine rooms, tile and glass brick pasteurizing and dairy products processing room.

MISCELLANEOUS BUILDINGS AND IMPROVEMENTS:

Five Modern frame cottages for labor, complete with heating and plumbing facilities and yards.

One two-story attractive dwelling for manager with all modern facilities and two car garage. Has a large landscaped yard.

One one-story frame office building with modern facilities.

One small frame kennel.

One large frame and one small frame poultry house.

One frame utility building.

One frame shop.

A modern frame pump house with 10,000 gallon water tank and with lavatory facilities for labor. A brick incinerator is attached.

One small concrete block gas and oil house.

One cement block deep freeze house.

One frame wood house.

Macadam Roads have been built from the public highway to the Manor House and Dairy Buildings.

WATERFRONT:

Over a mile of frontage on the navigable tidewater of Southeast Creek and Island Creek, and also fronting on Back Creek. A frame pier has been built out into these waters, together with a modern boat house.

INSPECTION

The premises may be inspected to day of sale by contacting Eastern Shore Estates Co., Centreville, Maryland. Telephone 121. Brochures can also be obtained from Eastern Shore Estates Co.

TERMS OF SALE

One-third of the purchase price on the day of sale, the balance within ten (10) days after ratification of the sale by the Court, or all cash on the 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 to the satisfaction of the undersigned Assignee.

Taxes and insurance premiums will be adjusted to date of settlement, at which time possession will be given.

All transfer expenses, including documentary and recordation stamps, will be borne by purchaser.

CLAYTON C. CARTER
Assignee

J. Elmer Anthony, Auctioneer.

Order Nisi

N I S I

CLAYTON C. CARTER,
Assignee

VS.

KENNERSLEY FARM DAIRY,
INCORPORATED and
EUGENE M. CALLIS and ESTHER
PERRY CALLIS, his wife,
Mortgagors.

) IN THE CIRCUIT COURT

) FOR QUEEN ANNE'S COUNTY

) IN EQUITY

) CHANCERY NO. 3801

ORDERED, This 5th. day of August, A.D., 1952, 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 7th. 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 8th. day of September next.

The Report states the amount of sales to be \$145,000.00

T. SORDEN PIPPIN Clerk.

Filed August 5, 1952.

EXCEPTIONS TO SALE
Filed Oct. 7, 1952

CLAYTON C. CARTER
Assignee

vs.

KENNERSLEY FARM DAIRY, INCORPORATED, et al
Mortgagors

) IN THE CIRCUIT COURT

) FOR

) QUEEN ANNE'S COUNTY

) IN EQUITY.

) CHANCERY NO. 3801

EXCEPTIONS TO SALE

TO THE HONORABLE, the Judges of said Court:

Eugene M. Callis and Esther Perry Callis, his wife, Mortgagors, by Howard Wood, 3rd, and Thomas J. Keating, Jr. their attorneys, object to the ratification of the sale of the real estate reported in this cause by Clayton C. Carter, Assignee, and for grounds of objection, say:

1. THAT the mortgage debt in the original sum of \$150,000.00 was a debt of Kennersley Farm Dairy Incorporated and not of Eugene M. Callis and Esther Perry Callis, his wife, and Eugene M. Callis, individually was the sole stockholder of Kennersley Farm Dairy Incorporated at the time of the execution of the mortgage. As such sole stockholder said Eugene M. Callis pledged with the mortgagee, Philadelphia Life Insurance Company, certain life insurance policies upon his life, as security for the loan to Kennersley Farm Dairy Incorporated which was likewise secured by the mortgage aforesaid, said life insurance policies having a substantial cash surrender value.

THAT as appears by reference to the said mortgage foreclosed in this cause, the mortgaged premises included the tract of land, containing 6.206 acres belonging to Eugene M. Callis and Esther Perry Callis, his wife, as tenants by the entirety, as well as the real estate belonging to Kennersley Farm Dairy Incorporated.

THAT despite the recitation in the mortgage to the effect that Esther Perry Callis assumed the full obligation due thereunder as maker, she was nevertheless an accommodation maker and the said tract of land containing 6.206 acres of which she was a tenant by the entirety, was included in the mortgaged premises as an accommodation to Kennersley Farm Dairy Incorporated and Eugene M. Callis.

THAT all of the facts hereinbefore set forth were well known to the mortgagee, and Clayton C. Carter, Assignee, is not a holder of said mortgage for value.

THAT under the facts as above set forth the mortgagee had a legal duty to apply the value of the life insurance policies, above mentioned, to the part satisfaction of the mortgage debt before resorting to the aforesaid 6.206 acres of land therefor.

THAT notwithstanding the duty to proceed as aforesaid, the assignee for collection only offered the mortgaged premises for sale in one parcel including therein the 6.206 acres aforesaid, upon which stands the mansion house and garage.

2. THAT the sale price of \$145,000.00 was grossly inadequate

3. AND for other reasons to be shown at the hearing.

WHEREFORE your exceptants pray that the sale reported in this cause be not ratified and for such other and further relief as their case may require.

Respectfully submitted,

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

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)

Filed Oct. 7, 1952

I HEREBY CERTIFY that I served a copy of the foregoing Exceptions to Sale upon Clayton C. Carter, Assignee, by leaving same at his office in Centreville, Maryland, on the 7th day of October, 1952.

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)

Filed Oct. 7, 1952

NISI

CLAYTON C. CARTER
Assignee

vs.

KENNERSLEY FARM DAIRY
INCORPORATED, and
EUGENE M. CALLIS and ESTHER
PERRY CALLIS, his wife,
Mortgagors

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY.
Chancery No. 3801

ORDERED, This 5th day of August A.D., 1952, 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 7th 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 8th day of September next.

The Report states the amount of sales to be \$145,000.00.

T. SORDEN PIPPIN, Clerk

Filed August 5, 1952
 True Copy
 Test: T. Sorden Pippin, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Oct. 3, 1952

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case of Clayton C. Carter, Assignee vs. Kennersley Farm Dairy, Inc. and Eugene M. Callis and Esther Perry Callis, his wife a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 7th day of Oct. 1952, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 7th day of Aug. 1952, and the last insertion on the 28th day of Aug. 1952.

THE QUEEN ANNE'S RECORD AND OBSERVER
 PUBLISHING COMPANY

By MYRTLE FAULKNER

Filed Oct. 11, 1952

CLAYTON C. CARTER,
 Assignee

VS.

KENNERSLEY FARM DAIRY
 INCORPORATED, et al.
 Mortgagors

: IN THE CIRCUIT COURT
 :
 : FOR
 :
 : QUEEN ANNE'S COUNTY
 :
 : IN EQUITY
 :
 : CHANCERY NO. 3801

 PETITION FOR LEAVE TO INTERVENE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Charles M. Lake, Trustee in Bankruptcy of Eugene M. Callis, respectfully prays leave to intervene in the above entitled case and to be allowed to file his Petition of Intervention annexed hereto, for the reasons set forth therein, which are prayed to be taken as a part hereof as full as if repeated in this Petition.

CHARLES M. LAKE
 Charles M. Lake

T. HUGHLETT HENRY JR.
 T. Hughlett Henry, Jr.

FRANK B. OBER
 Frank B. Ober

Filed Oct. 13, 1952

Leave granted as prayed this 13th day of October, 1952.

WM. R. HORNEY
 Judge of the Circuit Court
 for Queen Anne's County

Filed Oct. 13, 1952

CLAYTON C. CARTER,
 Assignee

-vs-

KENNERSLEY FARM DAIRY
 INCORPORATED, et al,
 Mortgagors

: IN THE CIRCUIT COURT
 :
 : FOR QUEEN ANNE'S COUNTY
 :
 : IN EQUITY
 :
 : CHANCERY NO. 3801
 :

 INTERVENING PETITION OF CHARLES M. LAKE
 TRUSTEE IN BANKRUPTCY OF EUGENE M. CALLIS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The intervening petition of Charles M. Lake respectfully shows:

1. Your petitioner was appointed Trustee in Bankruptcy of Eugene M. Callison October 29, 1951, by the United States District Court for the District of Maryland, upon a creditors' petition filed against the said Eugene M. Callis on August 6, 1951. A certified copy of said appointment being attached hereto.

as Exhibit A, and your petitioner duly qualified as Trustee on November 1, 1951.

2. That as such Trustee your petitioner became vested with the title of the bankrupt pursuant to the terms of Section 70 of the Bankruptcy Act, United States Code 11, Chapter 7, Section 110, as set forth in subsection (a) (5), which provides among other things that the Trustee is vested with the title of the bankrupt as of the date of the filing of the petition of bankruptcy "to property, including rights of action which prior to the filing of the petition he could by any means have transferred or which might have been levied upon and sold under judicial process against him or otherwise seized, impounded or sequestered provided further that when any bankrupt who is a natural person shall have any insurance policy which has a cash surrender value payable to himself, his estate or personal representatives, he may within thirty days after the cash surrender value has been ascertained and stated to the Trustee by the company issuing the same, pay or secure to the Trustee the sum so ascertained and stated and continue to hold such policy free from the claims of the creditors participating in the distribution of his estate under the bankruptcy proceedings. Otherwise the policy shall pass to the Trustee as assets."

Sub-section (c) of the same section of the Bankruptcy Act further provides that "the Trustee, as to all property whether or not coming into possession or control of the Court upon which a creditor of the bankrupt could have obtained a lien by legal or equitable proceedings at the date of bankruptcy, shall be deemed vested as of such date with all the rights, remedies and powers of the creditor then holding a lien thereon by such proceedings, whether or not such creditor actually exists."

3. That by virtue of the Bankruptcy Act and your petitioner's appointment, he became entitled to the following three insurance policies as set forth in the Bankrupt's Schedule B 3, to wit:

a \$50,000.00 policy, #10167939, of Connecticut Mutual Life Insurance Company, dated December 7, 1940;

a \$25,000.00 policy, #1049041, of Massachusetts Mutual Life Insurance Company, dated June 22, 1940;

a \$25,000.00 policy, #1012552, of New England Mutual Life Insurance Company, dated December 28, 1938

4. According to the Bankrupt's Schedule aforesaid, said policies each had a cash surrender value, the aggregate amount as set forth by the bankrupt being \$17,947.75.

5. Your petitioner's rights to such policies were subordinate only to a prior lien to the Philadelphia Life Insurance Company to whom said policies had been assigned as additional security for the mortgage being foreclosed in these proceedings.

6. Your petitioner accordingly notified the bankrupt of his right under the section of the Bankruptcy Act above referred to, subject to the limitations thereof, to take over such policies upon paying or securing to your petitioner the sum ascertained by your petitioner from the companies issuing the same, but the bankrupt has failed to pay or secure the cash surrender value thereof to your petitioner.

7. The aggregate cash surrender value as ascertained by your petitioner from the companies issuing such policies, as of the date of such notice by your petitioner to the bankrupt on September 3, 1952, was \$20,175.87.

8. That your petitioner is informed and believes that the Philadelphia Life Insurance Company, having bid in the mortgaged property at the full amount of the mortgage, will upon theratification of this sale have been paid in full and its lien upon said insurance policies as additional collateral for its loan will have been satisfied so that your petitioner's title to such policies will be free and discharged from such prior lien, and will entitle your petitioner to the absolute right in such policies, including their cash surrender value, subject only to the bankrupt's rights, if any, to pay off or secure to your petitioner the amount of such cash surrender value.

9. Your petitioner is advised that the mortgage which is being foreclosed in these proceedings provides that "the said mortgagors have made and passed unto the mortgagee, their joint and several negotiable promissory note" and further provides "Whereas, Eugene M. Callis and Esther Perry Callis, his wife, hereby assume the full obligation due hereunder as maker" and further provides "and upon any default in the terms of this mortgage, a sale may be made by the said mortgage . . . and such sale shall be of the property as a whole and it shall not be the duty of the party selling to sell the same in parts or in lots".

10. That the property as a whole included the 6.206 acres belonging to the bankrupt and his wife as well as the real estate belonging to Kennersley Farm Dairy, Incorporated, and that, therefore, the mortgagee had the right and duty to sell the same as a whole and, as evidenced by the price obtained, was required to do so in order to recover the full amount of the mortgage indebtedness due to the Mortgagee.

11. That the bankrupt notified your petitioner of his desire to pay the cash surrender value on each of the insurance policies aforesaid and to take such policies over but has failed to do so, and the bankrupt has never up to the date of filing exceptions to the same ever taken any position contrary to his position taken in the bankruptcy Schedule that such policies belong to your

petitioner and the bankrupt has never so far as your petitioner is advised notified the mortgagee of any claim as is set forth in the Exceptions to the Sale to such insurance.

12. That your petitioner is advised and therefore alleges that the mortgage creditor, by the express terms of the mortgage, had the right to foreclose the mortgage, and this right was not lost by taking additional collateral.

15. Your petitioner is, therefore, advised and alleges that the claims set forth in the Exceptions to the Sale with respect to such life insurance policies are wholly irrelevant to the mortgage foreclosure suit before this Honorable Court and are not within the jurisdiction of this Honorable Court, but that such claims, if any, can only be asserted in the Bankruptcy Court as they do not concern either the mortgagor or the mortgagee but are based wholly on the theory that the exceptants, in some manner not disclosed in the Exceptions filed herein, are entitled to displace the title and lien on your petitioner in and on such policies given to your petitioner by the express terms of the Bankruptcy Act.

14. That the insurance policies referred to are in the hands of the mortgagee and are not the subject of any proceedings in this Court, but upon the ratification of this sale are required by the Bankruptcy Act to be turned over the Philadelphia Life Insurance Company to your petitioner as Trustee of the bankrupt.

15. That your petitioner, with the approval of the United States Bankruptcy Court, because of the interest of the estate through its ownership of all of the stock of Kennersley Farm Dairy, Incorporated, has spent substantial sums in order to make certain that the mortgage foreclosure sale was widely advertised and among other things provided for the advertisement of the mortgaged property in New York, Philadelphia, and Washington, secured the printing of a brochure which was given to all persons showing any interest in the property, and employed a real estate broker to assist all interested parties in inspecting such property, and your petitioner is informed and believes that the sale price of \$145,000.00 was adequate and that the mortgage foreclosure sale should be ratified.

16. Your petitioner further alleges that the sale of certain personal property of the bankrupt has been effected contingent upon the ratification of this mortgage sale and that the payment of the purchase price thereof would be greatly delayed, and through depreciation of such personal property the creditors of the bankrupt would lose substantial sums in the event of any further delay in the ratification of this mortgage sale.

WHEREFORE, your petitioner prays that the sale reported in this cause be ratified and that your petitioner may have such further relief as his case may require.

Respectfully submitted,

CHARLES M. LAKE
Charles M. Lake

T. HUGHLETT HENRY JR.
T. Hughlett Henry Jr.

FRANK B. OBER
Frank B. Ober
Solicitors for Intervening Petitioner.

STATE OF MARYLAND)
) SS.
CITY OF GLEN BURNIE)

I HEREBY CERTIFY that before me, a Notary Public duly qualified for the State and City aforesaid, personally appeared CHARLES M. LAKE and made oath in due form of law that the matters and facts stated in the foregoing petition of intervention are true to the best of his knowledge and belief.

WITNESS my hand and notarial seal this 11th day of October, 1952.

Notary
Public
Seal.

LOUISE M. PLEDGER
Notary Public
Louise M. Pledger

I HEREBY CERTIFY that service of copy of the foregoing intervening petition on Thomas J. Keating, Jr., one of the solicitors for the exceptants was made by leaving the same at his office in Centreville, Maryland, on the 13th day of October, 1952.

Filed Oct. 13, 1952

T. HUGHLETT HENRY JR.

EXHIBIT A

UNITED STATES OF AMERICA)
) to wit:
 DISTRICT OF MARYLAND)

I, CHARLES M. JANNE, Clerk of the United States District Court for the District of Maryland, do certify that Charles M. Lake on the 29th day of October, 1951 elected Trustee of the Bankrupt estate of Eugene M. Callis, No. 10277 Bankruptcy Docket.

And I do further certify that the said Trustee has qualified as such by filing the required bond, which has been duly approved.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of said District Court, this 5th day of November, 1951.

Seal's Place

CHARLES M. JANNE
Clerk

By EARL L. GRAHAM
Deputy Clerk

Answer to Exceptions
 Filed Oct. 14, 1952

CLAYTON C. CARTER,
 Assignee

VS.

KENNERSLEY FARM DAIRY,
 INCORPORATED, et al.
 Mortgagors

* IN THE CIRCUIT COURT
 * FOR
 * QUEEN ANNE'S COUNTY
 * IN EQUITY
 * No. 3801

ANSWER TO EXCEPTIONS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Clayton C. Carter, Assignee, to the Exceptions filed in this cause by Eugene M. Callis and Esther Perry Callis, his wife, Mortgagors, to the sale of the real estate reported in this cause by Clayton C. Carter, Assignee, respectfully sets forth:

1. That the Assignee denies that Esther Perry Callis was an accommodation maker and avers that she is now estopped from denying that she was a maker of the principal indebtedness, evidenced by a joint and several promissory mortgage note, dated September 3, 1949 signed by her together with Kennersley Farm Dairy, Incorporated and Eugene M. Callis, in which each of the three said parties assumed the full obligation due thereunder as maker.

2. That the Assignee denies that he is not a holder of the mortgage mentioned in said Exceptions for value.

3. That the Assignee denies that he was under a legal duty to apply the value of certain life insurance policies therein mentioned to the part satisfaction of the mortgage debt before resorting to the sale of 6.206 acres of land therein mentioned.

4. That under the terms of said mortgage, the Assignee was not under any duty to sell the mortgaged premises in parts or in lots.

5. That the Assignee denies that the sale price of \$145,000.00 was grossly inadequate, but avers that the sale was fairly and bona fide made and after thorough and wide spread advertising, without any fraud or misconduct on the part of the assignee making sale.

Having fully answered said Exceptions, the Assignee prays that the Exceptions be dismissed.

Respectfully submitted:

CLAYTON C. CARTER
Assignee

I HEREBY CERTIFY that on this 14th day of October, 1952, copies of the foregoing Answer to Exceptions were filed on Thomas J. Keating, Jr., Esq. and Howard Wood, 3rd, Esq. attorneys for Mortgagors, by leaving the same at their respective law offices in Centreville, Maryland.

CLAYTON C. CARTER
Assignee

Filed Oct. 14, 1952

ANSWER
Filed Oct. 18, 1952

CLAYTON C. CARTER
Assignee

vs.

KENNERSLEY FARM DAIRY,
INCORPORATED, et al
Mortgagor

: IN THE CIRCUIT COURT
:
: FOR
:
: QUEEN ANNE'S COUNTY
:
: IN EQUITY
:
: Chancery No. 3801

TO THE HONORABLE, the Judges of said Court:

THE Answer of Eugene M. Callis and Esther Perry Callis, his wife, two of the Defendants, Mortgagors, in this cause, by Howard Wood, III and Thomas J. Keating, Jr., their attorneys, to the intervening Petition of Charles M. Lake, Trustee in Bankruptcy of Eugene M. Callis, respectfully sets forth:

- (1) THAT your Respondents admit the allegations of paragraph 1 of said Petition.
- (2) THAT your Respondents admit the allegations of paragraph 2 of said Petition in so far as said paragraph quotes the language of the Bankruptcy Act but deny that the allegations of said paragraph apply to the instant case.
- (3) THAT your Respondents deny the allegations of paragraph 3 of the Petition.
- (4) THAT your Respondents admit the allegations of paragraph 4 of the Petition.
- (5) THAT your Respondents deny the allegations of paragraph 5 of the Petition and further answering same say: That if the petitioning trustee had any interest in the life insurance policies mentioned, such interest was subordinate to the right which your Respondents have to be subrogated to the rights of the Philadelphia Life Insurance Company or to the duty which the Philadelphia Life Insurance Company had to apply the cash surrender value of said policies to the satisfaction of the mortgage debt before resorting to a sale of the Respondents real estate to the satisfaction thereof.
- (6) THAT your Respondents admit the allegations of paragraph 6 of the Petition.
- (7) THAT your Respondents neither admit nor deny the allegations of paragraph 7 of the Petition as they have no knowledge thereof.
- (8) Answering paragraph 8 of the Petition your Respondents admit that if the sale of the mortgaged real estate made in this cause should be ratified by the Court, the mortgage debt of the Philadelphia Life Insurance Company will thereupon be paid in full, but your Respondents deny that the Petitioning Trustee will be entitled to the insurance policies mentioned or any interest therein except such interest as may be subordinate to the right of your Respondents to said policies and/or any proceeds thereof.
- (9) THAT your Respondents admit the allegations of paragraph 9 of the Petition.
- (10) THAT your Respondents admit so much of paragraph 10 of the Petition as alleges that the mortgaged property included 6.206 acres of land belonging to the Respondents, as tenants by the entireties, as well as the real estate belonging to Kennersley Farm Dairy, Incorporated, and further answering said paragraph say: That the right, if any, to make sale of the mortgaged real estate as a whole, was only a qualified right, subject to the usual duties of a party selling mortgaged real estate upon foreclosure of any mortgage; to act as a Trustee for the benefit of a mortgagor and his sureties by obtaining the best price possible for the property, by protecting all securities held by him for the benefit of the mortgagor and his sureties, having regard to the peculiarities of the entire transaction.
- (11) THAT your Respondents neither admit nor deny the allegations of paragraph 11 of the Petition but allege that said allegations are irrelevant in view of the present claim of your Respondents, as tenants by the entireties, to the benefits of said policies asserted in these proceedings.
- (12) Answering paragraph 12 of the petition your Respondents admit that the mortgagee had a right to foreclose the mortgage, the debt being in default, but your Respondents aver that the life insurance policies were not "additional" collateral to the mortgage but were pledged at the same time and were on an equal footing with the security of the mortgage.

- (13) YOUR Respondents deny the allegations of paragraph 13 (erroneously numbered 15) in the Petition.
- (14) THAT your Respondents neither admit nor deny that the insurance policies are in the hand of the mortgagee as they have no personal knowledge of the present whereabouts thereof but deny all other allegations of said paragraph.
- (15) Answering paragraph 15 of the Petition your Respondents neither admit nor deny the allegations of said paragraph but believe that the sale price of \$145,000 was not adequate and that the sale should not be ratified.
- (16) YOUR Respondents neither admit nor deny the allegations of paragraph 16 of the Petition as they have no knowledge thereof but aver that said allegations are wholly irrelevant to the questions raised by these proceedings.

WHEREFORE, your Respondents pray that the sale of the real estate made herein be not ratified or, if ratified, then only on the condition that your Respondents rights to, and interest in, the life insurance policies mentioned, and all other rights of your Respondents be preserved.

Respectfully submitted,
HOWARD WOOD, 3rd
(Howard Wood, III)

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)
Attorneys for Eugene M. Callis and
Esther Perry Callis, Defendants.

THIS IS TO CERTIFY that I served a copy of the foregoing answer on Clayton C. Carter, Esquire, Assignee, Plaintiff, and upon T. Hughlett Henry, Jr., Esquire, one of the attorneys for the intervening Petitioner, by delivering same to them in person on the 17th day of October, 1952.

THOS. J. KEATING JR.
Attorney for Eugene M. Callis and
Esther Perry Callis, Defendants

Filed 10/18/52

AMENDMENT OF EXCEPTIONS TO SALE
Filed Nov. 1, 1952

CLAYTON C. CARTER,
Assignee

vs.

KENNERSELY FARMS DAIRY
INCORPORATED, et al
Mortgagors

: IN THE CIRCUIT COURT
:
:
: FOR
:
:
: QUEEN ANNE'S COUNTY
:
:
: IN EQUITY
:
:
: Chancery No. 3801

AMENDMENT OF EXCEPTIONS TO SALE

TO THE HONORABLE, the Judges of said Court:

Eugene M. Callis and Esther Perry Callis, his wife, Mortgagors, by Howard Wood III, and Thomas J. Keating, Jr., their attorneys, respectfully show:

1. THAT the Mortgagors did heretofore on October 7, 1952, file objections to the ratification of the sale of the real estate made in this cause.
2. THAT the Mortgagors, exceptants did specify as a third ground of objections to the sale that they would show other reasons for objecting to the sale at the time of the hearing.
3. THAT among the grounds shown at the hearing was the fact that the Mortgagee, Philadelphia Life Insurance Company, at the time of the execution and delivery of the mortgage foreclosed in this cause made a collateral agreement with Eugene M. Callis, individually, he being at that time the sole stockholder of Kennersley Farm Dairy, Incorporated, that said Eugene M. Callis was to pledge certain life insurance policies upon his life as additional security for the loan to Kennersley Farm Dairy, Incorporated, which was likewise secured by the Mortgage.

THAT said life insurance policies had a substantial cash surrender value, the cash surrender value thereof on November 3, 1952, being \$20,175.87.

4. THAT under the facts alleged in the exceptions to the sale and in this amendment of exceptions Eugene M. Callis and Esther Perry Callis, as owners of the 6.206 acres of land are accommodation makers of the note and mortgage, and, as sureties for the principal debtor, are entitled to be subrogated to the rights of the Philadelphia Life Insurance Company as the holder and assignee of the life insurance policies mentioned which the said life insurance company held as collateral security, and not sale of the mortgaged premises should be ratified unless the life

insurance policies mentioned are ordered assigned by Philadelphia Life Insurance Company to Eugene M. Callis and Esther Perry Callis, as tenants by the entireties.

Respectfully submitted,

HOWARD WOOD, 3rd
(Howard Wood, III)

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)

THIS IS TO CERTIFY that I served a copy of the foregoing Amendment of Exceptions to Sale upon Clayton C. Carter, Assignee, by leaving a copy of sale with him at his office in Centreville, Maryland, on the 1st day of November, 1952.

Filed Nov. 1, 1952

HOWARD WOOD, 3rd.

| | | |
|-----------------------------|---|--------------------------|
| CLAYTON C. CARTER, Assignee | : | IN THE CIRCUIT COURT FOR |
| vs. | : | QUEEN ANNE'S COUNTY |
| KENNERSEY FARM DAIRY, INC. | : | IN EQUITY |
| EUGENE M. CALLIS and ESTHER | : | |
| PERRY CALLIS, his wife | : | |
| | : | |
| | : | |
| | : | |

MOTION TO STRIKE

The Plaintiff in the above-entitled cause having objected at the time of the hearing upon the exceptions filed by Eugene M. Callis and Esther Perry Callis, his wife, and the same having been admitted subject to exception, does now move to strike out all of the testimony produced on behalf of the exceptants by the witness, Joseph H. Dulles, for the reason that its admission would violate the parol evidence rule.

Respectfully submitted:

CLAYTON C. CARTER
Plaintiff

I HEREBY CERTIFY that I left a copy of the foregoing Motion at the law office of Thomas J. Keating, Jr., one of the solicitors for the Exceptants, this 1st day of November, 1952.

CLAYTON C. CARTER
Plaintiff

Filed Nov. 1, 1952

CLAYTON C. CARTER, Assignee

Vs.

KENNERSELY FARM DAIRY, INC.,
et al., Mortgageors.

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

Cause No. 3801

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Eugene M. Callis and Esther Perry Callis, his wife, by Thomas J. Keating, Jr. and Howard Wood, 3rd, their attorneys, unto your Honors respectfully shows:

1. That your petitioners are advised that it will be desirable for them to present additional evidence to this Honorable Court for the purpose of establishing their right to the relief sought by them as set forth in their additions to their exceptions to the ratification of this mortgage sale.

Wherefore, your petitioners pray your Honors to pass an order authorizing them to present additional evidence for the purpose above stated.

Respectfully submitted,

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)

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

Attorneys for Petitioners

I hereby certify that I delivered a copy of the foregoing petition at the office of Clayton C. Carter, Esq., Centreville, Maryland, and mailed a copy of the same to T. Hughlett Henry, Jr., Esq., Easton, Maryland, this 11th day of November, 1952.

HOWARD WOOD, 3rd

Filed Nov. 11, 1952

STIPULATION
Filed Dec. 11, 1952

CLAYTON C. CARTER,
Assignee

VS.

KENNERSLEY FARM DAIRY,
INCORPORATED, et al
Mortgagor

* IN THE CIRCUIT COURT
* FOR
* QUEEN ANNE'S COUNTY
* IN EQUITY
* Chy. #3801

STIPULATION

1. It is stipulated and agreed between the parties to this cause that Eugene M. Callis and Esther Perry Callis would produce expert witnesses before this Court who would testify that, in their opinion, the value of the main house, garage and 6.206 acres of land of the mortgaged real estate, upon which the main house and garage are situated, would be, at least, in excess of one-sixth of the total value of the entire mortgaged real estate as of the date of the sale thereof made and reported in this cause by Clayton C. Carter, Assignee.

It is further stipulated and agreed between the parties hereto that the Plaintiff in said cause objects to the admissibility of such testimony on the grounds that it is irrelevant and in violation of the parol evidence rule.

2. It is further stipulated and agreed between the parties hereto that Clayton C. Carter, Assignee and Plaintiff, in this cause, would testify before this Court that the expenses incurred by him to date in this cause are as follows:

| | |
|--|---------|
| Recording assignment of mortgage | \$.50 |
| Premium on assignee's bond | 600.00 |
| Auctioneer's fee for crying sale | 500.00 |
| Publishing order nisi on report of sale | 5.00 |
| Stenographer's fee for taking testimony in this cause on October 17, 1952 | 25.00 |
| 1952 State and County taxes on mortgaged real estate | 2878.54 |
| Advertising mortgaged premises for sale | 405.00 |

and that the Clerk of this Court has estimated the cost in this cause to be 61.40

and that the costs of advertising the order nisi on the Auditor's Report and Account will amount to 5.00

and that if the usual commissions were allowed the party making sale, that it would amount to 5845.00

thus making the total costs and expenses in this cause amount to \$10325.44

without including the Auditor's fee or any adjustment for the cost of any fire insurance premiums which might have to be paid by the Assignee.

It is further stipulated and agreed between the parties hereto that neither Charles M. Lake, Trustee, nor Eugene M. Callis and Esther Perry Callis have verified the validity or accuracy of the above and do hereby reserve their respective rights to challenge the validity or accuracy of the same.

HOWARD WOOD, 3rd
Howard Wood, III

THOS. J. KEATING JR.
Thomas J. Keating Jr.
Attorneys for Eugene M. Callis
and Esther Perry Callis,
Defendants

T. HUGHLETT HENRY JR.
T. Hughlett Henry, Jr.
Attorney for Charles M. Lake
Trustee of Eugene M. Callis,
Bankrupt, Intervening Petitioner

CLAYTON C. CARTER
Clayton C. Carter
Assignee

Filed Dec. 11, 1952

Assignee's Memorandum of Brief
Filed Dec. 16, 1952

CLAYTON C. CARTER,
Assignee

VS.

KENNERSLEY FARMS DAIRY
INCORPORATED, et. al.
Mortgagors

* IN THE CIRCUIT COURT
* FOR
* QUEEN ANNE'S COUNTY
* IN EQUITY
* Chy. No. 3801

MEMORANDUM IN BEHALF OF
CLAYTON C. CARTER, ASSIGNEE,
ON EXCEPTIONS TO SALE

I. THE MORTGAGEE WAS UNDER NO LEGAL DUTY TO APPLY THE VALUE OF CERTAIN LIFE INSURANCE POLICIES TO THE PART SATISFACTION OF THE MORTGAGE DEBT BEFORE RESORTING TO THE SALE OF THE MORTGAGED PREMISES OWNED AS TENANTS BY THE ENTIRETIES.

It is apparent that the note secured by the mortgage and insurance collateral was non-negotiable because of its reference to the mortgage.

Nusser Vs. Hazard, 148 Md. 345

In the absence of agreement to the contrary, Mrs. Callis would be presumed to be a maker.

Nusser Vs. Hazard Supra;
Keyser Vs. Warfield, 103 Md. 165

The fact that the note was non-negotiable does not prevent the rights and liabilities of the parties being ascertained from the applicable principals relative to accommodated paper.

Nusser Vs. Hazard, Supra.
Crothers Vs. National Bank, 158 Md. 587.

Even if it were proved to the satisfaction of the Court that Esther P. Callis was an accommodation maker on the note, she would still be primarily liable to the holder for value, and even if the holder at the time of the taking the instrument knew her to be only an accommodation party.

Art. 13 Sec. 49
Yates Vs. Donaldson 5 Md. 389
Jameson V. Citizen's Bank, 130 Md. 75
Johnson V. Phillips, 143 Md. 16
Hoops V. Savage, 69 Md. 513

As to parties other than those accommodated, the rights and liabilities of an accommodation party are, in general, the same as those of parties receiving valuable consideration for his signature.

Jameson V. Citizen's Bank, Supra.
8 Am. Jur. Bills & Notes, Sec. 456B

The fact that one is an accommodation maker gives rise to an obligation on his part to a holder for value, no greater, no less, and no different than that imposed upon a maker who received value. The holder of the note cannot be required to resort to collateral security furnished by the accommodated party before calling on the accommodation party to pay.

Miller V. Levitt, 226 Mass. 330
Garey V. Hignutt, 32 Md. 552, 559

It was held in Reed Vs. Pa. Co. for Insurance, 12A. 2nd 925, p. 927, that a "creditor may enforce his claim against the surety without first having proceeded against the principal or having sold collateral security deposited by the principal."

The giving of security, in the absence of any special agreement, does not affect the right of action of the pledgee on the debt or other obligation of the pledgor.

Restatement of Security, Sec. 48 Comment A
Brewster V. Frazier 32 Md. 302

As a general rule where the pledgee is in possession of 2 or more collaterals for his debt, he may proceed against either one or all of them at his election and cannot be compelled to subject or exhaust one before resorting to the other.

72 C.H.C. Pledges, Sec. 52E
In re Vicinus Estate 290 N.Y.S.

II. THE DISPOSITION OF THE ADDITIONAL INSURANCE COLLATERAL SHOULD NOT EFFECT THERATIFICATION OF THE SALE OF THE MORTGAGED PREMISES SINCE THE ONLY OBJECTIONS OF THE EXCEPTANTS MUST BE BASED UPON THE INVALIDITY OF THE MORTGAGE OR UPON THE MODE AND MANNER OF SALE.

A comparison of the statement of debt filed by the assignee in this cause and the facts alleged in paragraph 2 of the Stipulations filed herein will

show that there is every possibility that there will be a deficiency in the proceeds of the mortgage sale when applied to the debt. It would, therefore, seem to follow that this Court cannot, at this time, if at all, require as a condition to the ratification of the mortgage sale, that the life insurance policies held by it as additional collateral be assigned to Mr. and Mrs. Callis. The creditors' rights in the additional collateral, in the event of a deficiency in the mortgage sale, should not be prejudiced at this time; and, in fact, such deficiency and rights, if any, cannot be determined until there has been an audit of the proceeds of the mortgage sale.

It would appear that there have been no objections based upon the invalidity of the mortgage itself and any objections to the mode and manner of the sale have apparently been abandoned. In any event, the manner of the proceedings with regard to collateral security has been disposed of in section I above.

Patapsco Guano Co. V. Elder, 52 Md. 465

The Court of Appeals has held in cases involving credits relied upon by the debtor that the question could be adjusted and settled upon a statement of account and distribution of the funds between the parties by the auditor of the Court, but cannot be invoked to affect the power of sale under the mortgage.

Buckner V. Cronhardt, 132 Md. 612
Walter V. Cockey 38 Md. 75
Roberts V. Loyola Bldg. Assn. 74 Md. 1

The Court of Appeals has further held in cases involving the question of usury, that the sale of the mortgaged premises should be ratified and the question of usury and adjustment between the parties determined later.

Powell V. Hopkins, 38 Md. 1
Walter V. Cockey, Supra.
Kirsner V. Mortgage Co. 154 Md. 683

CONCLUSION

Reference to the pleadings and exhibits filed in this cause will show that the debtors jointly and severally signed the mortgage note and mortgage and all the parties assumed the full obligation due thereunder as maker; that as far as the creditor is concerned, it knew of no rights of the debtors between themselves and was under no obligation to proceed to satisfy its debt in any particular manner as long as the manner and mode of satisfying the same was properly conducted. There is no evidence that the mode and manner of sale was incorrect, nor has there been any objections to the validity of the instruments securing this debt itself. It is respectfully submitted, therefore, that the assignee's sale should be ratified and confirmed.

Respectfully submitted:

CLAYTON C. CARTER
 Assignee

Filed Dec. 16, 1952

Memorandum on behalf of
 Exceptants to Ratification
 of Sale.
 Filed Dec. 19, 1952

CLAYTON C. CARTER, Assignee,

vs.

KENNERSLEY FARM DAIRY, INC.,
 et al., Mortgagors.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY
 Cause No. 3801

Memorandum in behalf of Eugene M. and
 Esther P. Callis, Exceptants to the
 ratification of this foreclosure sale.

1. SUMMARY OF FACTS

Prior to the date of the mortgage foreclosed in this cause, the mortgagor Kennersley Farm Dairy, Inc., was the owner of a 400 acre farm and dairy property. One of the mortgagors, Eugene M. Callis, was the sole owner of Kennersley Farm Dairy, Inc. For the purpose of refinancing existing debts of Kennersley Farm Dairy, Inc., Mr. Callis applied to the Philadelphia Life Insurance Company, through a Mr. Frank Jackson, in the summer of 1949, for a \$150,000.00 mortgage loan upon the said farm and dairy property. After inspecting the property, the Philadelphia Life Insurance Company asked for additional security before agreeing to make the requested loan. For this purpose, the company asked that the 6.206-acre tract improved by a valuable colonial house and large garage, owned by Mr. and Mrs. Callis by the entirety, and surrounded by the dairy farm property, as well as certain life insurance policies upon the life of Mr. Callis, be mortgaged and pledged, respectively, that Mr. and Mrs. Callis be joint makers of the mortgage note, and that they agree to the sale of all the mortgaged real estate in one tract, in the event of a foreclosure. Mr. and Mrs. Callis and the dairy corporation signed a loan application, and the Philadelphia Life Insurance Company replied to all three applicants with a loan commitment letter, in accordance with these requirements. The commitment letter advised the applicants that the lender's representatives for the loan transaction were the Maryland Title Guarantee Company and Messrs. Duane, Morris and Heckscher, a law firm of Philadelphia.

The Title company, before the loan was closed, required in a letter to Duane, Morris and Heckscher reporting on the title, that copies of the dairy company's resolutions authorizing the borrowing of this money be furnished. This was done; and the resolutions authorized the borrowing upon a mortgage of the said farm and dairy property, together with such other security as might be offered by Mr. and Mrs. Callis for the benefit of the dairy corporation. In mid-September, the loan was closed. The mortgage and notes were delivered, three life insurance policies upon Mr. Callis' life and owned by him were pledged, and the lender's check for \$150,000.00 issued to all three loan applicants and the Maryland Title Guarantee Company, all in accordance with the above arrangements.

Mr. Callis became a bankrupt as of August 6, 1951, and Charles M. Lake was appointed and qualified as his trustee in bankruptcy.

Default occurred under the mortgage and pledge agreements during the year 1951. The mortgagee assigned the mortgage to Clayton C. Carter, Esq., for collection; and Mr. Carter sold the mortgaged real estate in one tract at public auction to the mortgagee for \$145,000.00. At the date of the said, the 6.206-acre tract had a value of more than one-sixth of the value of the entire mortgaged real estate. Based upon the sale price, this tract realized more than \$24,166.66. The cash surrender value of the pledged life insurance policies is approximately \$20,000.00. The debt, interest, taxes, assignee's commissions and costs of this cause will somewhat exceed \$148,000.00, leaving a deficiency of somewhat more than \$3,000.00 after the real estate sale proceeds have been applied to the satisfaction of these items. Accordingly, should the Philadelphia Life Insurance Company decide to look to one of the pledged life insurance policies to satisfy the deficiency, said policies will still have a substantial cash surrender value, in the neighborhood of \$17,000.00, remaining after the satisfaction of such deficiency. By their exceptions to the ratification of the sale as reported, Mr. and Mrs. Callis assert that they have a right, as tenants by the entirety, to the life insurance policies and the cash surrender value thereof after the mortgagee's claims and expenses have been satisfied; and they seek the protection of their right by this Honorable Court as against a similar claim asserted in this cause by the Trustee in Bankruptcy of Mr. Callis.

II. STATEMENT OF EXCEPTANTS' POSITION AND MEMORANDUM OF AUTHORITIES.

These Exceptants desire to point out that they have made no effort herein to answer many of the arguments made by the Trustee and by the Mortgagee, for the reason that they are directed to positions which have been largely abandoned by these Exceptants. The central question presented in this memorandum, on the other hand, seems largely to have been slighted in the briefs, already filed by the Trustee and the Mortgagee; yet this is the question upon which these Exceptants place their reliance.

A. UPON THE RATIFICATION OF THIS SALE, MR. AND MRS. CALLIS WILL AUTOMATICALLY BE SUBROGATED TO ALL RIGHTS OF THE PRESENT PLEDGEE, THE PHILADELPHIA LIFE INSURANCE COMPANY, WITH RESPECT TO THE PLEDGED LIFE INSURANCE POLICIES, SUBJECT ONLY TO SAID PLEDGEE'S UNDISPUTED RIGHT TO RESORT TO THE SAME TO SATISFY THE ANTICIPATED DEFICIENCY OF MORTGAGE SALE PROCEEDS; AND THE RIGHTS SO ACQUIRED BY MR. AND MRS. CALLIS WILL RELATE BACK TO THE DATE OF THE MORTGAGE AND THEREFORE BE SUPERIOR TO ANY CLAIM OF THE TRUSTEE IN BANKRUPTCY OF MR. CALLIS.

1. Mr. and Mrs. Callis, as tenants by the entirety, occupy the position of sureties who mortgaged their 6.206-acre home property for the accommodation of the dairy corporation and Mr. Callis, individually.

The facts already summarized show that the loan was actually made pursuant to the initial request of the dairy corporation for its purposes. Mr. Callis as sole stockholder had the only business interest in obtaining the loan. Accordingly, Mr. and Mrs. Callis mortgaged their property, owned by the entirety, as sureties for Mr. Callis, individually, or for his wholly owned corporation. The mere relationship of husband and wife does not prevent one becoming surety for the other. Nihiser v. Nihiser, 127 Md. 451, 96 A. 611. As between the parties, evidence is always admissible to show their true relation in fact, although different from that indicated by a written instrument or their relative positions thereon. Nihiser v. Nihiser, supra, cf. Restatement, Security, Section 147, Illustration No. 16, page 413.

2. As sureties whose mortgaged property has been taken for satisfaction of the debt of the principal, Mr. and Mrs. Callis, upon the ratification of the foreclosure sale, will become subrogated to all rights of the pledgee with respect to the pledged life insurance policies, subject only to the pledgee's undisputed right to resort to such policies to satisfy the anticipated deficiency of mortgage sale proceeds.

When a surety's property, mortgaged for the principal debtor's indebtedness, has been taken to satisfy such indebtedness, the surety becomes subrogated to the mortgagee's rights to other collateral pledged by the principal debtor for the same indebtedness. Blair v. Baker, (Md. 1950) 76 A. (2d) 129. Cunningham v. Cunningham, 158 Md. 372, 148 A. 444.

3. The rights which Mr. and Mrs. Callis will thus acquire will include all priorities of the pledgee.

The right of subrogation accorded a surety includes all of the creditor's priorities. Orem v. Wrightson, 51 Md. 34. Barron v. Whiteside, 89 Md. at 460; Com. Bldg. Assn. v. Robinson, 90 Md. at 623; Am. Bonding Co. v. Mechanics' Bank, 97 Md. at 607; Stehle v. United Surety Co., 107 Md. 470.

4. The rights which Mr. and Mrs. Callis will thus acquire will relate back to the date of the mortgage.

Under Maryland law, a surety's rights are not consummated until he has paid the debt of his principal; but they spring into existence when the debt is contracted; and his claims against the principal debtor relate back to that time, Nihiser v. Nihiser, supra, Nally v. Long, 56 Md. 567

5. The rights which Mr. and Mrs. Callis will thus acquire will be superior to any rights of Mr. Callis' trustee in bankruptcy with respect to the pledged life insurance policies.

The trustee in bankruptcy of Mr. Callis has intervened in this cause and claims the title to the three pledged life insurance policies as well as a lien thereon by virtue of Section 70 of the Bankruptcy Act as amended in 1950. The trustee asserts that the rights of Mr. and Mrs. Callis can only be based on vague equities which had not matured at the date of the bankruptcy when his title and lien became effective. He asserts that his rights cannot be displaced by later events, and cites for this proposition only the Bankruptcy Act, Section 70 (a) (5) and 70 (c), the case of Wright Industries, 93 Fed. Supp. 58, 62, and Collier on Bankruptcy, Per. 70.51, note 2. None of these authorities is concerned with equitable liens or other equities.

The paragraph in Collier on Bankruptcy following that cited by the trustee, being paragraph 70.52, is entitled "Limits of the Trustee's position under Section 70 (c). - Trustee not a Bona Fide Purchaser or Encumbrancer for Value." This paragraph reads in part: (It is now conclusively settled that the trustee is endowed only with the rights and powers ofa creditor holding a lien by legal or equitable proceedings....., which rights and powers are usually far short of the extensive rights given by most state laws to an innocent "purchaser" or "encumbrancer" for value.....And it has been clearly reaffirmed that section 70(c) itself..... (confers).....only those rights and powers specified therein." (Note 6).

In the same text, paragraph 70.62 entitled "Equitable Liens or Equitable Assignments; Other Equities", reads in part as follows:

"As pointed out in a previous paragraph, the trustee, even under section 70(c), is not a bona fide purchaser. He stands in the shoes of the bankrupt subject to all the valid liens, claims and equities that existed against the bankrupt, and has no higher or better right except as given him by section 70(c), however, confers upon the trustee only the rights of.....a creditor holding a lien through legal or equitable proceedings.....as of the date of bankruptcy. Hence unless that grant has the effect under applicable state law of conferring upon the trustee a superior right over the equitable claimant, the trustee takes the bankrupt's title subject to all the valid equities,.....asserted against the bankrupt's property so far as section 70(c) is concerned."

The applicable Maryland law has already been cited herein to the effect that a surety upon having his property taken for the satisfaction of the principal's debt becomes subrogated to the rights of the creditor, with all its priorities, as to other collateral of the principal held as security for the same debt, and that this right relates back to the date when the loan was made.

No creditor of Mr. Callis on August 6, 1951, could have obtained a lien by legal or equitable proceedings which would be superior to the rights of the Philadelphia Life Insurance Company; as that company had a specific lien on these three insurance policies nearly two years before the bankruptcy. By their right of subrogation, Mr. and Mrs. Callis will become entitled to this favored position. This result is a fair one; as property owned by the entirety is exempt from the bankruptcy of either co-tenant. The insurance policies were pledged as part and parcel of the mortgage transaction. Mrs. Callis had a right to assume that, if the Callis home property were taken on foreclosure, the collateral pledged by her husband for his debt would be available to compensate in part for the loss of the home. If the suretyship and consequent right of Mr. and Mrs. Callis to these policies are not recognized and protected by this Court, Mr. and Mrs. Callis will be put to substantial expense to assert their rights in another court. "The right of subrogation will always be granted when an equitable result will be obtained." Ragan v. Kelly, (Md. 1942) 24 A. 2d 289. Finally, the right of subrogation is fully recognized in bankruptcy cases, assuming that there is a lien valid under state law (as in our case) to which the surety may be subrogated. In re Flotation Systems, (D.C. Cal.) 65 F. Supp. 698.

B. THIS CAUSE IS THE PROPER PROCEEDING IN WHICH THE EXCEPTANTS' CLAIMS SHOULD BE DECIDED.

Where, in a proper case, equitable jurisdiction has once attached, it will be retained for the purpose of affording full relief, though beyond the extent to which it could have ordinarily been invoked. Gibula v. Sause, 173 Md. 87. Equity seeks a decree which finally and completely determines, without multiplicity of suits, or circuitry of procedure, rights and interest which all parties have in the subject matter or object of the suit, in order that the parties can safely obey and act on the decree.Equity may proceed and decree according to the rights and interests of the parties as these may be ascertained and determined; and, if necessary, without regard to the position of the parties on the record. Noel v. Noel, 173 Md. 152.

The Exceptants respectfully urge that the ratification of the foreclosure sale will constitute a judicial approval of the mortgage and of the sale of their property thereunder. The mortgage contains no reference to the pledge of the three insurance policies; yet the ratification of the sale will consummate the Exceptants' right to the residual proceeds, as yet unliquidated, of these policies. In the face of the bankruptcy trustee's claim of the same right, these Exceptants pray that the sale be not ratified unless and until their said rights are declared and protected by the Court. In a proper case, such protection has been given a surety,

before payment of the principal's debt, as against a junior lien, of his right of subrogation, contingent upon paying the debt, to the lien which the creditor holds against the property of the principal debtor. Cornett's Ex'r v. Rice, (Ky. 1945) 160 A.L.R. 413. Thus " a surety has the right, before payment of the debt, to have provision for subrogation made in any equity suit between all necessary parties, determining their rights and liabilities; and in the exercise of its power to declare the parties' duties and rights for the future, the court should decree that when the surety pays the debt, he shall be subrogated to the rights or securities of the creditor." 160 A.L.R. 421 (anno.) and cases cited.

Respectfully submitted,

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)

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

Attorneys for Exceptants

Filed Dec. 19, 1952

MEMORANDUM
Filed Dec. 19, 1952

CLAYTON C. CARTER

-vs-

KENNERSLEY FARM
DAIRY, INC.

: IN THE CIRCUIT COURT
:
: FOR QUEEN ANNE'S COUNTY
:
: IN EQUITY
:
: Chancery No. 3802

MEMORANDUM IN BEHALF OF CHARLES
M. LAKE, INTERVENING PETITIONER
IN HEARING ON EXCEPTIONS TO SALES

Charles M. Lake, as alleged by his intervening petition, qualified as Trustee in Bankruptcy of Eugene M. Callis November 1, 1951, on a petition filed August 6, 1951, and thereby became vested with the title of the bankrupt, Callis, by virtue of U. S. Code 11, Chapter 7, Section 110, subsections (a) (5) and (c), to the insurance policies referred to in these proceedings, subject only to the prior assignment to the mortgagee herein as additional collateral security. Upon the ratification of the foreclosure sale by this Honorable Court, the collateral will be free from the claim of the Philadelphia Life Insurance Company and will belong to the bankrupt's Trustee and will be subject to administration by the Bankruptcy Court in accordance with the Bankruptcy Act.

The exceptants claim that by virtue of certain alleged facts set forth in the exceptions, particularly with respect to the foreclosure of the mortgage which did not take place until more than a year after bankruptcy, the bankrupt's wife was an accommodation maker of the mortgage and that in some manner not fully disclosed this required the mortgagee to satisfy its debt from the life insurance collateral before resorting to a portion of the property in which she had an interest as tenants by the entireties. The exceptions do not disclose the fact of bankruptcy nor the interest of your intervening petitioner as representative of all creditors in the insurance proceeds.

Your petitioner contends:

1. That the Trustee in Bankruptcy of Callis obtained title to and the rights of a lien creditor in the insurance policies as of the date of bankruptcy in August 1951, and that the exceptants had no prior lien as of the date of bankruptcy and can obtain no preference or prior rights in the assets of the bankrupt's estate by reason of any alleged equities arising out of the foreclosure in this Court a year later, and that hence any evidence tending to establish any such claims is wholly irrelevant.

2. That the mortgagee's unqualified right to collect its loan by foreclosing the mortgage is not impaired by (a) its possession of additional collateral, or (b) the fact that a part of the mortgaged property was held by the entireties.

3. That the price obtained at the mortgage sale was adequate.

I - THE TRUSTEE IN BANKRUPTCY OF CALLIS OBTAINED TITLE TO AND THE RIGHTS OF A LIEN CREDITOR IN THE INSURANCE POLICIES AS OF THE DATE OF BANKRUPTCY IN AUGUST 1951, AND THE EXCEPTANTS HAD NO PRIOR LIEN AS OF THE DATE OF BANKRUPTCY AND CAN OBTAIN NO PREFERENCE OR PRIOR RIGHTS IN THE ASSETS OF THE BANKRUPT'S ESTATE BY REASON OF ANY ALLEGED EQUITIES ARISING OUT OF THE FORECLOSURE IN THIS COURT A YEAR LATER, AND THAT HENCE ANY EVIDENCE TENDING TO ESTABLISH ANY SUCH CLAIMS IS WHOLLY IRRELEVANT.

A. Trustee's Rights in Insurance Policies.

As of August 6, 1951, the Trustee, under Section 70(a) of the Bankruptcy Act, U.S. Code Title 11, Chapter 7, Section 110, obtained title to -

"(5) Property, including rights of action which prior to the filing of the petition he could by any means have transferred..."

There is no doubt that Callis, prior to the filing of the petition, could have given a valid assignment of the insurance proceeds subject to any prior assignment.

29 Am. Juris Insurance, Sec. 408

Mutual Benefit Life Insurance Co. v. Swett,
222 Fed. 200.

The disposition of insurance policies and the rights of the bankrupt to pay the cash surrender value under a proviso to the section referred to are not relevant, since there has been no such payment, and moreover, the determination and administration of such rights are exclusively within the jurisdiction of the Bankruptcy Court.

In addition to the Trustee's title above referred to, by virtue of subsection (c) of the same section of the Bankruptcy Act -

"The trustee as to all property, whether or not coming into possession or control of the court, upon which a creditor of the bankrupt could have obtained a lien by legal or equitable proceedings at the date of bankruptcy, shall be deemed vested as of such date with all the rights, remedies and powers of a creditor then holding a lien thereon by such proceedings, whether or not such a creditor actually exists."

These two sections give the bankrupt Trustee a vested right as of the date of Bankruptcy.

B. The Trustee's title cannot be displaced by subsequent transactions.

The Bankrupt's title is supplanted by the Trustee's title. There is no evidence and none can be produced under which Mrs. Callis as of the date of bankruptcy had any title to such insurance or any lien thereon. Indeed, as of the date of bankruptcy Mrs. Callis was not even a creditor. Any effort after the date of bankruptcy to obtain a lien thereon or any manner, direct or indirect, to obtain the benefit thereof, would plainly constitute a diversion of bankruptcy assets, and even if Mrs. Callis were a creditor, which is denied, would be a preference.

There is no authority whatsoever that has come to our attention under which the Trustee's title under 70(a) (5) has been displaced by subsequent events.

The Trustee's lien is superior to all liens not perfected at the date of bankruptcy, under 70(c).

Wright Industries, 93 Fed. Supp. 58, 62

Collier on Bankruptcy, Par. 7051, N.2.

The only exceptions would be in a case such as those where state law sometimes permits a late recording of liens of chattel mortgages or the like, an exception which has no application. It is also to be noted in any examination of cases under 70(c) that the 1952 amendment specifically eliminated the necessity of possession by the Trustee or control of the Court.

On elementary principals it is of course perfectly apparent that the whole theory of the Bankruptcy Act is to fix rights as of the date of the filing of the petition. Preferences, even prior to bankruptcy under certain conditions, are invalid, and under no conditions are claims of the sort now asserted given any priority. Indeed, the Bankruptcy Act contains sections specifically setting forth priorities in distribution.

C. Evidence seeking to establish any claim based on facts subsequently arising is therefore irrelevant.

If we assume for the sake of argument that, aside from bankruptcy, which is curiously ignored in the exceptions filed, in some manner Mrs. Callis could assert some sort of an equitable claim if bankruptcy did not intervene - it is perfectly clear that even if such equitable right amounted to a lien in August 1952, it could not displace the prior title or lien of the Trustee which he obtained a year earlier. To hold otherwise would be the equivalent of creating for Mrs. Callis an assignment of the insurance as of the date of bankruptcy and would divert some of the bankrupt assets and disregard the definite policy of the Bankruptcy Act, which is to distribute assets as of the date of the filing of the petition to the bankrupt's creditors.

Under these circumstances it would plainly be a waste of time to take evidence because for the reasons set forth above such a claim could not displace petitioner's title.

II - THE MORTGAGEE'S UNQUALIFIED RIGHT TO COLLECT ITS LOAN BY FORECLOSING THE MORTGAGE IS NOT IMPAIRED BY ITS POSSESSION OF ADDITIONAL COLLATERAL OR THE FACT THAT A PART OF THE MORTGAGED PROPERTY WAS HELD BY THE ENTIRETIES.

A. Effect of additional Collateral.

It is elementary law that a mortgagee's possession of additional collateral does not impair his unqualified right to foreclose a mortgage.

Wiltsie on Mortgage Foreclosure, Vol. 1, Sec. 154, states:

" A mortgagee holding other securities for the same debt will not be required to exhaust such other securities before proceeding to foreclose his mortgage; he is entitled to waive such other securities, if he so elects."

This rule is supported by the cases. See

Hersner v. Martin, 8 Wash. 698; 36 Pac. 1096

It is equally elementary that oral evidence cannot be introduced to vary the covenants of a mortgage or the rights granted the mortgagee to foreclose, and these rights are clearly set forth in the mortgage itself.

B. Effect of the fact that part of the mortgaged property was held by entireties.

The mortgage specifically provides that on a sale of the mortgaged property in event of default -

"Such sale shall be of the property as a whole and it shall not be the duty of the party selling to sell the same in parts or lots."

This covenant is clear, unqualified, and cannot be varied by parol evidence.

It is therefore unnecessary to answer claims based on any analogy to negotiable instruments and accommodation endorsers. It should be pointed out, however, that the checks in this case were paid to all three mortgagors who bound themselves expressly, jointly and severally in the mortgage itself, and that such obligation cannot be varied by parol evidence. It might also be noted as a matter of interest, though not really necessary to the argument, that the plaintiff's theory is not sound even if we were dealing with negotiable instruments, for it is clear that a payee can collect from all makers, irrespective of whether some are accommodation makers and even though though the payee knew that fact.

Art. 13, Sec. 48 of Maryland Code

Crothers v. National Bank, 158 Md. 587

Jamesson v. Citizens Bank, 130 Md. 75

Nor can the payee be required to resort to collateral security furnished by the accommodated party before calling on the accommodation party to pay.

Miller v. Levitt, 226 Mass. 330; 115 N.E. 431.

III - THE PRICE OBTAINED AT THE MORTGAGE SALE WAS ADEQUATE.

The evidence will disclose an unusual amount of advertising and that every effort was made to obtain the best price. In fact, additional advertising was obtained and a broker's services secured by your petitioner who, in the interest of the creditors wanted to obtain the largest possible price. The exception on this ground is without any substantial merit.

CONCLUSION

It is submitted that the exceptants have completely overlooked the rights of the Trustee and, through him, of the creditors of Callis, which vested on the date of bankruptcy a year before some of the facts upon which the exceptions are based, and that the Trustee's rights could not be affected thereby; that even aside from the intervention of bankruptcy in this case the mortgagee would have had an unqualified right to collect on its loan by foreclosing the mortgage, which was not affected either by the possession of additional collateral nor by the fact that part of the mortgaged property was held by the entireties.

It is respectfully submitted that the only question before this Honorable Court is the ratification of the sale, and that the question of the rights of your petitioner to insurance policies and of any claimants to any interest therein is exclusively a matter for the Bankruptcy Court, since the foreclosure price was sufficient to pay the mortgage creditor who had sought relief in this Court.

Respectfully submitted,

FRANK B. OBER

T. HUGHLETT HENRY JR.

HERBERT F. MURRAY

SUPPLEMENTARY MEMORANDUM
Filed Dec. 19, 1952

CLAYTON C. CARTER, Assignee

vs.

KENNERSLEY FARM DAIRY, INC.;
ET AL.

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IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
IN EQUITY
Chancery No. 3801

SUPPLEMENTARY MEMORANDUM IN BEHALF OF
CHARLES M. LAKE, INTERVENING PETITIONER,
IN HEARING ON EXCEPTIONS TO SALE

The position of the exceptants as set forth in their exceptions to the ratification of sale and their answer to the intervening petition of Charles M. Lake, Trustee, is apparently based on three contentions:

1. That the mortgagee had a duty to the accommodation maker, either Esther P. Callis or Eugene M. Callis and Esther P. Callis, as tenants by the entirety, to apply to the principal indebtedness the proceeds of the life insurance policies assigned to the mortgagee as additional collateral, before making sale of the real estate belonging to the accommodation maker,
2. That the real estate should have been sold in parcels, and
3. That the sale price received was grossly inadequate.

These contentions will be discussed in order.

APPLICATION OF LIFE INSURANCE PROCEEDS

The first contention of the exceptants seems to be based upon two theories (1) that the mortgagee had a duty to marshal its securities to protect the accommodation maker, and (2) that if the securities are not marshalled and the accommodation maker's security is first used, the accommodation maker would have a superior lien against the insurance policies under some theory of subrogation arising out of having paid the principal's debt.

We believe that the answer of the Trustee to the right of the exceptants to recover on some theory of subrogation has been fully covered in the first memorandum filed on behalf of the Trustee at the hearing on October 17th, 1952, wherein it was respectfully suggested to the Court (a) that if the exceptants have any lien against the insurance policies, it is a junior lien to that of the Trustee and (b) that the validity of any lien against the life insurance policies and the priorities of various liens against them are peculiarly questions for the Bankruptcy Court, which is the forum for determining all claims against the bankrupt.

With respect to the theory of the exceptants that the mortgagee had a duty to marshal its securities to protect the accommodation maker, we invite the Court's attention to the following principals of the Maryland law, which we respectfully suggest amount to a complete bar of the exceptants' claim.

IF AN ACCOMMODATION MAKER, SECURITY WAS PROPERTY APPLIED

While the assignee and the intervening petitioner deny that either Esther P. Callis or Eugene M. Callis and Esther P. Callis, as tenants by the entirety, was, in fact, an accommodation maker in this transaction, even if that status is assumed to exist for the purposes of argument and it is further assumed that this status was known to the mortgagee, the law imposes no duty upon the mortgagee to apply the proceeds of the insurance policies to the payment of the principal debt before selling the real estate, in its entirety, under mortgage foreclosure, for the following reasons:

A. CREDITOR MAY PROCEED AGAINST SECURITY
BEFORE EXHAUSTING REMEDIES AGAINST
PRINCIPAL

A Mortgagee has no obligation to proceed against the principal and his property before proceeding against the accommodation maker and his property. Whether or not the status of the accommodation maker existed with respect to any party to the Mortgage, that party was nonetheless a debtor of the mortgagee and the property of that debtor, given to secure the debt, was subject to sale for the satisfaction of the debt.

The Court's attention is invited to Section 131 of the Restatement of Security, wherein it is stated that a creditor who has a security interest in the property of a principal may compel performance by the surety before resorting to this security interest unless (a) his failure to do so would result in unusual hardship to the surety and doing so would not prejudice the creditor or (b) unless the surety has only guaranteed the collection of the principal's obligation. It is to be noted that the Maryland law seems to go even further in this matter and make no exceptions to the basic principle. In the case of Garey vs. Hignutt 32 Md. 552, the Court, at page 559, says "There is no rule founded in principle or justice that would require a creditor to exhaust his remedies against the principal before resorting to the surety for payment of a debt for which both principal and surety are equally bound."

B. MARSHALLING DOCTRINE NOT APPLICABLE AT
INSTANCE OF DEBTOR

The Marshalling of assets doctrine is based on the theory that one creditor may not prejudice another and junior creditor to the advantage of the debtor by applying first to his debt, securities available also to the junior creditor, when he has securities available to him not also available to the junior creditor. The doctrine is only applied at the instance of a creditor and is never applied ex officio or at the instance of a debtor and is never applied to the detriment of a creditor.

Watkins vs. Worthington 2 Blank 509, pg. 532

General Insurance Company vs. U.S. Insurance
Company 10 Md. 517

In the instant case the exceptants, who asked the application of this doctrine, cannot deny that they are debtors, nor can they deny that if the doctrine were applied in this case it would be to the detriment of a creditor; i.e., the Trustee in Bankruptcy who, as has been previously shown, stands in the position of a creditor with respect all property of the bankrupt, assignable on the date of bankruptcy. It is respectfully submitted, therefore, that the doctrine of marshalling in this instance cannot be properly applied.

C. MORTGAGEE'S PRECEDURE PROPER UNDER CIRCUMSTANCES

It is interesting to note that under the precepts of the Maryland law with respect to the doctrine of marshalling, above noted, the equities in this situation seem to be entirely on the side of the Trustee and it is respectfully urged that had the mortgagee attempted to apply the proceeds of the life insurance policies to the Mortgage debt prior to foreclosure of the real estate, the Trustee, as a junior creditor, could have properly asked the Court to invoke the marshalling doctrine and that the Court, could, at the instance of such creditor, have required the Mortgagee to foreclose the real estate prior to any application of the policies to the part payment of the debt.

With respect to the general conduct of the mortgagee in the collection of the debt through the sale of the securities pledged thereon, the Court's attention is invited to the fact that the Mortgagee, mindful of its fiduciary duty to sell no more of the debtor's security than might be required to discharge the debt, acted in an entirely correct manner under the circumstances in this case. According to the stipulated evidence, the value of the insurance on September 3, 1952, was Twenty Thousand One Hundred Seventy-five and 87/100 Dollars (\$20,175.87). It is obvious, therefore, that the sale of this security could have in no way affected the necessity of a foreclosure. It is, therefore, submitted that it was proper first to have a foreclosure sale in an effort to realize the full Mortgage debt from that security, in the hope that the other security in the form of insurance policies could be preserved to the Mortgagor and his creditors.

REAL ESTATE PROPERTY SOLD AS ONE UNIT

The express terms of the Mortgage deny any obligation on the part of the mortgagee to sell the real estate in parcels and specifically provide:

"Upon any default in the terms of this Mortgage, as sale may be made by the mortgagee... and such sale shall be of the property as a whole and it shall not be the duty of the party selling to sell the same in parts or in lots."

The duty of a mortgagee in the sale of mortgaged premises is one of prudence and sound judgment and the correctness of the mortgagee's decision to sell as a whole or in parcels depends upon whether such a decision represented good judgement under all of the circumstances in the particular case.

Webster vs. Archer 176 Md. 245

It is respectfully submitted that the above quoted clause in the Mortgage expressly indicates that, at the time that the Mortgage was given, both the mortgagors and the mortgagee agreed that sound judgment demanded a sale of the mortgaged premises in its entirety and agreed that the property was not susceptible to an advantageous division for the purposes of sale. It is to be noted that there is no evidence in the case that the circumstances relating to the property or its sale were, in any manner, different at the time of sale than those existing at the time of the execution of the Mortgage.

The evidence in the case pertaining to the valuation of the real estate held as tenants by the entirety with relation to the valuation of the real estate of the corporation is totally inadequate to establish that the mortgagee could have realized the full Mortgage debt by the sale of the Corporation's real estate only, with or without the aid of the proceeds of the insurance policies.

There is no evidence in the case that a sale in parcels would have been in any way advantageous to anyone.

ADEQUACY OF SALE PRICE

The evidence produced by the exceptants in support of their contention that the sales price was grossly inadequate consists solely of an appraisal of the property made for Mortgage loan purposes three years prior to the sale.

On the other hand the evidence in the case indicating that the price was adequate, showed that for several months prior to the Mortgage sale an effort had been made to sell the property at private sale, together with some personal property of the Trustee in bankruptcy, and that the largest offer received for the combined property was less with respect to the real estate than the price received at the Mortgage sale; that the public sale of the property was given an unusually wide advertising coverage, with additional advertising furnished at the expense of the Trustee and the property was advertised for a longer period of time than is customary in Mortgage foreclosure sales.

There is no evidence in the case that there were any special circumstances of weather, attendance, or conduct of the sale that would have in any way tended to lessen the opportunity for the property to bring the maximum fair market value on the day of sale.

CONCLUSION

It is respectfully submitted that the mortgagee's procedure was proper in view of the express terms of the Mortgage and the equities in the case; that the foreclosure sale was properly conducted and the sales price was adequate and that the assignee's sale should be ratified and confirmed.

Respectfully submitted,

T. HUGHLETT HENRY JR.

Filed Dec. 19, 1952

ORDER OF COURT
Filed Dec. 30, 1952

ORDER OF COURT

The foregoing motion to strike is hereby overruled because the Court is of the opinion that the challenged testimony was admissible as tending to show the existence of a separate collateral agreement on which the written contract was silent, the admission thereof being an exception to the parol evidence rule; moreover, as between the parties, evidence is admissible to show their true relation in fact.

WM. R. HORNEY

Judge.

Dated-December 30, 1952

Filed Dec. 30, 1952

OPINION
Filed Dec. 30, 1952

CLAYTON C. CARTER, ASSIGNEE

VS.

KENNERSLEY FARM DAIRY, INC.
ET AL.

* IN THE CIRCUIT COURT
* FOR QUEEN ANNE'S COUNTY
* IN EQUITY
* No. 3801

OPINION

This is a Mortgage Foreclosure Proceeding. It is presently before the Court upon exceptions to the ratification of the sale filed by Eugene M. Callis and Esther P. Callis, his wife, former owners by the entirety of 6.206 acres of land improved by a colonial mansion house and outbuildings, a part of the mortgaged property. The remainder of the mortgaged property, a 400 acre farm, was formerly owned by Kennersley Farm Dairy, Inc., of which Eugene M. Callis was the sole owner.

Eugene M. Callis became a bankrupt as of August 6th, 1951, and Charles M. Lake, the Intervening Petitioner, was appointed trustee in bankruptcy. Thereafter default occurred in the terms of the mortgage, and it was foreclosed by Clayton C. Carter, Assignee of The Philadelphia Life Insurance Company, the Mortgagee. At the sale on August 4th, 1952, the mortgagee became the purchaser of both tracts of land mentioned above at and for the sum of \$145,000.00.

At the hearing on the exceptions, certain testimony relating to the negotiations for the mortgage loan was admitted subject to exception, and upon motion to strike out such testimony at the conclusion of the hearing, the Court refused for the reasons set forth in its order overruling the motion.

Briefly, the testimony referred to tends to show that a loan of \$150,000.00 was applied for by Eugene M. Callis in the summer of 1949 for the purpose of refinancing certain indebtedness of the dairy corporation. The Mortgagee declined to make the loan upon the dairy farm alone and requested additional security by way of a mortgage on the 6.206 acre tract and a pledge of three life insurance policies upon the life of Eugene M. Callis. In addition, the Callises were requested to become joint makers of the mortgage note, and to agree to a sale of both tracts in the event of a foreclosure. Following the usual negotiations as to such matters, the loan was finally closed in mid-September, 1949, substantially upon the terms related above. However, the mortgage is silent as to the pledge of the insurance policies.

The Exceptants, by their Exceptions as amended, allege that the testimony taken at the hearing shows that the mortgagee, at the time of the execution and delivery of the mortgage, made a collateral agreement with Eugene M. Callis, individually, he being at that time the sole stockholder of the Dairy Corporation, wherein he was to pledge the life insurance policies mentioned having a cash surrender value of \$20,175.87 as of November 3rd, 1952, as additional security for the loan to the Dairy Corporation; 1952, as additional security for the loan to the Dairy Corporation; that Eugene M. Callis and Esther P. Callis, as owners of the 6.206 that Eugene M. Callis and Esther P. Callis, as owners of the 6.206 that Eugene M. Callis and Esther P. Callis, as owners of the 6.206 acre tract, are accommodation makers of the note and mortgage, and, as sureties for the prin-

cipal debtor, are entitled to be subrogated to the rights of the mortgagee as the holder and assignee of the life insurance policies; and that the sale should not be ratified unless the policies referred to are ordered assigned by the mortgagee to the Callises, as tenants by the entirety. All other objections to ratification were largely abandoned by the Exceptants.

The Assignee contends that the disposition of the additional insurance collateral should not affect the ratification of the sale inasmuch as the objections of the Exceptants must be based either upon the invalidity of the mortgage or upon the mode and manner of sale.

Lastly, the Intervening Petitioner contends that he, as the Trustee in Bankruptcy, by virtue of certain provisions of the Bankruptcy Act, obtained title to and the rights of a lien creditor in the insurance policies as of August 6th, 1951, and that the Exceptants had no prior lien as of the date of bankruptcy and can obtain no preference or prior rights in said policies by reason of any alleged equities arising out of the foreclosure of the mortgage, and further that the question of the rights of the intervening Petitioner to the insurance policies and of any claimants to any interest therein is exclusively a matter for the Bankruptcy Court.

There should be no doubt that this Court has jurisdiction to determine the question here raised, particularly in view of the fact that there is likely to be a deficiency in the sale proceeds, thus necessitating recourse to the cash surrender value of one or more of the life insurance policies. Equitable jurisdiction having once attached will be retained for the purpose of affording full relief, even beyond the extent to which it could have ordinarily been invoked. Gibula Vs. Sause, 173 Md. 87. See Also Noel V. Noel, 173 Md. 152

However, The Court has some doubt that the question here raised should have been so raised by exceptions to the ratification of the sale. Rather it appears that the question should have been raised by exceptions to the ratification of the audit presently to be stated. Yet there is much merit to the Exceptants' contention that the ratification of the sale will consummate their right to the unliquidated residual proceeds of the life insurance policies, and they cite as their authority the case of Cornett's Ex'r Vs. Rice, a Kentucky case decided in 1945, and annotated in 160 A.L.R. 413. Be that as it may, it is obvious that the Court must pass upon the matter at some stage in this proceeding, and it may as well be now as latter.

Because the Court believes that the facts show that the loan was actually made to the Dairy Corporation for its purposes, it is of the opinion that the Callises, as tenants by the entirety, are sureties who mortgaged their 6.206 acre tract for the accommodation of the Dairy Corporation and Eugene M. Callis individually, and that as such sureties, upon the ratification of the foreclosure sale, they, the Callises, will become subrogated to all the rights of the mortgagee with respect to the life insurance policies, subject, of course, to the right of the mortgagee to the proceeds of one or more of such policies to satisfy any deficiency in the proceeds of the property sale. See Blair Vs. Blair 76A. 2D. 129. Moreover, the rights thus acquired will relate back to the date of the mortgage, and therefore are paramount to the rights of the Trustee in Bankruptcy in or to said policies. In Maryland the rights of a surety do not become consummated until he has paid the debt of his principal, but having sprung into existence when the debt was contracted, his claim, when consummated, relates back to the date the contractual relationship began. Nihiser Vs. Nihiser, 127 Md. 451, 96 A. 611; Nally Vs. Long, 56 Md. 567. Because the value of the 6.206 acre tract was apparently greater than the cash surrender value of the insurance policies, the Callises would be entitled to all of said policies after any deficiency has been taken care of.

For the reasons assigned, the sale will be ratified forthwith, and the Special Auditor, when appointed, will be instructed by the separate order of this Court, from which an appeal may be taken if desired, to distribute the life insurance policies, or so much of the proceeds of any of them not required to make up any deficiency, to Eugene M. Callis and Esther P. Callis, his wife, as tenants by the entirety.

WM. R. HORNEY
Judge.

Filed Dec. 30, 1952

FINAL ORDER OF RATIFICATION
Filed Dec. 30, 1952

CLAYTON C. CARTER, ASSIGNEE

VS.

KENNERSLEY FARM DAIRY, INC.
ET AL.

*
IN THE CIRCUIT COURT
*
FOR QUEEN ANNE'S COUNTY
*
IN EQUITY
*
No. 3801
*

FINAL ORDER OF RATIFICATION

WHEREAS, on October 7, 1952, exceptions to the ratification of the sale were filed herein; and, whereas said exceptions have been heard and determined, and a written opinion has been filed, it is ORDERED by the Circuit Court for Queen Anne's County, In Equity, this 30th day of December, 1952, that the sale of the real estate made and reported in this cause as set forth in the Report of Sale filed by Clayton C. Carter, Assignee, be and the same is finally ratified and confirmed, and the Assignee is allowed the usual commissions and such proper expenses, not personal, as he shall produce vouchers therefor.

WM. R. HORNEY
Judge

Filed Dec. 30, 1952

ORDER OF COURT
Filed Dec. 31, 1952

CLAYTON C. CARTER, ASSIGNEE,
Vs.
KENNERSLEY FARM DAIRY, INC.,
et al., MORTGAGORS.

In the Circuit Court for
Queen Anne's County,
in Equity.
Cause No. 3801.

ORDER OF COURT

The exceptions to the foreclosure sale having been considered and the parties having been heard, IT IS, in conformity with the opinion filed herein, ORDERED, this 31st day of December, 1952, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that J. Thomas Clark be and he is hereby appointed Special Auditor to state an audit of the proceeds of this foreclosure sale in conformity with said opinion; and IT IS FURTHER ADJUDGED AND ORDERED that Clayton C. Carter, Assignee, and/or The Philadelphia Life Insurance Company, Mortgagee, be and they are hereby directed, (after applying such part if any of the cash value of any of the three following life insurance policies as they may, upon ratification of said audit, elect to apply to the satisfaction of any deficiency of said mortgage sale proceeds found or established by said audit), to assign and deliver all of said policies of which the cash values are not elected to be used for said deficiency, and to pay over the unused portion of the cash value of any policy used for said deficiency, unto Eugene M. Callis and Esther Perry Callis, his wife, as tenants by the entireties, absolutely, said policies being the three following described life insurance policies on the life of Eugene M. Callis, to wit;

- A \$50,000.00 policy, #10167939, of Connecticut Mutual Life Insurance Company, dated December 7, 1940;
- A \$25,000.00 policy, #1049041, of Massachusetts Mutual Life Insurance Company, dated June 22, 1940;
- A \$25,000.00 policy, #1012552, of New England Mutual Life Insurance Company, dated December 28, 1938.

And it is further Ordered, that pending the performance of the above provision, the said company and/or said assignee shall forthwith lodge the above described policies with the Clerk of the Court, and that said Special Auditor is hereby authorized and empowered to state a supplemental audit as to said policies if that shall become necessary or desirable.

WM. R. HORNEY
Judge.

Filed Dec. 31, 1952

AUDIT
Filed Jan. 9, 1953

Clayton C. Carter, Assignee
vs.
Kennersley Farm Dairy, Inc.,
and Eugene M. Callis and Esther
Perry Callis, his wife,
Mortgagors

In the Circuit Court
For
Queen Anne's County
In Equity
Cause No. 3801

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Report of J. Thomas Clark, your Special Auditor, unto your Honor, respectfully shows:

1. That this account is stated at the request of Clayton C. Carter, Assignee of the mortgage foreclosed in this cause for the purpose of collection, and vendor in these proceedings; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest, state and county taxes and interest on the same amounting under said mortgage to the total sum of \$138,119.84 as of the day of sale, per statement of mortgage indebtedness filed herein, that such deficiency amounts to the sum of \$3,594.78, and that such deficiency is due Clayton C. Carter, Assignee, under the mortgage foreclosed, from the Mortgagors, with interest thereon from the 4th day of August, 1952.

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, even though not reported as a cash sale so as to arrive at the above deficiency in said mortgage; and that he is allowed thereout for his commission in accordance with the terms of said mortgage and a counsel fee as provided by said mortgage, for the following amounts due or paid, per either statements or receipts exhibited: the court costs of this cause,

the cost of the premium on said Assignee's corporate surety bond, the fee of the auctioneer who cried this sale, the cost of advertising the sale and order nisi thereon, and he is also allowed the costs of taxes on the mortgaged premises so sold, the costs of reporting testimony in this cause, and he is then allowed there-out for the cost of the order nisi to be passed as to this Audit and for the special auditor's fee, and finally, the net proceeds of sale, in the sum of \$134,525.06 on account of the aforesaid items making up the total mortgage debt, per statement filed herein, and as a result thereof, the deficiency as above stated is herein shown on the statement filed herein.

3. That in explanation of the within stated audit, and appearance fee was allowed not only to the plaintiff, but also to the exceptants and also the intervening petitioners attorneys; that the counsel fee of \$50.00 was allowed Clayton C. Carter, as attorney in this cause, per terms of the mortgage, even though there has been a stipulation of the parties to this cause as to the costs when the same was filed as of that date and the same was not stipulated to, because under the terms of the mortgage in a contested case the counsel fee should be in addition to the commissions for sale as allowed by the court, and since there has been no additional allowance, the same is allowed in accordance with the terms of the mortgage. No allowance has been made for any insurance premiums for fire since no claims were presented, and the allowance presented for recording the assignment of the mortgage to Clayton C. Carter, Assignee for collection has been disallowed, since this special auditor does not feel that this is a proper expense incident to the sale of the aforesaid mortgaged premises,

Respectfully submitted,

Filed Jan. 9, 1953

J. Thomas Clark
Special Auditor

Cause No. 3801.

The proceeds of the sale of land reported in this cause, either in account with or chargeable to the account of Clayton C. Carter, Assignee of the mortgaged foreclosed in these proceedings (and vendor of said land).

Cr.

1952
Aug. 4 By gross proceeds of the sale of said land,
per report of said vendor, to wit: \$145,000.00

Dr.

To Clayton C. Carter, assignee (and vendor) for his commissions for making the sale, per terms of mortgage and final order of ratifications. \$5,845.00

To do., for an amount due Clayton C. Carter, as counsel fee for making said sale, per terms of mortgage. 50.00

To do., for an amount due T. Sorden Pippin, Clerk, per statement exhibited as court costs of this cause, to wit: 71.40

To do., for an amount paid B.H. Turner, Jr., agent for United States Fidelity And Guaranty Company, for cost of said Assignee's corporate surety bond, per receipt for same exhibited, to wit: 600.00

To do., for an amount due J. Elmer Anthony, auctioneer, for crying sale, per statement for same exhibited, to wit: . . 500.00

To do., for amounts paid the Queen Anne's Record-Observer, per receipts for same exhibited, to wit:
(1) For publishing advertisement of sale. \$405.00
(2) For publishing order nisi on sale. 5.00 410.00

To do., for amounts paid Claude Lowery, Treasurer, for state and county taxes on mortgaged property for year 1952, per receipts for same exhibited, to wit:
(1) On real estate assessed to Eugene M. and Esther P. Callis. \$691.04
(2) On real estate and property assessed to Kennersley Farm Dairy, Inc.. . 2187.50 2878.54

J. THOMAS CLARK
Special Auditor

| | | |
|--|-------------------|--------------|
| To do., for an amount paid McDonald and Levine, reporters, for reporting testimony in this cause, per receipt for the sum exhibited, to wit: | 25.00 | |
| To do., for cost of advertising the order nisi to be passed as to this audit in the Queen Anne's Record- Observer. | 5.00 | |
| To J. Thomas Clark, special auditor, for stating this audit. | 90.00 | |
| To Clayton C. Carter, Assignee of Mortgage for collection, the net proceeds of this sale (on account of the total mortgage indebtedness, under this mortgage fore- closed in this cause, of \$138,119.84, per statement thereof filed), to wit: | <u>134,525.06</u> | \$145,000.00 |
| | \$145,000.00 | \$145,000.00 |

Cause No. 3801

| | |
|---|-------------------|
| To amount due Clayton C. Carter, Assignee of Mortgage for collection, per statement filed as to the total mortgage debt. | \$138,119.84 |
| Less amount of net proceeds of sale of mortgaged premises by Clayton C. Carter, Assignee of Mortgage for collect- ion, per above statement. | 134,525.06 |
| Total deficiency of mortgage debt after sale. | <u>\$3,594.78</u> |

J. THOMAS CLARK
Special Auditor

Filed Jan. 9, 1953

Nisi Ratification of Audit
Filed Jan. 9, 1953

NISI RATIFICATION OF AUDIT

| | | |
|---|---|-------------------------|
| Clayton C. Carter, Assignee |) | IN THE CIRCUIT COURT |
| VS |) | FOR QUEEN ANNE'S COUNTY |
| Kennersley Farm Dairy, Inc., and Eugene M. Callis and Esther Perry Callis, his wife, Mortgagors |) | IN EQUITY |
| |) | Cause No. 3801 |

ORDERED, This 9th. day of January in the year nineteen hundred and fifty three, that the Report and Account filed in these proceedings by J. Thomas Clark Special Auditor, be ratified and confirmed, unless cause to the contrary there- of be shown on or before the 6th. day of February, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 30th. day of January, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk.

Filed January 9, 1953

NISI RATIFICATION OF AUDIT

| | | |
|---|---|--------------------------|
| Clayton C. Carter, Assignee |) | In the Circuit Court for |
| vs. |) | Queen Anne's County |
| Kennersley Farm Dairy, Inc., and Eugene M. Callis and Esther Perry Callis, his wife, Mortgagors |) | In Equity. |
| |) | Cause No. 3801 |

ORDERED, This 9th day of January, in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by J. Thomas Clark, Special Auditor, be ratified and confirmed, unless cause to the contrary be shown on or before the 6th day of February, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 30th day of January, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy
Test: T. SORDEN PIPPIN, Clerk
Filed Jan. 9, 1953

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 Clayton C. Carter vs. Kennersley Farm Dairy, Inc., and Eugene M. Callis and Esther Perry Callis, 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 6th day of February 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 15th. day of Jan. 1953, and the last insertion on the 22th day of Jan. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE FAULKNER

Filed Feb. 9, 1953

FINAL ORDER OF RATIFICATION

ORDERED this 9th day of February, 1953, by the Circuit Court for Queen Anne's County, in Equity, that the Report and Account filed in these proceedings by J. Thomas Clark, 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 directed by the preceding Order Nisi, and the Assignee is directed to apply the proceeds accordingly.

WM. R. HORNEY
Judge

Filed Feb. 9, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Sixth day of October in the year nineteen hundred and fifty-one, the following Bill of Complaint, Order of Publication to lie in office was brought to be recorded, to wit:

C A U S E N O. 3757

J. M. ROBINSON, 413 Academy Road, Baltimore, Md. #
 LAURA P. CARR, Davidsonville, Anna Arundel Co., Md. #
 EDWARD COLLISON and MAY COLLISON, his wife, #
 Edgewater, Md. #

VS. #

JOHN COLLISON and SUSIE COLLISON, his wife, #
 Maye, Anna Arundel Co., Md. # IN THE CIRCUIT COURT
 EVA SUITT and FULTON SUITT, her husband, #
 Thirtieth St. 422 Mt. Rainer, Price George Co., Md. #
 MARY COLLISON, Maye, Anna Arundel Co., Md. #
 YETIVE DAWSON and D. C. DAWSON, her husband, #
 Glen Burnie, Md. #
 AUVERY COLLISON, Mayo, Anna Arundel Co., Md. #
 GEORGE HARDESTY, Mayo, Anna Arundel Co., Md. #
 KIRWIN HARDESTY and LIZZIE HARDESTY, his wife, # FOR
 Maye, Anna Arundel Co., Md. #
 WALLACE HARDESTY and VIRGINIA HARDESTY, his wife, #
 Maye, Anna Arundel Co., Md. #
 KNOX HARDESTY, Maye, Anna Arundel Co., Md. #
 MARLYN STOMMEL and CHARLES STOMMEL, her husband, #
 4222 Thirtieth St., Mt. Rainer, Price George Co., Md. #
 ELIZABETH HATCHELL, 319 Washington St., East Port, #
 Anna Arundel Co., Md. # QUEEN ANNE'S COUNTY,
 MAMIE SIMMONS and STEEP SIMMONS, her husband, #
 WAGNER St., Annapolis, Md. #
 ALMA CUNNINGHAM, Cooper Apartments, Annapolis, Md. #
 EDWARD LEE, Wagner St., Annapolis, Md. #
 STELLA GIBSON, 3125 Gwyn Falls Parkway, Baltimore, Md. #
 ELSIE HUTCHINS and NEEBEY HUTCHINS, her husband, # IN EQUITY.
 1824 Ewing Ave., Charlotte, North Carolina, #
 HERBERT BROWN and GERTRUDE BROWN, his wife, #
 405 Wentworth Road, Baltimore, Md. #
 MARY PURDY and WALTER PURDY, her husband, #
 Edgewater, Anna Arundel, Co., Md. #
 ANNIE M. BEARD and RUTLAND BEARD, her husband, #
 5637 New Edmonson Ave., Catonsville, Md. #
 ANNIE BROWN, Linden Ave., Annapolis, Md. # Cause No. 3757
 BEVERLY MAIER and WM. H. MAIER, her husband, #
 1105 Forty Fourth Place, Washington, S.E. D.C. #
 ALBERT LEWIS, 108 E. Woodbine St. Chevy Chase, Md. #
 STANLEY LEWIS, 4922 Deal Drive, Washington, D.C. Apt. 306, #
 MARVIN LEWIS, 4922 Deal Drive, Washington, D.C., Apt. 306 #
 MYRTLE YOUNG and WILLIAM YOUNG, her husband #
 Conduit St., Annapolis, Md. #
 RUBY SMITH and BASIL SMITH, her husband, #
 105 C St. St. David's Park, St. David's Penna., #
 PEARL COLLISON, Chester, Virginia, #
 MRS. MILTON FINCH and S. Milton Finch, her husband, #
 c/o S. Kirk & Sons, Baltimore, Md. #
 MINNIE COLLISON, Mayo, Anna Arundel, Co., Md. #
 R. WILSON CARR, Mayo, Anna Arundel Co., Md. #

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining, say:

1. That Nicholas G. Collison, late of Queen Anne's County, Maryland, deceased, died intestate in 1900, leaving personal estate of every little value, if any, and that letters of administration have not been granted on his estate; but seized and possessed of a lot or tract of land, with a dwelling house and outbuildings thereon, in which the deceased and his family lived, situate in the Fourth Election District of Queen Anne's County, on the East side of the public road from the State Road Centreville-Matapeake Road leading into Crab Alley Neck, near Kinsley Church, adjoining the property now or formerly owned by Margaret Jones et al. and having a frontage on said road of 17- $\frac{1}{2}$ yards with same width throughout and extending from said road a distance of 140 yards: that the said Nicholas G. Collison became so sized and possessed by virtue of a deed from James E. Booker, dated December 2nd., 1896, and recorded in Liber W.H.C. No. 5, folios 324 & etc., a Land Record Book for Queen Anne's County, a certified copy of which deed is filed herewith as a part hereof; and being so seized left surviving him as his only heirs-at-law a daughter, Margie Collison and a widow, Georgianna Collison; that at the time of the death of the said Nicholas G. Collison this property subject to the debts of Nicholas G. Collison became vested in the said Margie Collison subject to the dower rights of Georgianna Collison, which at that time was a life estate in one third of the real estate of the deceased husband, that no letters of administration have been granted on the estate of Nicholas G. Collison.

2. That Margie Collison and Georgianna Collison continued to live on said property, the said Margie Collison marrying one of the Plaintiffs to this cause, J.M. Robinson in 1909 and died intestate in 1910; the said Georgianna

Collison continued to exercise possession over said property until the time of her death, in the meantime marrying once or twice dying in 1951: that upon the death of Margie C. Robinson, intestate in 1910 this real estate subject to her debts and no letters of administration have been granted on her estate vested as to her inter to the extent of an undivided one third interest therein for his life, in the said J.M. Robinson, surviving husband, and since the said Margie C. Robinson died intestate and had inherited this property from her father, the same became vested in the brothers and sisters of Nicholas G. Collison as the deceased left no child nor children, nor descendants from any child or children no father no grand-father on the part of the father, no brothers nor sister, nor descendants of any brother or sister, subject nevertheless to the dower estate of Georgianna Collison, subject to the debts of Nicholas G. Collison, subject to the debts of Margie C. Robinson, subject to the dower estate of J.M. Robinson; the said brothers and sisters of Nicholas G. Collison took per capita, among those living at the time of the death of Margie C. Robinson, and are the following, to wit: Thomas E. Collison, Benjamin Collison, David W. Collison, Mary E. Lee, Sarah C. Petty, Susan A. Brown and the Plaintiff, Laura P. Carr, each taking an undivided one seventh interest therein subject to above exceptions.

3. That the said Thomas E. Collison died intestate, leaving the following heirs-at-law, in whom the 1/7 interest of the said Thomas E. Collison is vested, subject to this debts, and that no letters of administration have been granted on his estate, said heirs-at-law are as follows, to wit:

(a) The defendant John Collison, a son, who is married to the defendant, Susie Collison, both adults, reside at Maye, Anna Arundel Co., Md., and is seized of 1/35 interest;

(b) The plaintiff, Edward Collison, a son, who is married to the plaintiff, May Collison, they reside at Mayo, Anna Arundel County, Md, and he is seized of an undivided 1/35 interest:

(c) The defendant, Eva Suitt, a daughter, who is married to the defendant, Fulton Suitt, reside at 4222 Thirtieth St. Mt. Rainer, Price George Co., Md, and she is seized of of an undivided 1/35 interest.

(d) Ernest Collison, a son died intestate in 1951, leaving the following heirs-at-law who subject to his debts, and no administration on his estate has been granted are seized as follows, to wit:

(1) Mary Collison, defendant, surviving widow, resides at Mayo, Anna Arundel County Md., is seized of an undivided 1/105 interest.

(2) the defendant Yevie Dawson, who is married to the defendant, D. C. Dawson, reside at Glen Burnie, and is seized of an undivided 1/105 interest:

(3) the Defendant Auvery Collison, a son resides at Mayo, Anna Arundel Co., Md., is seized of aun undivided 1/105 interest.

(e) Bedonia Hardesty, a daughter of Thomas E. Collison, died intestate in 1934, leaving the following heirs-at-law, who subject to her debts, and no letters of administration have been granted on her estate, became vested as follows, to wit:

(1) The Defendant, George Hardesty, resides at Mayo, Anna Arundel Co., Md, surviving husband, and is seized of undivided 1/105 interest:

(2) The Defendant, Kirwin Hardesty, who is married to the defendant, Lizzie Hardesty they reside at Mayo, Anna Arundel Co., Md., and is seized of an undivided 1/210 interest:

(3) The defendant, Wallace Hardesty, who is married to the defendant, Virginia Hardesty, reside at Mayo, Anna Arundel Co., Md., is seized of an undivided 1/210 interest:

(4) The defendant, Knox Hardesty resides at Mayo, Anna Arundel Co., Md., is seized of an undivided 1/210 interest:

(5) The defendant Marilyn Stommell, who is married to the defendant, Charles Stommell, reside at 4222 Thirtieth St., Mt. Rainer, Price Georges Co., Md., is seized of an undivided 1/210 interest.

4. That the said Benjamin Collison died intestate in 1914, and no letters of administration have been granted on his estate, leaving the following heirs-at-law, in whom his interest became vested, subject to his debts, as follows, to wit:

(a) The defendant, Myrtle Young, who is married to the defendant, William Young, they reside on Conduit St., Annapolis, Md., and she is seized of an undivided 1/28 interest:

(b) The defendant, Ruby-Smith, is married to the defendant, Basil Smith, they reside at 105 C Street, St. David's Park, St. David's Penna, she is seized of an undivided 1/28 interest:

(c) Paul Collison, a son of Benjamin Collison, died intestate, leaving no children, nor mother nor father, but a widow, the defendant, Pearl Collison, who resides at Chester, Virginia, no letters of administration have been granted on his estate, the widow takes an undivided 1/28 interest in this real estate, subject to the debts of her husband:

(d) Roy Collison, a son of Benjamin Collison, died intestate, leaving no child or children and no descendants from any child or children, no mother nor father, but the defendant, Drury Collison, surviving widow, who has since married

and is now Mrs. Milton Finch, who with her husband, the defendant, Milton Finch, is employed at Samuel Kirk & Son, Baltimore, Md., and is seized and possessed of an undivided 1/28 interest in said real estate, subject to the debts of Roy Collison:

5. That the said David Collison died intestate, and no letters have been granted on his estate, leaving no child or children or any descendants from any child or children, no mother or father, and that the defendant, Minnie Collison, his surviving widow, who resides at Mayo, Anna Arundel, Co., Md., inherits one half of his estate and \$2,000,000 or the entire 1/7 interest subject to the debts of David Collison:

6. That the said Mary E. Lee died intestate, in 1934, no administration has been granted on her estate, her only heirs-at-law are the following, who inherited the same from the said Mary E. Lee, subject to her debts:

(a) The defendant, Elizabeth Hatchell, resides at 319 Washington St., East Port, Anna Arundel Co., Md. and is seized of an undivided 1/28th interest in said real estate:

(b) The Defendant Mamie Simmons is married to Step Simmons, the defendant, reside on Wagner St., Annapolis, Md. and is seized of an undivided 1/28 interest:

(c) The defendant, Alma Cunningham, Cooper Apartments, Annapolis Md., is seized of an undivided 1/28 interest:

(d) The Defendant, Edward Lee, resides on Wagner St., Annapolis, Md., and is seized of an undivided 1/28 interest:

All subject to the debts of Mary E. Lee.

7. That the said Sarah C. Petty died intestate in 1922, and her interest, subject to her debts, and no letters of administration have been granted on her estate, leaving the following heirs-at-law, to wit:

(a) The Defendant, Stella Gibson, a daughter, resides at 3125 Gwyn Falls Parkway, Baltimore, Md., and is seized of an undivided 1/14 interest:

(b) The defendant, Elsie Hutchings, is married to the defendant, Neely Hutchins, they reside at 1824 Ewing Ave. Charlotte, North Carolina, is seized of an undivided 1/14 interest, subject to the debts of Sarah C. Petty.

8. That the said Susan A. Brown, died intestate in 1951, no letters of administration have been granted on her estate, and her interest subject to her debts, is vested in her only heirs-at-law, as follows, to wit:

(a) The defendant, Herbert Brown is married to the defendant Gertrude Brown, reside at 405 Wentworth Road, Balto., Md., and is seized of an undivided 1/35 interest:

(b) The defendant, Mary Purdy, is married to the defendant Gertrude Brown, reside at The defendant, Mary Purdy, is married to the defendant, Walter Purdy, reside at Edgewater, Anna Arundel Co., Md., and is seized of an undivided, 1/35 interest:

(c) That DeWitt Brown, son of Susan A. Brown, died intestate, no letters of administration have been granted on his estate, and his interest subject to his debts is vested in his heirs-at-law, to wit:

(1) The defendant, Annie Brown, surviving widow, resides on Linden Ave., Annapolis, Md., and is seized of an undivided 1/105 interest:

(2) The Defendant Beverly Maier, is married to the defendant, Maier, reside at 1105 Forty Fourth Place, Washington S.E., D.C. and is seized of undivided 2/105 interest:

(d) That the defendant, Annie M. Beard is married to the defendant, Rutland Beard, they reside at 5637 New Edmonson Ave., Catonsville, Md., and she is seized of an undivided 1/35 interest.

(e) Pearl Lewis, a daughter of Susan A. Brown, died intestate, and no letters of administration have been granted on her estate and subject to her debts, her interest is vested in her heirs-at-law, to wit:

(1) The defendant, Albert Lewis, resides at 108 E. Woodbine St. Chevy Chase, Md., and is seized of an undivided 1/105 interest in said real estate:

(2) The defendant, Stanley Lewis, a son of Pearl Lewis, resides 4922 Deal Drive, Washington, D. C. Apt. 306, and is seized of an undivided 1/105 interest in said real estate:

(3) The defendant, Marvin Lewis, son of Pearl Lewis, resides at 4922 Deal Drive, Washington, D. C., Apartment 306, and is seized of an undivided 1/105 interest in said real estate.

9. That the Plaintiff Laura P. Carr resides at Davidsonville, Anna Arundel Co., Md., and is seized of an undivided 1/7 interest in the said real estate, and that her husband, R. Nicholar Carr, one of the defendants resides at Mayo, Anna Arundel County, Md.

10. That the said real estate is not susceptible of division in kind among those interested according to their respective interests without loss or injury.

Wherefore your Orators pray:

1. That a trustee may be appointed by this Honorable Court to make sale to those entitled in accordance with their respective interest.

2. That your orators 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 Plaintiffs

Filed Oct. 6, 1951

CERTIFIED COPY OF DEED
Filed Oct. 6, 1951

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fifteenth day of December, in the year One Thousand eight hundred and ninety six, the following Deed was brought to be recorded to wit:

This Deed, made this 2nd day of December, in the year 1896, by me, James H. Booker, of Kent Island, Queen Anne's County, State of Maryland, Witnesseth: that in consideration of the sum of Sixty Dollars: I, the said James H. Booker do hereby grant and convey unto Nicholis G. Collison of said County and State, the following tract or parcel of land in Crab Alley Neck on Kent Island, near Kingsley's Church, and lying and being on the public road leading down said Crab Alley Neck, and on the East side of said road, and more particularly located and described as follows-- Beginning at the south-west corner of the lot of Mrs. Margaret Jones, and running Easterly parallel with the said lot one hundred and forty yards to a boundary thence Southerly to a boundary seventeen and one half yards, thence westerly one hundred and forty yards to the public road aforesaid, and thence Northerly parallel with said public road seventeen and one half yards to place of Beginning, containing one half of an acre of land, in fee simple--and I hereby covenant with the said Nicholis G. Collison to warrant generally and specially the property hereby conveyed, and to execute such further assurances of title as may be requisite.

Witness my hand and seal.

TEST: John O. Phillips

His
JAMES X H. BOOKER (SEAL)
Mark

State of Maryland, Queen Anne's Co, Sct: I hereby certify, that on this 2nd day of December 1896, before me the subscriber, a Justice of the Peace of said State in and for the County aforesaid, personally appeared James H. Booker and acknowledged the aforesaid Deed to be his act.

JOHN O. PHILLIPS J. P.

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

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No. 5, folio 324, 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 Ninth day of October, in the year nineteen hundred and fifty-one.

T. SORDEN PIPPIN
Clerk.

ORDER OF PUBLICATION
Filed Oct. 6, 1951

ORDER OF PUBLICATION.

| | | |
|--|---|----------------------|
| J. M. ROBINSON, 413 Academy Road, Baltimore, Md. | # | |
| LAURA P. CARR, Davidsonville, Anna Arundel Co., Md. | # | IN THE CIRCUIT COURT |
| EDWARD COLLISON, and MAY COLLISON, his wife, | # | |
| Edgewater, Md. | # | |
| | # | |
| VS. | # | FOR |
| | # | |
| JOHN COLLISON and SUSIE COLLISON, his wife, | # | |
| Mayo, Anna Arundel Co., Md. | # | |
| EVA SUITT and FULTON SUITT, her husband, | # | QUEEN ANNE'S COUNT, |
| 4222 Thirtieth St., Mt. Rainer, Price Geotges Co., Md# | # | |
| MARY COLLISON, Mayo, Anna Arundel Co., Md., | # | |
| YETIVE DAWSON and D. C. DAWSON, her husband, | # | IN EQUITY. |

Glen Burnie, Md. #
 AUVERY COLLISON, Mayo, Anna Arundel Co., Md. #
 GEORGE HARDESTY, Mayo, Anna Arundel Co., Md. #
 KIRWAIN HARDESTY and LIZZIE HARDESTY, his wife, #
 Mayo, Anna Arundel Co., Md. #
 WALLACE HARDESTY and VIRGINIA HARDESTY, his wife, #
 Mayo, Anna Arundel Co., Md., # Cause No. 3757
 KNOX HARDESTY, Mayo, Anna Arundel Co., Md. #
 MAYLYN STOMMEL and CHARLES STOMMEL, her husband, #
 4222 Thirtieth St, Mt. Rainer, Prince Georges Co., Md. #
 ELIZABETH HATCHELL, 319 Washington St., East Port, Md. #
 MAMIE SIMMONS and STEP SIMMONS, her husband, #
 Wagner St., Annapolis, Md. #
 ALMA CUNNINGHAM, Cooper Apts, Annapolis, Md., #
 EDWARD LEE, Wagner St., Annapolis, Md., #
 STELLA GIBSON, 3125 Gwyn Falls Parkway, Baltimore, Md., #
 ELSIE HUTCHINS and NEELY HUTCHINS, her husband, #
 1824 Ewing Ave., Charlotte, North Carolina, #
 HERBERT BROWN and GERTRUDE BROWN, his wife, #
 405 Wentworth Road, Baltimore, Md., #
 MARY PURDY and WALTER PURDY, her husband, #
 EDGEWATER, Anna Arundel Co., Md. #
 ANNIE M. BEARD and RUTLAND BEARD, her husband, #
 5637 New Edmonson Ave., Catonsville, Md. #
 ANNIE BROWN, Linden Ave., Annapolis, Md. #
 BEVERLY MAIER and MAIER, her husband, #
 1105 Forty Fourth Place, Washington, S. E., D. C., #
 ALBERT LEWIS, 108 E. Woodbind St., Chevy Chase, Md., #
 STANLEY LEWIS, 4922 Deal Drive, Washington D. C., Apt. 306, #
 MARVIN LEWIS, 4922 Deal Drive, Washington, D. C. Apt. 306, #
 MYRTLE YOUNG and WILLIAM YOUNG, her husband, Conduit St., #
 Annapolis, Md., #
 RUBY SMITH and BASIL SMITH, her husband, #
 105 C. St., St. David's Park, St. David's, Penna., #
 PEARL COLLISON, Chester, Virginia, #
 MRS. MILTON FINCH and MILTON FINCH, her husband, #
 c/o S. Kirk & Sons, Charles St., Balto., Md. #
 MINNIE COLLISON, Mayo, Anna Arundel Co., Md. #
 R. WILSON CARR, Mayo, Anna Arundel Co., Md. #

The object of this suit is to have a trustee or trustees appointed to make sale of the real estate of which NICHOLAS G. COLLISON died seized and possessed and to distribute the net proceeds so received among those entitled thereto.

The Bill of Complaint alleges that Nicholas G. Collison, late of Queen Anne's Co, Md., deceased, died intestate in 1900, leaving personal property of small, if any, value and that no letters of administration have been granted on his estate; but leaving a lot of land, improved by a dwelling in which the deceased with his family lived in the Fourth Election District of said county and state, on the East side of the public road leading from the Grasonville-Metapeake state road into Crab Alley Neck near Kinsley Church, adjoining the property now or formerly owned by, Margaret Jones and the properties of others, having a frontage of 17- $\frac{1}{2}$ yards on said road and extending from same, with even width, a distance of 140 yards, that he became vested with same by virtue of a deed, dated December 2nd., 1896, from James H. Booker, recorded in Liber W.H.C. No. 5, folios 324 & etc., a Land Record Book for Queen Anne's County, a certified of which filed herewith is made a part hereof, and left his widow Georgianna Collison, and his daughter, Margie Collison, his only heirs-at-law, that Georgianna Collison remaining in possession until January 1951, when she died, that Margie Collison married the Plaintiff, J. M. Robinson in 1909; died intestate in 1910; that at that time the real estate subject to the debts of Nicholas G. Collison and Margie C. Robinson, subject to the dowers of Georgianna Collison and J.M. Robinson became vested in Thomas E. Collison, Benjamin Collison, David Collison, Mary E. Lee, Sarah C. Petty, Susan A. Brown and the Plaintiff, Laura P. Carr; That Thomas E. Collison died intestate and his heirs are John Collison, a 1/35 interest, Edward Collison 1/35 interest, Eva Suitt a 1/35 interest, Mary Collison 1/105 interest, Yette Dawson 1/105 interest, Auvery Collison 1/105 interest, George Hardesty 1/105, Kirwin Hardesty 1/210 interest, Wallace Hardesty 1/210 interest, Know 1/210 interest, Marlyn Stommell 1/210 interest; that Benjamin Collison died intestate and his heirs-at-law, subject to his debts are seized as follows, Myrtle Young 1/28 interest, Ruby Smith, a 1/28 interest, Pearl Collison 1/28 interest, Mrs. Milton Finch a 1/28 interest; David Collison died intestate and subject to his debts his heirs are vested as follows, Minnie Collison an undivided 1/7 interest; that Mary E. Lee died intestate and her interest subject to her debts are vested in Elizabeth Hatchell 1/28th interest; Manie Simmons 1/28 interest, Alma Cunningham a 1/28 interest, Edward Lee a 1/28 interest; Sarah C. Petty died intestate and her interest subject to her debts is vested in Stella Gibson 1/14 interest, Elsie Hutchins 1/14 interest; that Susan A. Brown died intestate and her interest subject to her debts is vested as follows, to wit: Herbert Brown a 1/35 interest, Mary Purdy a 1/35 interest, Annie Brown a 1/105 interest, Beverly Maier a 2/105, Annie M. Beard a 1/35 interest, Albert Lewis, Stanley Lewis and Marvin Lewis, each a 1/105 interest; that Laura P. Carr of an undivided 1/7 interest.

That all the parties to this suit are joined with their respective husbands or wives, if married, and all parties are adults. That the real estate is not susceptible of division agreeable to their respective interest without loss or injury. IT IS THEREUPON this day of October, 1951, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that notice be given by inserting a copy of this order in some newspaper printed and published in Queen Anne's County once a week for four successive weeks before the 10th day of November, 1951, warning the said ELSIE HUTCHINS and NEELY HUTCHINS, her husband, BEVERLY MAIER and MAIER, her husband, STANLEY LEWIS, MARVIN LEWIS, RUBY SMITH and BASIL SMITH, her husband, and PEARL COLLISON, NON-RESIDENTS of the State of Maryland, to be and appear in this Court in person or by solicitor on or before the 26th day of Nov. 1951, to show cause, if any they have, why the relief prayed in said Bill of Complaint should not be granted and to abide by and perform such order or decree as may be passed in the premises.

T. SORDEN PIPPIN Clerk.

EQUITY SUBPOENA
Filed Oct. 17, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Herbert Brown and Gertrude Brown, his wife,
405 Wentworth Road, Baltimore, Md.,

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 J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

J. M. ROBINSON, 413 Academy Road, Baltop, Md. et al. # In the Circuit Court for
VS. # Queen Anne's County, in
John Collison et al. # Equity.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Defendants, Herbert Brown and Gertrude Brown, his wife, to the Bill of Complaint in this cause exhibited against them, for answer thereto say: That they admit the matters and facts alleged in said Bill of Complaint and consent to the passage of such Order or Decree by the Court as may be right and proper in the premises.

HERBERT BROWN
Herbert Brown

GERTRUDE BROWN
Gertrude Brown

Filed Oct. 17, 1951

Equity Subpoena
Filed Oct. 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Albert Lewis
108 E. Woodbine Street
Chevy Chase, 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 J.M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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 T. SORDEN PIPPIN, Clerk

And at the back of the foregoing is the following endorsement, to wit:

Received 12 Day of Oct. 1951 and forthwith deliver to the Sheriff of Montgomery County.

C. K. WATKINS
Clerk

1973

Served the within subpoena by reading to, and leaving copy of same, together with a copy of the Bill of Complaint with Albert Lewis this 15 day of Oct. 1951

Chas S. Lawrenson
Sheriff

EQUITY SUBPOENA
Filed Feb. 19, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Annie M. Beard and Rutland Beard, her husband,
5637 New Edmonson Ave., Catonsville, Md.

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 J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel, Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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 T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Annie M. Beard & Rutland Beard her husband and a copy of subpoena and Bill of Complaint served on and left with each of them this 16th day of Oct. 1951

Gilbert G. Miller
Sheriff

Equity Subpoena
Filed Oct. 23, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Stella Gibson
3125 Gwyn Falls Parkway, Baltimore, 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 J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Stella Gibson and a copy of the process with a copy of the Bill of Complaint left with the defendant on the 20th day of October, 1951 in the presence of John L. Mayers

JOSEPH C. DUGAN
Sheriff

Equity Subpoena
Filed Oct. 24, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Marlyn Stommel and Charles Stommel, her husband,
4222 Thirtieth St., Mt. Rainier, Prince George 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Road, Baltimore, Md, Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Marlyn & Charles Stommel and left copy of Subpoena and Bill of Complaint with them this 18th day of October, 1951.

Carlton G. Beall
Sheriff

Filed Oct. 24, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Eva Suitt and Fulton Suitt, her husband,
4222 Thirtieth St., Mt. Rainer, Prince George 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md., 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Eva and Fulton Suitt and left copy of Subpoena and Bill of Complaint with them this 18th day of October, 1951.

Carlton G. Beall
Sheriff

Equity Subpoena
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

George Hardesty
Mayor, Anne Arundel, 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd day of September, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Non Est 10/22/51

Joseph W. Alton, Jr.
Sheriff A.A.Co.

EQUITY SUBPOENA
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Elizabeth Hatchell
319 Washington Street, East Port, Anne Arundel 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summond Elizabeth Hatchell this 17th day of October 1951 by leaving with her a copy of the subpoena and Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A.A. Co.

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Minnie Collison
Mayo, Anne Arundel Co., Md.

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 J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951

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, Md.

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Minnie Collison this 16th day of October, 1951 by leaving with her a copy of the subpoena and Bill of Complaint

Joseph W. Alton, Jr.
Sheriff A.A. Co.

EQUITY SUBPOENA
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Auvery Collison
Mayo, Anne Arundel, Co., Md.,

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 J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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 a 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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Auvery Collison this 16th day of October 1951 by leaving with him a copy of the subpoena & Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff of A.A. Co.

EQUITY SUBPOENA
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Mary Collison
Mayo, Anne Arundel 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951

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

T. SORDEN PIPPIN Clerk

And on the back of theaforegoing is the following endorsement, to wit:

Summoned Mary Collison this 16th day of October, 1951 by leaving with her a copy of the subpoena and Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A.A. Co.

EQUITY SUBPOENA
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Alman Cunningham, Cooper Apartments, Annapolis, Md.

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 J. M. Robinson, 413 Academy Road, Baltimore Md., Laura P. Carr, Davidsonville, Anne Arundel, Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th day of October, 1951.

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

T. SORDEN PIPPIN Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Alma Cunningham this 17th day of October 1951 by leaving with her a copy of the subpoena and Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Edward Lee, Wagner Street, 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Edward Lee this 17th day of October, 1951 by leaving with him a copy of the subpoena and Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Mamie Simmons and Step Simmons, her husband,
Wagner St., Annapolis, Md.

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 J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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 sub-

poena. 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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Mamie Simmons and Step Simmons this 17th day of October, 1951 by leaving with them copies of the subpoena and Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Annie Brown
Linden Avenue
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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Annie Brown this 17th day of October 1951 by leaving with her a copy of the subpoena & Bill of Complaint

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Myrtle Young and William Young, her husband,
Conduit St., 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne

Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Myrtle Young and Wm. Young this 17th day of October 1951 by leaving with them copies of the subpoena & Bill of Complaint

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Kirwin Hardesty and Lizzie Hardesty, his wife,
Mayo, Anne Arundel 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413, Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel County, Maryland, Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Kirwin and Lizzie Hardesty this 16th day of October 1951 by leaving with them copies of the subpoena and Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

R. Wilson Carr,
Mayo, Anne Arundel, Co., 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 J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951

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. EarleAddress Centreville, MarylandT. SORDEN PIPPIN Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned R. Wilson Carr this 16th day of October 1951 by leaving with him a copy of the subpoena & Bill of Complaint

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Mary Purdy and Walter Purdey, her husband,
Edgewater, Anne Arundel County, Md.

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 J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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. EarleAddress Centreville, MarylandT. SORDEN PIPPIN Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Mary and Walter Purdy, this 16th day of October, 1951 by leaving with them copies of the subpoena and Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed Oct. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Sealis Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

John Collison and Susie Collison, his wife,
Mayo, Anne Arundel 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned John and Susie Collison this 16th day of October 1951 by leaving with them copies of the subpoena & Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

Petition to Amend Bill of Complaint
and Order of Court
Filed Oct. 29, 1951

J. M. ROBINSON, et. al.,

#

IN THE CIRCUIT COURT FOR QUEEN

VS.

#

ANNE'S COUNTY, IN EQUITY.

JOHN COLLISON et al.

#

Cause No. 3757

PETITION TO FILE AN AMENDMENT TO BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of J. M. Robinson, et al., Complainants, by Richard T. Earle, their attorney, to your Honors, respectfully shows:

1. That since the filling of the Bill of Complaint in this cause, it has come to the knowledge of your Petitioners, that the heirs-at-law of Mary E. Lee, Sister of Nicholas G. Collison, are incorrectly stated in Paragraph 6 of the bill of complaint; which is the only paragraph dealing with the heirs-at-law of Mary E. Lee, in that the name of Virginia Lee, a daughter of Mary E. Lee, was omitted; that the said Virginia Lee married William Smith and died intestate in 1945, no letters of administration have been granted on her estate, leaving as her only heirs-at-law William Smith, surviving husband, William Smith, Jr., a son, and Edith Robinson, a daughter, married to Robert Robinson, all adults and residents of the State of Maryland; that the aforesaid parties should be made defendants to this cause and that the only parties effected by including them would be the heirs-at-law of the said Mary E. Lee, each of which heirs as set forth in said Bill of Complaint would have less interest in proportion in the real estate in question.

Wherefore your Petitioners pray leave to amend said Paragraph 6 of said Bill of Complaint, by inclusion of the heirs of Virginia Smith, making the said William Smith, Jr., Edith Robinson and Robert Robinson, her husband, parties to this cause, to issue summons for them, serving on them copy of Original Bill and Copy of said Amendment and by re-issuing subpoenas to the other heirs-at-law of Mary E. Lee and serving upon them a copy of said amendment.

Respectfully submitted.

RICHARD T. EARLE
Atty. for Petitioners.

Filed Oct. 29, 1951

ORDER OF COURT.

The foregoing petition having been read and considered, IT IS THEREUPON this 29th day of October, 1951, ORDERED by the Circuit Court for Queen Anne's County in Equity, that leave be and it is hereby granted the Petitioners to file an amendment to Paragraph 6 of said Bill of Complaint, and that subpoenas issue and be served together with copies as set forth in said petition.

WM. R. HORNEY
Judge

Filed Oct. 29, 1951

Amendment to Bill of Complaint
Filed Oct. 29, 1951

J. M. ROBINSON et al., # IN THE CIRCUIT COURT FOR QUEEN
VS. # ANNE'S COUNTY, IN EQUITY
JOHN COLLISON et al. # Cause No. 3757.

AMENDMENT TO BILL OF COMPLAINT

That leave of Court first having been had and obtained, Paragraph 6 of the Bill of Complaint is hereby changed so as to read as follows, to wit:

6. That the said Mary E. Lee, sister of Nicholas G. Collison, died intestate in 1934, and that no letters of administration have been granted on her estate, and subject to her debts, are interest in said real estate is vested as follows, to wit:

(a) The defendant, Mammie Simmons, married to Step Simmons, reside on Wagner St., Annapolis, Md., is seized of an undivided 1/35 interest:

(b) The defendant, Elizabeth Hatchell, resides at 319 Washington St., East Port, Anne Arundel Co., Md., is seized of an undivided 1.35 interest:

(c) The defendant, Alma Cunningham, Cooper Apartments, Annapolis, Md., is seized of an undivided 1/35 interest:

(d) The defendant, Edward Lee, resides on Wagner St., Annapolis, Md., is seized of an undivided 1/35 interest.

(e) That Virginia Lee, a daughter of Mary E. Lee, married William Smith, and died intestate and that her interest subject to her debts, and no letters of administration have been granted on her estate, is vested as follows, to wit:

(1) William Smith, surviving husband, resides at 1220 McKinley St., East Port, Anne Arundel Co., Md., is seized of an undivided 1/105 interest:

(2) William Smith, Jr., a son, resides at 1220 McKinley St., East Port, Anne Arundel Co., Md., and is seized of an undivided 1/105 interest:

(3) That Edith Robinson, a daughter, is married to Robert Robinson, they reside at 1220 McKinley St. East Port, Anne Arundel County, Md., and she is seized of an undivided 1/105 interest.

Respectfully submitted

Richard T. Earle
Atty. for Complainants?

Filed Oct. 29, 1951

EQUITY SUBPOENA
Filed Nov. 2, 1951

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

114 Homeland Ave. (10/15/51g)
Mrs. Milton Finch and Milton Finch, her husband,
c/o Kirk & Sons, Baltimore, Md.

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 J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Milton Finch and a copy of the process with a copy of the Bill of Complaint left with the defendant on the 15th day of October, 1951 in the presence of William Hill. Also summoned Mrs. Milton Finch and a copy of the process with a copy of the Bill of Complaint left with the defendant on the 30th day of October 1951 in the presence of Albert Long.

Joseph P. Dugan
Sheriff

J. M. ROBINSON, et al : IN THE CIRCUIT COURT
VS. : FOR QUEEN ANNE'S COUNTY
JOHN COLLISON, et al : IN EQUITY
No. 3757

ANSWER OF DRUCILLA FINCH AND MILTON H. FINCH

To the Honorable the Judge of said Court:

The answer of Drucilla Finch and Milton H. Finch, her husband, to the Bill of Complaint of J. M. Robinson, et al., in the above entitled cause, respectfully shows:

1- The respondents have no certain personal knowledge of the allegations set forth in paragraphs 1, 2, 3, 5, 6, 7, 8, 9 and 10 of the Bill of Complaint and can therefore neither admit nor deny the same.

2. The respondents aver that the respondent, Drucilla Finch was the wife of Roy Collison, a son of Benjamin Collison, and that Roy Collison died in or about the year 1920, intestate, and leaving no child or children or descendants of child or children, nor mother, nor father, but leaving surviving him as his sole heir at law, his widow, said Drucilla, more generally known as "Drury". Said Drucilla has since intermarried with the respondent Milton H. Finch and now resides with her husband at Homeland Avenue, Baltimore 12, Maryland. Your respondents therefore admit the allegations of Subparagraph (d) of Paragraph 4 of the Bill of Complaint, but as to the remaining allegations of said Paragraph 4 they have no certain personal knowledge and can therefore neither admit nor deny the same.

3- The respondents consent to the relief prayed in the Bill of Complaint and submit their rights to the protection of this Honorable Court.

And as in duty bound, etc.

DRUCILLA FINCH
Drucilla Finch

MILTON H. FINCH
Milton H. Finch

Filed Nov. 5, 1951

EQUITY SUBPOENA
Filed Nov. 5, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Wallace Hardesty and Virginia Hardesty, his wife,
Mayo, Anne Arundel 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Non Sunt 11/5/51.

Joseph W. Alton, Jr.
Sheriff A.A. Co.

EQUITY SUBPOENA

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Knox Hardesty, Mayo, Anne Arundel 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th day of October, 1951

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Non Est 11/5/51

Joseph W. Alton, Jr.
Sheriff A.A. Co.

EQUITY SUBPOENA
Filed Nov. 8, 1951

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Knox Hardesty
507 - 70th Place
Seal Pleasant
Prince George'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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 18th day of October, 1951.

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

T.SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Knox Hardesty and left copy of Subpoena and Bill of Complaint with him this 3rd day of November, 1951.

CARLTON G. BEALL
Sheriff

EQUITY SUBPOENA
Filed Nov. 8, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Wallace Hardesty and Virginia Hardesty, his wife,
Adison Rd. - Central Ave.
Prince George'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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Rd., Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 18th day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Wallace and Virginia Hardesty and left copy of Subpoena and Bill of Complaint with them this 3rd day of November, 1951.

CARLTON G. BEALL
Sheriff

EQUITY SUBPOENA
Filed Nov. 8, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

George Hardesty
507 - 70th Place
Seat Pleasant
Prince George'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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd day of September, 1951.

Issued the 18th day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned George Hardesty and left copy of Subpoena and Bill of Complaint with him this 3rd day of November, 1951.

CARLTON G. BEALL
Sheriff

EQUITY SUBPOENA
Filed Nov. 13, 1951

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

TO

QUEEN ANNE'S COUNTY, TO WIT:

Elizabeth Hatchell
319 Washington Street
East Port, Anne Arundel 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel

Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 29th day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Elizabeth Hatchell this 1st day of November 1951 by leaving with her a copy of subpoena and amendment to Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed Nov. 13, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Alma Cunningham
Cooper Apartments
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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 29th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Alma Cunningham this 1st day of November 1951 by leaving with her a copy of the subpoena and amendment to Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Mammie Simmons and Step Simmons, her husband,
Wagner Street,
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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 29th. day of October, 1951.

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. EarleAddress Centreville, MarylandT. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned the within named defendants this 1st day of November 1951 by leaving with them copies of the subpoena and amendment to Bill of Complaint.

Joseph W. Alton, Jr.

Sheriff A. A. Co.

EQUITY SUBPOENA
Filed Nov. 13, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Edith Robinson and Robert Robinson, her husband,
1220 McKinley St.,
East Port, Anne Arundel 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951

Issued the 29th. day of October, 1951.

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. EarleAddress Centreville, MarylandT. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned the within named defendants this 1st day of November 1951 by leaving with them copies of the subpoena and amendment to Bill of Complaint

Joseph W. Alton, Jr.
Sheiff A. A. Co.

EQUITY SUBPOENA
Filed Nov. 13, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

William Smith, Jr.,
1220 McKinley St.,
East Port, Anne Arundel, 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 fifteen days thereof cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 16th. day of July, 1951.

Issued the 29th. day of October, 1951.

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, Md.

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Wm. Smith, Jr. this 1st day of November 1951 and left with him the copy of subpoena, Bill of Complaint and amendment to Bill of Complaint

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed Nov. 13, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

William Smith
1220 McKinley Street
East Port, Anne Arundel 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 29th. day of October, 1951

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Wm. Smith this 1st day of November, 1951 and a copy of the subpoena and amendment to Bill of Complaint left with him.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA
Filed Nov. 13, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Edward Lee
Wagner Street
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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. M. Robinson, 413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md. Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd day of September, 1951.

Issued the 29th. day of October, 1951.

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(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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Edward Lee this 1st day of November, 1951 by leaving with him a copy of the subpoena and amendment to Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

EQUITY SUBPOENA

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Yetive Dawson and D. C. Dawson, her husband,
Glen Burnie, 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 J. M. Robinson.

413 Academy Road, Baltimore, Md., Laura P. Carr, Davidsonville, Anne Arundel Co., Md., Edward Collison and May Collison, his wife, Edgewater, Md. 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 3rd. day of September, 1951.

Issued the 6th. day of October, 1951.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned the within named defendants this 25th day of October 1951 by leaving with them copies of the subpoena and Bill of Complaint.

Joseph W. Alton, Jr.
Sheriff A. A. Co.

Answer of Edward Lee
Filed Nov. 13, 1951

J. M. ROBINSON, ET AL, : No. 3757 Equity
vs. : In The Circuit Court For
JOHN COLLISON, ET AL : Queene Anne's County.

ANSWER OF EDWARD LEE

To The Honorable, The Judges of said Court:

The answer of Edward Lee to the bill of complaint in the above cause, respectfully shows:-

1. That he neither admits not denies the facts alleged in the bill of complaint.

And having fully answered he prays to be hence dismissed with his costs.

AND AS IN DUTY BOUND, etc.

EDWARD LEE Defendant
Edward Lee

Copy mailed to Richard T. Earle, attorney for plaintiffs, November 11, 1951.

EDWARD LEE
Edward Lee

Filed Nov. 13, 1951

Answer of Estella Gibson
Filed Nov. 23, 1951

J. M. ROBINSON et al., # In the Circuit Court for Queen Anne's
VS. # County, in Equity.
JOHN COLLISON et al. #

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Estella Gibson to the Bill of Complaint and Amended Bill of Complaint filed in this cause, says:

That she admits the matters and facts as therein alleged and consents to the passage of such a decree or order of Court as may be right and proper in the premises.

ESTELLA GIBSON
Estella Gibson

Filed Nov. 23, 1951

3125 Gwynns Falls Pkwy.
Balto. 16, Md.

Answer of Minnie Collison
 Filed Nov. 23, 1951

J. M. ROBINSON, ET AL
 VS.
 JOHN COLLISON, ET AL

* IN THE CIRCUIT COURT FOR
 * QUEEN ANNE'S COUNTY
 * IN EQUITY
 CAUSE NO. 3757

* * * * *

A N S W E R

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Minnie Collison, by Noah A. Hillman, her Solicitor, to the Bill of Complaint in this Court, respectfully shows:

1. That so far as she knows the allegations contained in the Bill of Complaint in paragraphs One, Two, Three and Four are correct.
2. That she admits the allegations contained in paragraph Five of said Bill; and further answering this paragraph she shows that her late husband, David Collison, left no bills outstanding nor unpaid debts; the the left no property, except his interest in the property mentioned in this case, and hence no Administration has been had on his Estate.
3. That so far as she knows the allegations contained in paragraphs Six, Seven, Eight, Nine and Ten are correct.
4. Further answering said Bill of Complaint this Defendant shows that her interest in this proceeding has been correctly stated by the Plaintiffs and that she believes the prayers of the Plaintiffs ought to be granted.

WHEREFORE, having answered the Bill of Complaint fully, she prays to be dismissed, with costs.

AND, as in duty bound, etc.

NOAH A. HILLMAN
 Solicitor for Minnie Collison,
 Defendant

Answer of Stanley Lewis
 Filed Nov. 23, 1951

J. M. ROBINSON et al.
 VS.
 JOHN COLLISON et al.

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Stanely Lewis to the Bill of Complaint against him et al. exhibited in this case, says:

That he admits the matters and facts set forth in said Bill of Complaint, hereby waives notice of the taking of depositions and has not depositions he desires to take, and consents to the passage of such a decree as is right and proper in the premises.

STANLEY LEWIS
 Stanley Lewis

Filed Nov. 23, 1951

Answer of Marvin Lewis
 Filed Nov. 23, 1951

J. M. ROBINSON et al.
 VS.
 JOHN COLLISON et al.

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Marvin Lewis to the Bill of Complaint against him et al. exhibited in this cause, says:

That he admits the matters and facts set forth in said Bill of Complaint, hereby waives notice of the taking of depositions and he has no depositions he desire to take, and consents to the passage of such a decree as is right and proper in the premises.

MARVIN LEWIS
 Marvin Lewis

Filed Nov. 23, 1951

Answer of Pearl Collison, Beverly
Maier, Willard H. Maier, Ruby Collison
Smith Basil L. Smith, Elsie W. Hutchinson
Oneely Hutchinson
Filed Nov. 24, 1951

J. M. ROBINSON, et al

vs.

John Collison, et al

In The Circuit Court For

Queen Anne's County In

Equity ... No. 3757

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Answer of Pearl Collison, Beverly Maier and Willard H. Maier, her husband, named in the bill as Maier, husband of Beverly Maier, Ruby Collison Smith, set forth in said bill as Ruby Smith, and Basil L. Smith, her husband, set forth in said bill as Basil Smith, and Elsie W. Hutchinson, set forth in said bill as Elsie Hutchins, and Oneely Hutchinson, her husband, set forth in said bill as Neely Hutchins, Defendants, by J. Thomas Clark, their attorney, to the Bill of Complaint exhibited against them in this Honorable Court in this cause, respectfully set forth:

These Defendants admit the matters and facts alleged in said Bill of Complaint, and hereby expressly consent to the passage of such order or decree as may be just and proper in the premises.

Respectfully submitted,

J. THOMAS CLARK
Attorney for above named defendants

Service of copy of foregoing answer hereby admitted this 24th day of November, 1951.

RICHARD T. EARLE
Attorney for plaintiffs

Filed Nov. 24, 1951

Petition for Decree Pro Confesso
& Order of Court
Filed Nov. 26, 1951

J. M. ROBINSON, et al.,

VS.

JOHN COLLISON et al.

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

Cause No. 3757

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Complainants by Richard T. Earle, their attorney, to your Honors respectfully shows:

That the Defendants, John Collison and Susie Collison, his wife, Eva Suitt and Fulton Suitt, her husband, Mary Collison, Yotive Dawson and D. C. Dawson, her husband, Auvery Collison, George Hardesty, Kirwan Hardesty and Lizzie Hardesty, his wife, Wallace Hardesty and Virginia Hardesty, his wife, Knox Hardesty, Marlyn Stommel and Charles Stommel, her husband, Elizabeth Hatchell, Mamie Simmons and Step Simmons, her husband, Alma Cunningham, Mary Purdy and Walter Purdy, her husband, Annie M. Beard and Rutland Beard, her husband, Annie Brown, Albert Lewis, Myrtle Young and William Young, her husband, and R. Wilson Carr have been duly summoned, as shown by the return of subpoenas issued in this cause, but although the time named in said subpoenas for them to appear has long since passed they and each of them have failed to enter their appearance either in person or by solicitor, wherefore your Complainants crave a decree pro confesso against them.

Respetfully submitted.

RICHARD T. EARLE
Atty. for Patitioners.

Filed Nov. 26, 1951

ORDER OF COURT

It appearing that the within named Defendants having been summoned and having failed to appear either in person or by solicitor, IT IS THEREUPON this 1st day of December, 1951, ORDERED that the Bill of Complaint be and it is hereby taken pro confesso against the defendants, John Collison and Susie Collison, his wife, Eva Suitt and Fulton Suitt, her husband, Mary Collison, Yotive Dawson and D. C. Dawson, her husband, Auvery Collison, George Hardesty, Kirwan Hardesty and Lizzie Hardesty, his wife, Wallace Hardesty and Virginia Hardesty, his wife, Knox Hardesty, Marlyn Stommel and Charles Stommel, her husband, Elizabeth Hatchell, Mamie Simmons and Step Simmons, her husband, Alma Cunningham, Mary Purdy and Walter Purdy, her husband, Annie M. Beard and Rutland Beard, her husband, Annie Brown, Albert Lewis, Myrtle Young and William Young, her husband, and R. Wilson Carr and leave is hereby granted to the Complainants to take depositions to prove the allegations of the Bill of Complaint.

Filed Dec. 1, 1951.

WM. R. HORNEY
Judge

Examiners Report and Depositions
Filed Dec. 12, 1951

J. M. ROBINSON et al.,
VS.

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

JOHN COLLISON et al.

Cause No. 3757.

REPORT OF EXAMINER AND DEPOSITIONS.

The undersigned, one of the Regular Examiners of this Court, at the request of Richard T. Earle, Atty. for Complainants, I went to the office of the said attorney on Tuesday, December 11th., 1951, at 10.30 A.M. and took the depositions of the first two witnesses attached hereto, and on Wednesday, December 12 at 11 A.M. I took the depositions of the third witness hereto.

Respectfully submitted

HARRY C. BUTLER
One of Regular Examiners

The first witness called by the Complainant, being of lawful age, deposes and says:

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

A. My name is Edward E. Coursey, I am a residence of Grasonville, Maryland, I am a retire Oyster Packer and now Register of Wills for Queen Anne's County, Md.

2nd. Int. This is a cause wherein the heirs at law of Nicholas G. Collison are seeking to have the real estate of which Nicholas G. Collison died seized and possessed and a distribution of the net proceeds, are you familiar with said property?

A. Yes, I am familiar with same, the land is improved by a two story frame dwelling, not in very good condition, close by Kinsley Church on Kent Island, which property has been occupied by until recently by the widow of Nicholas G. Collison.

Is this property in your opinion susceptible of division without loss or injury, if not, why not?

A. It is not, because the main value of the property is the dwelling house.

4th. Int. I hand you now a deed to the said Nicholas G. Collison from James Booker dated the 2nd. day of December, 1896, is that the property wherein the widow of the said Nicholas G. Collison lived until recently and is known as the Nicholas G. Collison Property.

A. It is.

5th. Int. Is this property susceptible of division without loss and injury, among the parties to this cause?

A. No, the main value of same is a two story frame dwelling house and therefore it can not be divided.

6th.. Are you familiar with land values in that neighborhood, and if so, what in your opinion is the value of the property of which said Nicholas G. Collison died seized and possessed?

A. I am, I have owned several properties not too far removed from same, also as director of The Stevensville Bank of Maryland, I have passed on many properties in that neighborhood for mortgage purpose, I would consider \$2,500.00 a good price for same.

Examiner's Special.

A. No

EDWARD E. COURSEY

The next witness called by the Complainants, being duly sworn, deposes and states.

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

A. My name is Walter Jewell, I am a resident of Grasonville, I have retired from Business, I am one of the Election Supervisors for the County and am a director of The Stevensville Bank of Maryland.

2nd. Int. This is a suit wherein the heirs at law of the daughter of Nicholas G. Collison are seeking to sell the real estate of which Nicholas G. Collison, died seized and possessed and divide the net proceeds, are you familiar with this property.

A. Yes I am familiar with this property, it was occupied for many years by the widow of the said Nicholas G. Collison.

3rd. Int. Inow hand you a deed to the said Nicholas G. Collison from James Booker, from the description set forth in said deed, is that the property known as The Nicholas G. Collison, and of which he died seized and possessed.

A. Yes.

4th. Int. Is this property susceptible of division among the heirs of Collison or his daughters, without loss or injury, if not why not?

A. No., the main value of this property is a dwelling house.

5th. Are you familiar with land values in that neighborhood and if so, what is a fair value for this property.

A. Yes, both individually and as a director of The Stevensville Bank of Maryland, I think \$2,500.00 a fair value.

WALTER JEWELL

The third witness called by the complainant, having been duly sworn, deposes and states.

Int. 1 State Name, residence, age and occupation?

A. My Name is Laura P. Carr, I live at Davidsonville, Anne Arundel County, Maryland, I am 74 years of age, I have no occupation, except as housekeeper.

Int. 2 Mrs. Carr, this is a suite wherein we are endeavoring to sell the real estate formally belonging to Nickolas G. Collison and which upon his death descended to his daughter, subject to his widow's dower. And involves the heirs of his daughter, Margie Collison, do you know the heirs at law of Margie Collison.

A. I knew Nickolas G. Collison, he was my brother. He was killed in an accident in 1900, and left no will nor has his estate been administered on as far as I know. He left surviving him a widow, by the name of Georgianna Collison, who I am advised was married once or twice after the death of my brother and died recently under the name of Georgiana Harrison; he also left one child, a daughter by the name of Margie Collison, who married in 1909 a man by the name of J. M. Robinson, who I understand is still alive, Margie Robinson died in 1910, leaving her husband surviving but no children nor descendent of any child or children, and leaving no will and her estate has never been administered on to my knowledge.

Int. In 1910 Mrs. Carr, did you know any brothers and sisters of Nickolas G. Collison then living, and if so what were their names and if any have since died give us the date of their death?

A. I am a sister of Nickolas G. Collison, there were brothers and sisters of Nickolas G. Collison beside myself living in 1910 as follows: Benjamin Collison, who died intestate in 1914 and I know of no letters granted on his estate; Thomas E. Collison, a brother of Nickolas died intestate after the death of Nickolas G. Collison and no letters of administration have been granted on his estate; David Collison a brother of Nickolas G. Collison survived Nickolas G. Collison and died intestate; Mary E. Lee a sister of Nickolas G. Collison survived him and died intestate and no letters of administration had been granted on her estate; that Sarah C. Petty a sister of Nickolas G. Collison, survived him and has since died intestate and no letters of administration have been granted on her estate; that Susan A. Brown, a sister of Nickolas G. Collison survived him and has since died intestate and no letters have been granted her estate; and that I am the only living brother or sister living of Nickolas G. Collison and that his mother and father are both dead.

Int. 4. Mrs. Carr, you have stated that Thomas E. Collison died intestate do you know who the heirs of Thomas E. Collison are, their residence, if they are married or not, or whether they are adults or not?

A. Thomas E. Collison left the following heirs at law to wit:
John Collison, a son, adult who was married to Susie Collison and they reside at Mayo, Anne Arundel County, Maryland; Edward Collison a son, was married to May Collison, both adults and they both reside at Anne Arundel County, Maryland; Eva Suitt a daughter who is married to Fulton Suitt, both adults, and they both reside at 4222 Thirtieth Street Mount Rainer, Prince George's County, Maryland; a son Ernest Collison died intestate this year and no letters of administration have been granted on his estate, and he left surviving him as his heirs at law, his widow, Mary Collison who is an adult and resides at Mayo, Anne Arundel County, Maryland and a daughter Yevette Dawson who is married to D. C. Dawson, both adults and they reside at Glen Burnie, Maryland, and also a son Aubrey Collison, who is an adult and he resides at Mayo; also Thomas E. Collison had a daughter named Sedonia who married George Hardesty and Sedonia died intestate in 1934 and no letters of administration have been made on her estate, leaving the following heirs at law surviving her to wit: George Hardesty surviving husband adult, lives at Mayo, a son, Kirwin Hardesty who is married to Lizzie Hardesty, both adults and they reside at Mayo, a son, Wallace Hardesty who is married to Virginia Hardesty, both adults and they reside at Mayo, a son Knox Hardesty adult and he resides at Mayo, a daughter Marilyn Stommell who is married to Charles Stommell both adults and they reside at 4222 Thirtieth Street, Mount Rainer, Prince George's County, Maryland, they are all the heirs of Thomas E. Collison.

Int. 5 Mrs. Carr, Benjamin Collison your brother and a brother of Nicholas G. Collison is he living or dead, and if dead who are his heirs?

A. My Brother Benjamin Collison died intestate in 1914 and no letters of administration have been granted on his estate and he left surviving him as his heirs at law the following to wit: A daughter Myrtle Young, who is married to William Young, both adults and they reside on Conduit Street Annapolis Maryland, a daughter Ruby Smith who is married to the Basil Smith, both adults and reside at 105 C. Street, St. David's Park, St. David's Pa., a son Paul Collison survived his father and died intestate and no letter of administration have been granted on his estate he left as his only heir at law a widow, Pearl Collison; who resides at Chester, Virginia, Roy Collison a son of Benjamin Collison survived have been granted on his estate, he left surviving as his heirs a widow, who has since married Milton Finch, and they are employed at Samuel Kirk and Son, Baltimore, Md., that is all the heirs at law of Benjamin Collison.

Int. 6 Is your brother David Collison dead or living, and if dead who are his heirs at law?

A. My brother David Collison who is also a brother of Nicholas G. Collison, died about the year 1950, intestate, and no letters of administration have been granted on his estate, he left no child or children or or descendants of any child or children, surviving him, and neither father or mother, but a surviving widow, Minnie Collison, who resides at Mayo.

Int. 7 Is your sister and the sister of Nicholas G. Collison, Mary E. Lee living or dead, and if she is dead, who are her heirs at law?

A. That the said Mary E. Lee died intestate in 1934 and no letters of administration have been granted on her estate, and that she left surviving her as her only heirs at law the following to wit: A daughter, Mammie Simmons who is married to Step Simmons and they reside at Annapolis Maryland and are both adults, a daughter Elizabeth Hatchell a widow, an adult and she resides at 319 Washington Street East Port Anne Arundel County, Maryland, a daughter Alma Cunningham a widow, adult and she resides in the Cooper Apartments, Annapolis, Maryland, a son Edward Lee, unmarried, adult resides on Wagner Street Annapolis, Maryland, that Virginia Lee a daughter of Mary E. Lee, married William Smith and died intestate and that no letters of administration have been granted on her estate and she left surviving her as her heirs at law, the following to wit: William Smith, surviving husband, William Smith Jr. a son, and Edith Robinson a daughter who is married to Robert Robertson the all adults, and reside at 1220 McKinley Street, East Port, Anne Arundel County, Maryland.

Int. 8 Is Sarah C. Petty, your sister and sister of Nicholas G. Collison alive or dead, and if dead who are her heirs at law?

A. Sarah C. Petty, my sister and sister of Nicholas G. Collison died intestate in 1922, and no letters of administration have been granted on her estate, and she left surviving her as her heirs at law the following to wit: a daughter Estella Gibson, who is a widow an adult and lives at 3125 Gwyn Fall Parkway Baltimore, Maryland, and a daughter, Elsie Hutchins and is married to Neely Hutchings both adults and they reside at 1824 Ewing Avenue, Charlotte, North Carolina.

Int. 9 Is your sister Susan E. Brown and the sister of Nicholas G. Collison, dead or living, and if dead who are his heirs at law?

A. Susan E. Brown, died intestate in 1951, and no letters of administration have been granted on her estate and she left surviving her as her heirs at law the following: a son Herbert Brown, who is married to Gertrude Brown, both adults and they reside in Baltimore Maryland, a daughter Mary Purdy, who is married to Walter Purdy both adults and reside at Edgewater, Anne Arundel County, Maryland a son Dewitt Brown, predeceased his mother and died intestate and no letters of administration have been granted on his estate and he left surviving him a widow, Annie Brown who lives on Linden Avenue, Annapolis, Maryland and a daughter Beverly Maier her husband name I can't recall and they reside at 1105 44th Place Washington S. E. D. C., a daughter Anne M. Beard, who is married to Rutland Beard, both adults and they reside at 5637 New Edmondson Avenue, Catonsville, Maryland, that Pearl Lewis a daughter of Susan Brown, died prior to the death of Susan Brown, died intestate and no letters of administration have been granted on her estate, and that she left surviving her as her heirs at law, the following to wit: a son Albert Lewis, who resides at 108 East Woodbine Street, Chevy Chase Maryland an adult, and unmarried, a son Stanley Lewis an adult and unmarried resides at 4922 Deal Drive, Washington D.C. Apartment 306, a son Marvin Lewis, unmarried and he resides at 4922 Deal Drive, Washington D.C. Apartment 306.

Int. 10 Mrs. Carr, are you married or single and if you have a husband and where does he live?

A. I am married, my husband's name is R. Wilson Carr, and he resides at Mayo, Anne Arundel County, Maryland.

Int. 11 Did you Mrs. Carr, ever visit your brother Nicholas G. Collison, when he resided on the property near Kingsley Church, on the Crab Alley Neck road?

A. I did.

Int. 12 Mrs. Carr, I now hand you a certified copy of the deed, dated the second day of December, 1896, to your brother Nicholas G. Collison, signed by James H. Booker, from the description as set forth in said deed, do you think that it is the same property of which Nicholas G. Collison died intestate, ceased and possessed?

A. It is.

Examiner Special.

A. I have stated all that I know.

LAURA P. CARR

The Complainant stated that he had no further depositions to offer and request that depositions taken be filed.

Two witnesses waived fee and expenses.

Mrs. Carr requested fee and .10 per mile for 100 miles

HARRY C. BUTLER

One of regular examiners.

Filed Dec. 12, 1951

Answer of Myrtle and William Young
Filed December 29, 1951

J. M. ROBINSON, et al.

vs

JOHN COLLISON
SUSIE COLLISON, his wife.
MYRTLE YOUNG
WILLIAM YOUNG, her husband,
et al.

:
: IN THE CIRCUIT COURT
:
: FOR
:
: QUEEN ANNE'S COUNTY,
:
: IN EQUITY.
:
: Case No.

: : : : :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Myrtle Young and William Young, her husband, to the Bill of Complaint filed in this case respectfully shows:

That they admit the allegations contained therein so far as it affects their interest in the property of the late Nicholas G. Collison and consent to the passage of such a decree as may be proper in the premises.

AND as in duty bound, etc.

R. TILGHMAN BRICE, III
R. Tilghman Brice, III
Lee Building, Annapolis, Maryland
Solicitor for the defendants,
Myrtle Young and William Young.

MYRTLE YOUNG
Myrtle Young
WILLIAM O. YOUNG
William Young

Filed Dec. 29, 1951

Military Affidavit.
Filed Jan. 16, 1952

J. M. Robinson et al.,

vs.

John Collison et al.

In the Circuit Court for Queen
Anne's County, in Equity.
Cause No. 3757

MILITARY AFFIDAVIT

I hereby certify that on this day of January, 1952, before me, the subscriber, a Notary Public of the State of Maryland in and for Anne Arundel County, personally appeared Laura P. Carr, one of the Plaintiffs in the above entitled cause and made oath in due form of law that The defendants, John Collison and Susie Collison, his wife, Eva Suitt and Fulton Suitt, her husband, Mary Collison, Yevie Dawson and D. C. Dawson, her husband, Auvery Collison, George Hardesty Kirwan Hardesty and Lizzie Hardesty, his wife, Wallace Hardesty and Virginia Hardesty, his wife, Knox Hardesty, Marlyn Stommel and Charles Stommel, her husband, Elizabeth Hatchell, Mamie Simmons and Step Simmons, her husband, Alma Cunnginham, Mary Purdy and Walter Purdy, her husband, Annie M. Beard and Rutland Beard, her husband, Annie Brown, Albert Lewis, Myrtle Young and William Young, her husband, and R. Wilson Carr are not engaged in the Military Services of the United States nor have not been so engaged within three months prior to the making of this affidavit, this affidavit is made in conformity with The Soldiers and Sailor Civil Relief Act.

LAURA P. CARR

HELEN S. WILLIAMS
Notary Public

Notary
Public
Seal.

Filed Jan. 16, 1952

Decree of Sale.

J. M. ROBINSON et al.,

vs.

JOHN COLLISON et al.

In the Circuit Court for Queen
Anne's County, in Equity
Cause No. 3757
#

The above cause standing ready for hearing and being submitted without argument and the proceedings being read and considered-ITS IS THEREUPON this 16th day of January in the year nineteen hundred and fifty two 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 purpose of

partition and that J. Thomas Clark and Richard T. Earle be and they are hereby appointed Trustees to make said sale, and that the course and manner of their proceedings shall be as follows: they shall first file with the Clerk of this Court a bond to the State of Maryland, executed by themselves, and a surety to be approved by this Court or the Clerk thereof, in the penalty of Three Thousand---Dollars (\$3000.00), if a corporate bond be given, or double that amount if a personal bond be given, conditioned for the faithful performance of the trust reposed in them by this decree, or to be reposed in them by any future decree or order in the premises: They shall then proceed to make said sale, having given at least three weeks notice by advertisement inserted in some newspaper or newspapers, published in Queen Anne's County, and such other notice as they 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 and insurance to be adjusted as of the day of sale, possession to be given upon ratification of sale, title papers, documentary and revenue stamps to be at the expense of the purchaser, and 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: and on obtaining a ratification thereof by the Court, and on the payment of the whole purchase money and not before, the said Trustees shall, by a good and sufficient deed to be executed acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her, or their heirs, the property and estate to him, her, or them sold, free, clear and discharged from all claims of the parties hereto, and those claiming by, from or under them of any 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 deduction of the costs of this suit and such commissions to the said Trustees as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust. And it is further ORDERED AND DECREED that at the time of the advertisement of said sale that Notice to Creditors of Nicholas G. Collison, Margie Collison Robinson, Thomas E. Collison, Ernest Collison, Sedonia Hardesty, Benjamin Collison, Paul Collison, Roy Collison, David Collison, Mary E. Lee, Sarah C. Petty, Susan A. Brown, DeWitt Brown, Pearl Lewis be given, directing them to file their claims, with proper vouchers thereto attached, with the Clerk of this Court, within ninety days from the date of the first insertion, which date shall be set forth in said Notice, or else be barred from payment out of the proceeds of sale.

WM. R. HORNEY
Judge

Filed Jan.16, 1952

Certified Copy of Bond
Filed March 5, 1952

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this 5th day of March in the year nineteen hundred and fifty-two the following bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, J. Thomas Clark and Richard T. and Richard T. Earle, both of Queen Anne's County, State of Maryland, as principals, and 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 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, 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 March, 1952.

Whereas the above bounden J. Thomas Clark and Richard T. Earle were appointed by a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 16th. day of January, 1952, Trustees to make sale of the real estate in a Cause in said Court entitled J. M. Robinson et al. vs. John Collison et al, being cause No. 3757 in said Court:

Now the Condition of the above obligation is such that if the above bounden J. Thomas Clark and Richard T. Earle 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 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:

KATHRYN DAWKINS

J. THOMAS CLARK (SEAL)
J. Thomas Clark

RICHARD T. EARLE (SEAL)
Richard T. Earle

Glens Falls Indemnity Co.

by L. HERMAN MEREDITH
Its Attorney-in fact

Corporate Seal

And at the foot of the foregoing bond is the following endorsement, to wit:

Security approved and Bond filed March 5, 1952.

T. Sorden Pippin, Clerk

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

I hereby certify that the foregoing was truly taken and copied from Liber A. S. G. Jr. No. 1, folio 262, 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 March in the year nineteen hundred and fifty-two.

Clerk's Seal.

T. SORDEN PIPPIN
Clerk

Petition for Notice to
Creditors
Filed March 28, 1952

J. M. ROBINSON et al., #
VS. # In the Circuit Court for Queen
JOHN COLLISON et al. # Anne's County, in Equity.
Cause No. 3757.
#

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Complainants, by Richard T. Earle, their attorney, to your Honors respectfully shows:

That the Bill of Complaint alleges and deposition proves that the hereinafter named parties had a vested interest in the real estate mentioned and described in these proceedings, that they died seized and possessed of same and that they died intestate and no letters of administration have been granted on their estate, said parties are as follows, to wit: Nicholas G. Collison, Margie Collison Robinson, Thomas E. Collison, Ernest Collison, Sedonia Hardesty, Benjamin Collison, Paul Collison, Roy Collison, David Collison, Mary E. Lee, Sarah C. Petty, Susan A. Brown, DeWitt Brown and Pearl Lewis. Wherefore your petitioners pray that a Notice to the Creditors of said parties be given commanding them to file their claims with proper vouchers thereto attached with the Clerk of this Court on or before the day of 1952, or else be barred from participating in the proceeds of the sale of the real estate herein described.

RICHARD T. EARLE
Atty. for Complainants.

Filed March 28, 1952

Order of Court

Richard T. Earle, Trustees in above & ^{J.} Thomas Clark cause is hereby directed to give notice to creditors in accordance with Section 117 of Article 93 of the Code.

WM. R. HORNEY
Judge

Filed March 28, 1952

Report of Sale
Filed April 7, 1952

J. M. ROBINSON, et al In The Circuit Court For
vs. Queen Anne's County In
JOHN COLLISON, et al Equity Chy #3757

REPORT OF SALE

To The Honorable, The Judge of Said Court:

The REPORT OF SALE of J. Thomas Clark and Richard T. Earle, Trustees, respectfully shows unto your Honor:

THAT your said trustees, having been duly appointed such by order of this Court on January 16th 1952, in the Decree of Sale of the hereinafter described real estate, and after duly qualifying by filing a corporate bond in the sum of Three Thousand Dollars, which was duly approved by the Clerk of the Court, did proceed to advertise the real estate to be sold in The Queenstown News, a newspaper printed and published in Queen Anne's County, Maryland, for four (4) successive weeks before the 5th day of April, 1952, a certified copy of said advertisement and the publication thereof being filed herewith.

On Saturday, April 5, 1952^m your Trustees did attend on the Premises, near Kingsley's Church on Kent Island, Queen Anne's County, Maryland, at 2:00 o'clock P.M., and by virtue of the Decree of Sale passed in this Cause, did offer the hereinafter described real estate at public sale to the highest bidder, after reading said advertisement of sale, through J. Elmer Anthony, Auctioneer, who, after crying said sale, for some time, did sell said real estate unto Thomas E. Collison, at and for the sum of Two Thousand Three Hundred Dollars (\$2,300¹⁰⁰) the said real estate being described as follows:

ALL that lot or tract of land, on the East side of road leading into Crab Alley Neck, near Kingsley Church, having a frontage on said road of 52½ feet, with a depth of 420 feet, containing ½ acre of land, more or less, improved by a two story frame dwelling in fair condition and other buildings being the same property granted and conveyed to Nicholas G. Collison by deed dated December 2, 1896 by James Booker, said deed being recorded in Liber W. H. C. No. 5, folio 324, etc. a Land Record Book for Queen Anne's County, and of which he died seized and possessed.

The terms of sale were those set forth in the advertisement and the additional announcement that two chicken houses located on the premises as well as several additional loose board laying against the side of the dwelling were the property of John Woithon the present tenant of this real estate hereinsold.

The Purchaser has complied with the terms of sale by payment of Seven Hundred Sixty Six Dollars and Sixty Seven Cents (\$766.67) on account of the purchase price.

The report states the amount of sale to be Two Thousand Three Hundred Dollars (\$2,300.00).

Respectfully submitted,

J. THOMAS CLARK
J. Thomas Clark, Trustee

RICHARD T. EARLE
Richard T. Earle, Co-trustee

STATE OF MARYLAND)
 (
QUEEN ANNE'S COUNTY) to wit:

THIS IS TO CERTIFY that on this 7th day of April, 1952, before the Subscriber, Clerk of The Circuit Court for Queen Anne's County, in Equity, personally appeared J. Thomas Clark and Richard T. Earle, Trustees, and they made oath in due form of law that the matters and facts set forth in the aforesaid Report of Sale were true and bona fide as therein set forth, and that the sale was fairly made;

IN TESTIMONY WHEREOF, I hereunto set my hand and official seal the day and year last above written.

Filed April 7, 1952

T. SORDEN PIPPIN
Clerk

PUBLIC SALE OF VALUABLE
REAL ESTATE

The undersigned by virtue of a Decree of the Circuit Court for Queen Anne's County, in Equity, dated January 16th., 1952, passed in a cause entitled "J. M. Robinson et al vs. John Collison et al.", will offer at public sale on SATURDAY, APRIL 5, 1952 at 2 o'clock P.M. On the premises, near Kingsley's Church on Kent Island all that lot or tract of land, on the East side of road leading into Crab Alley Neck, near Kingsley's Church, Having a frontage on said road of 52½ feet, with a depth of 420 feet, containing ½ acre of land, more or less, improved by a two story frame dwelling in fair condition and other outbuildings being the same property granted and conveyed Nicholas G. Collison by deed dated December 2nd., 1896, by James Booker said deed being recorded in Liber W. H. C. No. 5, folio 324 & etc., a Land Record Book for Queen Anne's County, and of which he died seized and possessed.

TERMS OF SALE: One third of the purchase money in cash on day of sale, the balance upon ratification of sale, or all cash on day of sale at the option of the purchaser, taxes and Fire Insurance premium to be adjusted to date of sale, possession to be given upon ratification of sale, Title papers, Internal Revenue and Recordation Stamps at the expense of the purchaser.

J. THOMAS CLARK,
RICHARD T. EARLE
Trustees

J. Elmer Anthony, Auctioneer

THE QUEENSTOWN NEWS

Queenstown, Md. April 7, 1952

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Public Sale of Valuable Real Estate in the case of J. M. Robinson et al, Vs. John Collison et al., 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 5th day of April 1952, and that the first insertion of said advertisement in said THE QUEEN ANNE'S NEWS, was on the 14th day of March 1952.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed April 7, 1952

ORDER NISI
Filed April 7, 1952

N I S I

J. M. Robinson, et al.,
VS
John Collison, et al.

) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) CHANCERY NO. 3757

ORDERED, This 7th. day of April A.D., 1952, that the sale of real estate made and reported in this cause by J. Thomas Clark and Richard T. Earle, trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th. 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 12th. day of May next.

The Report states the amount of sale to be \$2,300.00

T. SORDEN PIPPIN Clerk

Filed April 7, 1952

N I S I

J. M. Collison, et al.,
vs.
John Collison, et al.

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY
Chancery No. 3757

ORDERED, This 7th day of April 1952, that the sale of real estate made and reported in this cause by J. Thomas Clark and Richard T. Earle, trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th 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 12th day of May next.

The report states the amount of sales to be \$2,300.00

T. SORDEN PIPPIN,
Clerk.

True Copy:

Test: T. SORDEN PIPPIN
Clerk.

Filed April 7, 1952.

THE QUEENSTOWN NEWS

Queenstown, Md. May 19, 1952

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 J. M. Robinson, et al. Vs. John Collison, et al. Chancery No. 3757 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 12th day of May, 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 11th day of April 1952.

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed May 23, 1952

NOTICE TO CREDITORS

All creditors of NICHOLAS G. COLLISON, MARGIE COLLISON, ROBINSON, THOMAS E. COLLISON, ERNEST COLLISON, SEDONIA HARDESTY, BENJAMIN COLLISON, PAUL COLLISON, ROY COLLISON, DAVID COLLISON, MARY E. LEE, SARAH C. PETTY, SUSAN A. BROWN DEWITT BROWN and PEARL LEWIS are hereby notified that they must file their claims with proper vouchers attached, against said decendants with the Clerk of the Circuit Court for Queen Anne's County, in Equity within ninety (90) days from April 5th, 1952, or be excluded from participating in the proceeds of sale of the real estate of which the decents died seized and possessed.

J. THOMAS CLARK
RICHARD T. EARLE

Trustees in Chancery No. 3757

THE QUEENSTOWN NEWS

Queenstown, Md. May 22, 1952

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Notice to Creditors in the case of Nicholas G. Collison, Et al. 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 successive weeks before the 4th day of June 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 4th day of April 1952.

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed May 23, 1952

Petition for substitution of Purchaser
and Order of Court
Filed June 12, 1952

J. M. Robinson et al., # In the Circuit Court for Queen
VS. # Anne's County, in Equity.
John Collison et al. # Cause #3757

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Thomas E. Collison to your Honors respectfully shows:

That he is the purchaser of the property mentioned and described in these proceedings, that he has paid one third of the purchase money and is now ready and willing to pay all balance and to comply fully with the terms of sale, that he desires said property to be conveyed to himself and Etta May Collison his wife, as tenants by the entireties and that they be substituted as purchasers in his place and stead.

Respectfully submitted.

THOMAS E. COLLISON

We, the undersigned Trustees consent to said substitution.

J. THOMAS CLARKRICHARD T. EARLE

Trustees

Filed 6/12/52

The foregoing Petition and consent of Trustees to same, having been read and considered, IT IS THEREUPON this 13th day of June, 1952, by the Circuit Court for Queen Anne's County, ORDERED that Thomas E. Collison and Etta May Collison, his wife, be and they hereby are substituted as purchasers of the real estate herein mentioned and described in the place and stead of the said Thomas E. Collison.

WM. R. HORNEY

Judge

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Queen Anne's County, in Equity, this 13th day of June, That the sale of real estate made and reported in this Cause by J. Thomas Clark and Richard T. Earle, Trustees, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as required by the preceding Order Nisi, and the Trustees are allowed the usual commissions and such proper expenses, not personal, as they shall produce vouchers for to the Auditor.

WM. R. HORNEY

Judge

Filed June 13, 1952

J. M. ROBINSON et al., # IN THE CIRCUIT COURT FOR QUEEN
VS. # ANNE'S COUNTY, IN EQUITY.
JOHN COLLISON et al. # Cause # 3757.

PETITION FOR SPECIAL AUDITOR.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This cause stands ready for auditing and distribution and the Trustees are advised by Howard Wood, 3rd., Court Auditor, that he would appreciate the appointment of a special auditor to serve in this cause.

Wherefore the said Trustee respectfully prays this Honorable Court to appoint a Special Auditor in this Cause.

Respectfully submitted,

J. THOMAS CLARK

RICHARD T. EARLE
Trustees

Filed July 11, 1952

ORDER OF COURT.

The foregoing petition having been read and considered, IT IS THEREUPON this 11th day of July, 1952, ORDERED by the Circuit Court for Queen Anne's County, in Equity that Vachel A. Downes Jr., be and he is hereby appointed Special Auditor in this cause.

WM. R. HORNEY
Judge

Filed July 11, 1952

AUDIT
Filed July 14, 1952

J. M. ROBINSON, et. al.

vs.

JOHN COLLISON, et. al.

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3757

* * * * *

REPORT AND ACCOUNT OF SPECIAL AUDITOR

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report and Account of Vachel A. Downes, Jr., Special Auditor appointed by this Honorable Court by its Order dated the 11th day of July, 1952, respectfully shows:

That after taking the oath prescribed by law, he has proceeded to state the audit in the following manner, to wit:

Your special auditor has charged J. Thomas Clark and Richard T. Earle, trustees, with the gross proceeds of the purchase money from the sale in this cause mentioned and with rents collected by said trustees from said real estate, and has then allowed said trustees all their expenses, not personal, upon producing vouchers for the same, showing payment.

John M. Robinson, surviving widower of Margie Collison, who had a one-third interest in the estate of which his said wife died seized and possessed, has been allowed one-tenth of the net proceeds of sale, under the Equity Rules of this Honorable Court, he being now sixty-seven years of age. (See Miller on Equity Procedure, Equity Rules of the Circuit Court for Cecil County, adopted by this Court, being Rule 25, allowance in lieu of dower) The balance was then distributed among those entitled thereto, allowing to Laura P. Carr, assignee, the one-seventh interest of Minnie E. Collison, in accordance with an assignment filed with this audit.

Since this estate vested in 1910, the money distributed to John M. Robinson, as well as the proceeds distributed to the collateral heirs as is more fully set out by this audit, is not subject to State Inheritance Taxes, as the law in 1910 exempted from the share of each distributee the sum of Five Hundred Dollars (\$500.00) before any tax attached. (Bagby's Annotated Code of Maryland, Volume II, Article 81, Section 120) According to Hall Hammond, Attorney General of the State of Maryland, in reply to a query of the said trustees, if any of the children of Nicholas Collison had received Five Hundred Dollars (\$500.00) in real or personal property upon his death in 1900, the distributive share of any person receiving such an amount would now be taxable at the rate of Five Percent (5%).

It appears that Nicholas G. Collison died intestate in the year above mentioned and that there has been no administration upon his estate by the Orphan's Court for Queen Anne's County, or any other similar Court, However, the trustees report that from their investigation of the matter, none of the distributees hereunder, or their deceased parents, received absolutely nothing from the personal estate of Nicholas G. Collison, and that his only real estate was sold under these proceedings. Thus it appears that no Inheritance Tax is due upon any distributive share hereunder.

Respectfully submitted,

VACHEL A. DOWNES JR.
Vachel A. Downes Jr.
Special Auditor

Filed July 14, 1952

The proceeds of sale of the real estate of which Nicholas G. Collison died seized and possessed, together with rents collected by the Trustees in this Cause IN ACCOUNT WITH J. Thomas Clark and Richard T. Earle, Trustees appointed in this cause to make sale of said real estate.

CR.

| | |
|--|---------------|
| By gross amount of the proceeds of sale of said real estate as per report of sale filed in this cause by said Trustees - - - - - | \$2,300.00 |
| By rents collected by said Trustees from said real estate - - - - - | <u>106.00</u> |
| | 2,406.00 |

DR.

| | | |
|--|----------|---------------|
| To J. Thomas Clark and Richard T. Earle, Trustees, their commissions - - | \$140.77 | |
| To T. Sorden Pippin, Clerk of Court, his costs - - - - - | 215.45 | |
| To J. Thomas Clark, Appearance Fee for some of defendants - - - - - | 10.00 | |
| To Richard T. Earle, Appearance fee for Complainants - - - - - | 10.00 | |
| Bond Premium of Trustees - - - - - | 12.00 | |
| State and County taxes for the year 1951 - - - - - | 14.28 | |
| Adjustment of Taxes for the year 1952 - - - - - | 7.04 | |
| J. Elmer Anthony, Auctioneer - - - - - | 30.00 | |
| Advertising of sale of real estate, Queenstown News - - - - - | 24.35 | |
| Queenstown News, Nisi on Report of Sale - - - - - | 5.00 | |
| Queenstown News, Notice to Creditors - - - - - | 5.00 | |
| Vachel A. Downes, Jr., for making audit - - - - - | 18.00 | |
| Queenstown News, Nisi on audit - - - - - | 5.00 | |
| Total Expenses For Distribution | | <u>496.80</u> |
| | | 1909.11 |

Distributed the same as follows, to wit:

J. M. Robinson, surviving husband of Margie Collison Robinson, who is now 67 years of age, a 1/10 part thereof - - - - - 190.91

To the heirs of Thomas E. Collison, deceased, an undivided 1/7 interest of said balance, or \$245.46

| | |
|----------------------------|-------|
| John Collison - - - - - | 49.09 |
| Edward Collison - - - - - | 49.09 |
| Eva Suitt - - - - - | 49.08 |
| Mary Collison - - - - - | 16.36 |
| Yevie Dawson - - - - - | 16.36 |
| Auvery Collison - - - - - | 16.36 |
| George Hardesty - - - - - | 16.36 |
| Kirwin Hardesty - - - - - | 8.19 |
| Wallace Hardesty - - - - - | 8.19 |
| Knox Hardesty - - - - - | 8.19 |
| Martyn Stommel - - - - - | 8.19 |

To the heirs of Benjamin Collison, deceased, an undivided 1/7 interest of said balance of \$245.46

| | |
|-----------------------------|-------|
| Myrtle Young - - - - - | 61.37 |
| Ruby Smith - - - - - | 61.37 |
| Pearl Collison - - - - - | 61.36 |
| Mrs. Milton Finch - - - - - | 61.36 |

To the heirs of David Collison, a 1/7 interest therein to Launa P. Carr, assignee of Minnie Collison, only heir at law of David Collison, deceased, or \$245.46

To the heirs at law of Sarah C. Petty, a deceased sister of Nicholas G. Collison, deceased, a 1/7 part thereof, or \$245.46

| | |
|--------------------------|--------|
| Stella Gibson - - - - - | 122.73 |
| Elsie Hutchins - - - - - | 122.73 |

To the heirs at law of Mary E. Lee, a deceased sister of Nicholas G. Collison, deceased, a 1/7 part of net proceeds or \$245.46

| | |
|-------------------------------|-------|
| Mamie Simmons -c-c-c- - - - - | 49.10 |
| Elizabeth Hatchell - - - - - | 49.09 |
| Alma Cunningham - - - - - | 49.09 |
| Edward Lee - - - - - | 49.09 |
| William Smith - - - - - | 16.36 |
| William Smith, Jr. - - - - - | 16.36 |
| Edith Robinson - - - - - | 16.37 |

To the heirs at law of Susan A. Brown, deceased, a sister of Nicholas G. Collison, deceased, a 1.7 part of the net proceeds or \$245.45

| | |
|--------------------------|-------|
| Herbert Brown - - - - - | 49.09 |
| Mary Purdy - - - - - | 49.09 |
| Annie Brown - - - - - | 16.36 |
| Beverly Maier - - - - - | 32.71 |
| Annie M. Beard - - - - - | 49.09 |
| Albert Lewis - - - - - | 16.37 |
| Stanley Lewis - - - - - | 16.37 |
| Marvin Lewis - - - - - | 16.37 |

To Laura P. Carr, a sister of Nicholas G. Collison, deceased, a 1/7 interest or \$245.45.

Total Distributed \$1909.11

VACHEL A. DOWNES JR.
Special Auditor

NISI RATIFICATION OF AUDIT
Filed July 14, 1952

NISI RATIFICATION OF AUDIT

J. M. Robinson, et al.,) IN the Circuit Court
VS.) for Queen Anne's County
John Collison, et al.) in Equity
) Cause No. 3757

ORDERED, This 14th. day of July in the year nineteen hundred and fifty two, that the Report and Account filed in these proceedings by Vachel A. Downes, Jr. Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 9th. day of August, 1952; provided a copy of this order be published once a week in each of two successive weeks before the 2nd. day of August, 1952, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed July 14, 1952

Nisi Ratification of Audit

J.M. Robinson, et al., IN THE CIRCUIT COURT FOR
vs. QUEEN ANNE'S COUNTY
John Collison, et al. IN EQUITY
Cause No. 3757

ORDERED, This 14th day of July in the year nineteen hundred and fifty two that the Report and Account filed in these proceedings by Vachel A. Downes, Jr., Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 9th day of August, 1952; provided a copy of this order be published once a week in each of two successive weeks before the 2nd day of August, 1952, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN
Clerk.

True Copy:

Test: T. SORDEN PIPPIN
Clerk

Filed July 14, 1952

THE QUEENSTOWN NEWS

Queenstown, Md. Aug 7, 1952

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Nisi Ratification of Audit in the case of J. M. Robinson, et al., Vs. John Collison, et al. Cause No. 3757 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 2nd day of Aug. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 18th day of July 1952.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Aug 12, 1952.

ORDER OF COURT

Ordered this 12th day of August, 1952, that the foregoing Audit filed in this cause by Vachel A. Downes, Jr., Special Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although Notice appears to have been given in accordance with the Certificate of Publication of Nisi to said Audit.

WM. R. HORNEY
Judge

Filed Aug. 13, 1952

That for and in consideration of the sum of one dollar, and other good and valuable consideration, the receipt of which is hereby acknowledged, I do hereby assign, transfer and set over to the use of Laura P. Carr, her personal representatives and assigns, all of the net proceeds of the sale of the Collison Property, which sale was made and reported in Chancery Cause No. 3729 in the Circuit Court for Queen Anne's County, in Equity, which is due me under the Bill of Complaint filed in said cause. Witness my hand seal this 2nd day of July, 1952.

Witness: EMMA BURGESS

MINNIE E. COLLISON (SEAL)

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, to wit:

I hereby certify that on this 2nd day of July, 1952, before me, a Notary Public of the State of Maryland in and for Anne Arundel County, personally appeared Minnie E. Collison and acknowledged the foregoing assignment to be her act. In witness whereof I have hereunto subscribed my name and affixed my Notarial Seal the day and year last above written.

EMMA BURGESS
Notary Public

Filed July 14, 1952

To Richard T. Earle, Esq.,
Centreville, Md.

Dear Mr. Earle:

You are hereby authorized by me to appear for me in a suit to be instituted in the Circuit Court for Queen Anne's County, for the purpose of selling the real estate of which Nicholas G. Collison died seized and possessed, and I hereby agree to release said real estate or consent that the same may be sold free and clear of an dower that I as the husband of Margie Collison may have in same, accepting in lieu thereof whatever sum may be awarded me by the Court, at the time of the death of my wife, I was 25 years of age; and at that time I believe that Georgianna Collison ~~Collison~~, widow of Nicholas G. Collison was about 44 years of age, and both she and myself were in good health.

J. M. ROBINSON
J. M. Robinson

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eleventh day of June in the year nineteen hundred and fifty-two, the following Petition to sell real estate, affidavit & Order of Court was filed for record, to wit:

C A U S E NOS. 2736 and 3636

| | | |
|-----------------------------|---|----------------------|
| IN THE MATTER OF THE TRUST | * | IN THE CIRCUIT COURT |
| ESTATE OF | * | FOR |
| EUGENE CLAYTON CANN | * | QUEEN ANNE'S COUNTY |
| ***** | * | IN EQUITY |
| IN THE MATTER OF THE TRUST | * | |
| ESTATE FOR AND IN BEHALF OF | * | Consolidated Causes |
| EUGENE CLAYTON CANN CREATED | * | No. 2736 and 3636 |
| BY ITEM SIX OF THE WILL OF | * | |
| LILLIAN A. CANN, DECEASED | * | |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Clayton C. Carter, Successor Trustee for Eugene Clayton Cann in the above entitled causes, unto your Honors respectfully shows:

1. That a part of the corpus of these trust estates consists of an undivided one-half interest of, in and to the tract of land or farm, known as "Chesterfield" and called, for the purpose of identification in these trust estates, "The Eugene A. Cann Farm Property" situate in the Third Election District of Queen Anne's County, State of Maryland, in part, on the left side of the public road known as U. S. Route No. 213 leading from Centreville to Church Hill in said County.

2. That by the provisions of the deed of trust dated January 24, 1928, your Petitioner is authorized to sell the real estate comprising a part of the principal or corpus of said trust estate therein mentioned and described, of which said farm is a part, if a sale thereof shall, in the opinion of your petitioner, be necessary, advisable or to the interest and advantage of the said Eugene Clayton Cann, either at public or private sale, as may seem most advisable, at such time or times and for such price or prices and upon such terms as may be deemed best, and to grant and convey the same to the purchaser or purchasers thereof.

3. That by Item Six of the Last Will and Testament of Lillian A. Cann, dated June 4, 1930, your Petitioner is authorized to convert, sell, invest and reinvest the property therein devised in trust, of which said farm is a part.

4. That your Petitioner has received from E. Price Cronshaw and Franklin L. Cronshaw, Co-partners, trading as Cronshaw Brothers, of Queen Anne's County aforesaid, a cash offer of Four Hundred and Fifty Dollars (\$450.00) for the said undivided one-half interest of your Petition of, in and to a lot or parcel of land, a part of the tract or farm known as "Chesterfield" and beginning at the southeast corner of the tract of land to be conveyed where the same corners with Lot No. 8, Block C, on the Plat entitled "Corsica Hills" made by J. B. Metcalfe, Surveyor, on February, 1951, and recorded among the Land Records of Queen Anne's County in Liber T.S.P. No. 1, folio 270, and running thence N 24° 59' W 15 feet to a concrete monument and thence continuing the same course 171.5 feet to another concrete monument, thence S 49° 04' W to a point on the line of the lands of The Town Commissioners of Centreville, thence in a southeasterly direction along the line of the lands of The Town Commissioners of Centreville, the lands of the heirs of Washington Armstrong and the lands formerly of Christopher S. Thomas, now of Cronshaw Brothers, to a point on the line of public highway U. S. Route 213 of the State Roads Commission of Maryland, thence N 49° 46' E to the point of beginning.

5. That since the division line between the property to be conveyed and the adjoining lands of The Town Commissioners of Centreville, the Washington Armstrong heirs and the Christopher S. Thomas lot cannot be definitely established, your Petitioner desires to convey whatever right, title, interest and estate he may have as Successor Trustee in and to the land shown on a Plot of Survey of Property of Cronshaw Brothers made by Walter E. Woodford, Jr. on April 12, 1952 and attached hereto as a part hereof.

6. That your Petitioner alleges and believes that it is advisable and to the interest and advantage of the said Eugene Clayton Cann that the aforesaid offer be accepted and that said lot or parcel of land and all his right, title, interest and estate therein be sold to the said E. Price Cronshaw and Franklin L. Cronshaw, Co-partners, trading as Cronshaw Brothers.

Your Petitioner, therefore, prays this Honorable Court to pass an order authorizing, directing and empowering your Petitioner to accept the aforesaid offer for the said lot or parcel of land and that your Petitioner may be authorized and directed and empowered, upon the payment of the entire purchase money therefor, to grant and convey unto the said E. Price Cronshaw and Franklin L. Cronshaw, Co-partners, trading as Cronshaw Brothers, the said lot or parcel of land.

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 11th day of June, 1952, 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 things stated in the foregoing Petition are true to the best of his knowledge and belief.

T. SORDEN PIPPIN
Clerk

Filed June 11, 1952

ORDER OF COURT
Filed June 13, 1952

The foregoing Petition and Affidavit having been read and considered, it is thereupon, this 13th day of June, 1952, by the Circuit Court for Queen Anne's County, In Equity, and by the authority of said Court, ADJUDGED, ORDERED and DECREED that Clayton C. Carter, Successor Trustee for Eugene Clayton Cann in the above-entitled causes, be and he is hereby authorized empowered and directed to make sale to the said E. Price, Cronshaw and Franklin L. Cronshaw, Co-partners, trading as Cronshaw Brothers, of the lot or parcel of land described in the foregoing Petition, and all his right, title, interest and estate therein, at and for the sum of Four Hundred and Fifty Dollars (\$450.00); and

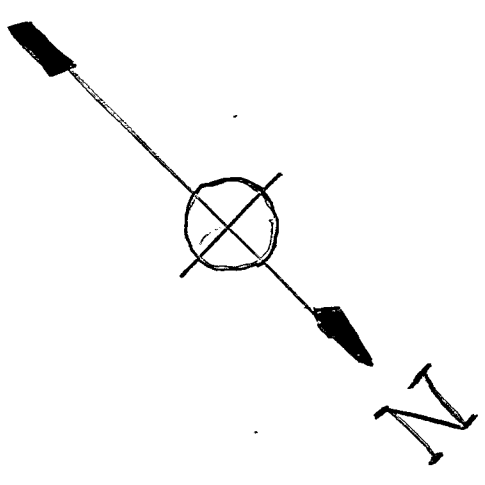
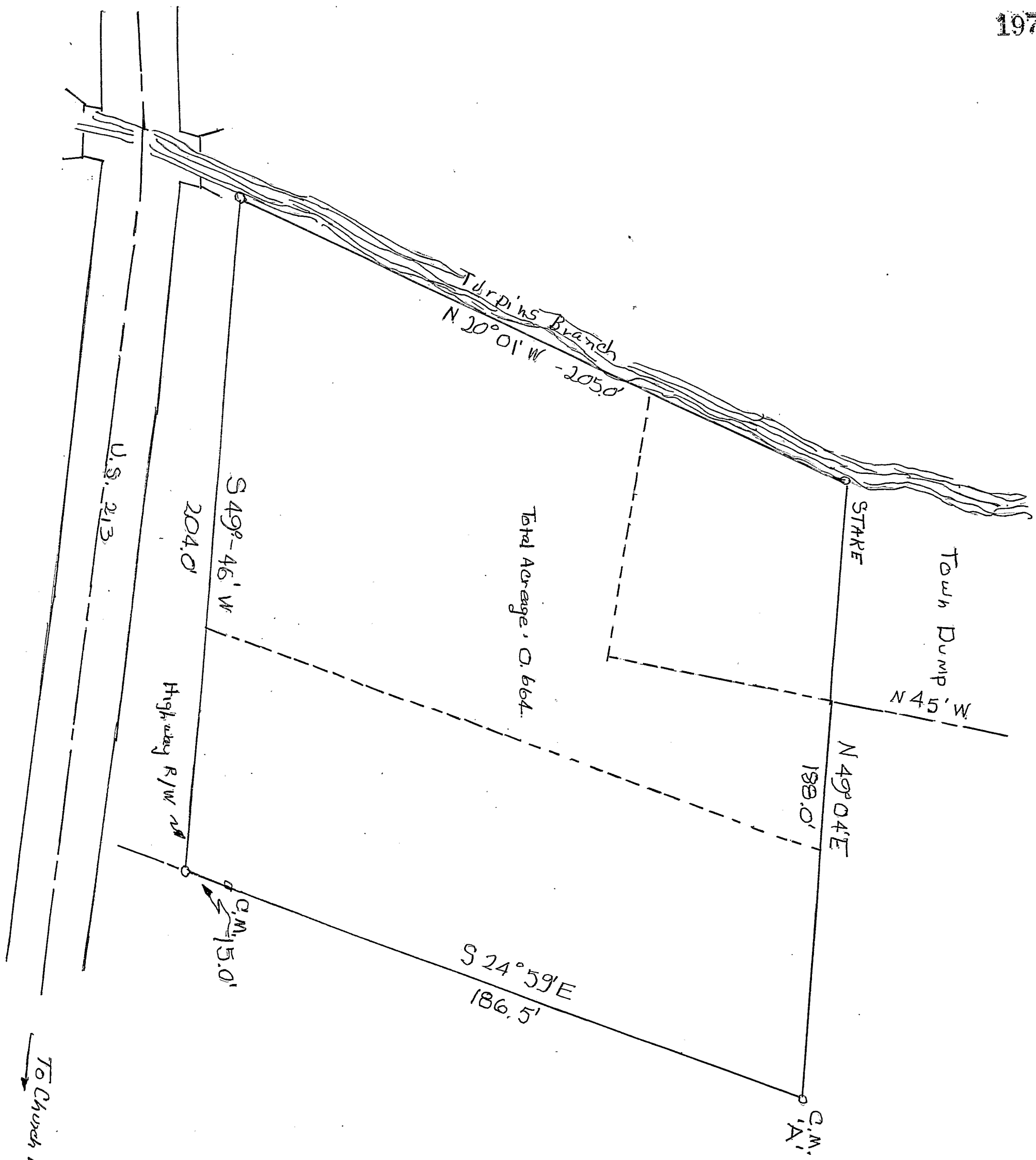
IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the said Clayton C. Carter, Successor Trustee as aforesaid, be and he is hereby authorized, empowered and directed, upon payment to him of the aforesaid purchase money, and not before, to grant and convey unto the said E. Price Cronshaw and Franklin L. Cronshaw, Co-partners, trading as Cronshaw Brothers, all his right, title, interest and estate in and to said lot or parcel of land; and

IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the said Clayton C. Carter, Successor Trustee as aforesaid, upon receipt of said purchase money, shall pay thereout the costs of the proceedings relating to said sale and shall invest the balance thereof under the future order of this Court for the benefit of his cestue que trust the same as if the proceeds had remained land, and subject to the same devolution of title as by said Deed of Trust and Last Will and Testament creating the aforesaid trust estates is provided.

Wm. R. HORNEY
Judge

Filed June 13, 1952

PLAT
Filed June 11, 1952



CORSICA HILLS DEVELOPMENT
Section "C"

LOT OF SURVEY
PROPERTY OF
CROWNSHAW BROS.
TOWN OF CENTREVILLE

3rd Election District, Q.A. Co
April 12, 1952

Surveyed by: Walter E. Woodford Jr
Approved by: W.D. Rutledge

Scale: 1"=30'

To Church Hill

Petition to sell land to
Board of Education
Filed June 25, 1952

IN THE MATTER OF THE TRUST

ESTATE OF

EUGENE CLAYTON CANN

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

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Consolidated causes

Nos. 2736 and 3636

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Clayton C. Carter, Successor Trustee for Eugene Clayton Cann in the above entitled causes, unto your Honors, respectfully shows:

1. That a part of the corpus of these trust estates consists of an undivided one-half interest of, in and to the tract of land or farm, known as "Chesterfield", and called, for the purpose of identification in these trust estates, "The Eugene A. Cann Farm Property", situate in the Third Election District of Queen Anne's County, State of Maryland, on the right side of the public road or street, known as Chesterfield Avenue or Wharf Lane, leading from the Town of Centreville to Centreville Landing.

2. That by provisions of the deed of trust dated January 24, 1928, your Petitioner is authorized to sell the real estate comprising a part of the principal or corpus of said trust estate therein mentioned and described, of which said farm is a part, if a sale thereof shall, in the opinion of your petitioner, be necessary, advisable or to the interest and advantage of the said Eugene Clayton Cann, either at public or private sale, as may seem most advisable, at such time or times and for such price or prices and upon such terms as may be deemed best, and to grant and convey the same to the purchaser or purchasers thereof.

3. That by Item Six of the Last Will and Testament of Lillian A. Cann, dated June 4, 1930, your Petitioner is authorized to convert, sell, invest and reinvest the property therein devised in trust, of which said farm is a part.

4. That your Petitioner received from the Board of Education of Queen Anne's County, in October 1949, a cash offer of Seven Hundred and Fifty Dollars, with interest to date of settlement, for the said undivided one-half interest of your petitioner of, in and to a lot or parcel of land, a part of the tract or farm known as "Chesterfield", bounded on the south by lands belonging to the Town of Centreville and lands of the Centreville High School, being bound on the west by lands belonging to John Palmer Smith, Barton, Cann and Eby, and being bounded on the north and east by the lands remaining unto your petitioner, and being more particularly described by metes and bounds, courses and distances, according to a plat and Certificate of Survey made by William H. Elliott, Consulting Engineer, in June, 1952, to be recorded among the Land Records of Queen Anne's County, as follows, to wit:

BEGINNING for the same at an iron pipe driven at a common corner between the lands of the herein described tract, lands of Centreville High School and lands of the Town of Centreville, and running thence (1) with the lands of Centreville High School south sixty-eight degrees twelve minutes west three hundred fifty-seven and no tenths feet (S 68° - 12'W 357.0') to a concrete monument and lands of John Palmer Smith; thence (2) with the lands of Smith north fifteen degrees nineteen minutes west one hundred forty-eight and seven one hundredths feet (N 15° - 19'W 148.07') to a concrete monument; thence (3) still with the lands of Smith south seventy degrees two minutes west fifty-two and forty-two one hundredths feet (S70° - 02'W - 52.42') to a concrete monument and lands of Barton; thence (4) with the lands of Barton, Cann and Eby north fifteen degrees five minutes west three hundred three and ninety-two one-hundredths feet (N15° 05'W - 303.92') to a concrete monument, a common corner for lands of Eby, lands of Thompson and other lands of Cann; thence (5) with the other lands of Cann, of which the herein described lot was a part thereof, north seventy-three degrees thirty minutes east six hundred ninety and no tenths feet (N73° 30' E 690.0') to an iron pipe; thence (6) still with the lands of Cann south sixty-one degrees thirty minutes east one hundred fifty and no tenths feet (S61° 30' E 150.0) to another iron pipe; thence (7) still with the same south eleven degrees three minutes west three hundred twenty-two and two tenths feet (S11° 03' W 322.2') to a marble monument and lands of the Town of Centreville; thence (8) with the lands of the Town of Centreville south sixty-eight degrees twelve minutes west two hundred fifty and no tenths feet (68° 12'W 250.00) to the place of beginning. CONTAINING an area of six and eighty-eight onehundredths acres (6.88A.) of land.

Note: Bearings are computed from the angles, which have been observed precisely, and are referred to a magnetic meridian corrected for declination; declination at present being approximately 8 degrees 15 minutes WEST.

5. That your Petitioner alleges and believes that it is advisable and to the interest and advantage of the said Eugene Clayton Cann that the aforesaid offer be accepted and that said lot or parcel of land and all his right, title, interest and estate therein be sold to the said Board of Education of Queen Anne's County.

Your Petitioner, therefore, prays this Honorable Court to pass an order authorizing, directing and empowering your Petitioner to accept the aforesaid offer for the said lot or parcel of land and that your Petitioner may be authorized and directed and empowered, upon the payment of the entire purchase money therefor, to grant and convey unto the said Board of Education of Queen Anne's County the said lot or parcel of land.

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 25th day of June, 1952, 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 things stated in the aforesaid Petition are true to the best of his knowledge and belief.

T. SORDEN PIPPIN
Clerk

Filed June 25, 1952

ORDER OF COURT

Theaforegoing Petition and Affidavit having been read and considered

IT IS THEREUPON, this 27th day of June, 1952, by the CIRCUIT COURT FOR QUEEN ANNE'S COUNTY; IN EQUITY, and by the authority of said Court, ADJUDGED, ORDERED AND DECREED that Clayton C. Carter, Successor Trustee for Eugene Clayton Cann in the above entitled causes, be and he is hereby authorized, empowered and directed to make sale to the said Board of Education of Queen Anne's County of the lot or parcel of land described in said aforesaid Petition, at and for the sum of Seven Hundred and Fifty Dollars, (\$750.00) and

IT IS FURTHER ADJUDGED, ORDERED and DECREED that the said Clayton C. Carter, Successor Trustee as aforesaid, be and he is hereby authorized, empowered and directed, upon payment to him of the aforesaid purchase moneys, and not before, to grant and convey unto the said Board of Education of Queen Anne's County, in fee simple, the said lot or parcel of land; and

IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the said Clayton C. Carter, Successor Trustee as aforesaid, Successor Trustee as aforesaid, upon the receipt of said purchase moneys shall pay thereout the costs of the proceedings relating to said sale and shall invest the balance thereof under the future order of this Court for the benefit of his cestue que trust the same as if the proceeds had remained land, subject to the same devolution of title as by said Deed of Trust and will creating the aforesaid trust estates is provided.

WM. R. HORNEY
Judge

Filed June 27, 1952

Petition to sell land to Alexander J. Knight et ux. subject to restrictions and Order of Court
Filed July 23, 1953

| | | |
|-----------------------------|---|----------------------|
| IN THE MATTER OF THE TRUST | * | IN THE CIRCUIT COURT |
| | * | |
| ESTATE OF | * | FOR |
| | * | |
| EUGENE CLAYTON CANN | * | QUEEN ANNE'S COUNTY |
| | * | |
| ***** | * | IN EQUITY |
| | * | |
| IN THE MATTER OF THE TRUST | * | |
| | * | |
| ESTATE FOR AND IN BEHALF OF | * | |
| | * | |
| EUGENE CLAYTON CANN CREATED | * | |
| | * | |
| BY ITEM SIX OF THE WILL OF | * | Consolidated Causes |
| | * | |
| LILLIAN A. CANN, DECEASED | * | No. 2736 and 3636 |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Clayton C. Carter, Successor Trustee for Eugene

Clayton Cann in the above entitled causes, respectfully shows:

1. That a part of the corpus of these trust estates consists of an undivided one-half interest of, in and to the tract of land or farm, known as "Chesterfield", and called for the purpose of identification in these trust estates, "The Eugene A. Cann Farm Property", situate in the Third Election District of Queen Anne's County, Maryland, in part, on the left side of the public road known as U. S. Route No. 213 leading from Centreville to Church Hill in said County.

2. That by the provisions of the deed of trust dated January 24, 1928, your Petitioner is authorized to sell the real estate comprising a part of the principal or corpus of said trust estate therein mentioned and described, of which said farm is a part, if a sale thereof shall, in the opinion of your petitioner, be necessary, advisable or to the interest and advantage of the said Eugene Clayton Cann, either at public or private sale, as may seem most advisable, at such time or times and for such price or prices and upon such terms as may be deemed best, and to grant and convey the same to the purchaser or purchasers thereof.

3. That by Item Six of the Last Will and Testament of Lillian A. Cann, dated June 4, 1930, your Petitioner is authorized to convert, sell, invest and reinvest the property therein devised in trust, of which said farm is a part.

4. That your petitioner has received from Alexander J. Knight and Olive F. Knight, his wife, a cash offer of Ten Hundred and Fifty Dollars (\$1050.00), for the said undivided one-half interest of your petitioner of, in and to a lot or parcel of land, a part of the tract or farm known as Chesterfield, later named "Corsica Hills" as shown on the Plat entitled "Corsica Hill" made by J. B. Metcalfe, Surveyor, on February, 1951, and recorded among the Land Records of Queen Anne's County in Liber T.S.P. No. 1, folio 270, and more particularly described by metes and bounds, courses and distances according to a Certificate of Survey dated July 14, 1953 by Walter E. Woodford, Jr., Surveyor, as follows:

All that lot or parcel of ground situate on the north side of U. S. Highway No. 213 from Centreville to Church Hill, within the corporate limits of Centreville, in the Third Election District of Queen Anne's County, Maryland, being a portion of the lands of the Cann Estate known as "Chesterfield", later named Corsica Hills and which is contained within the following metes and bounds, courses and distances, to wit:

BEGINNING at a concrete monument placed on the north side of U. S. Highway No. 213 from Centreville to Church Hill, said monument being the southernmost corner of lands herein described with lands retained by the Cann Estate, and running with said highway north fifty-two degrees ten minutes east (N52° 10'E) a distance of one hundred forty-one and twenty-two one-hundredths feet (141.22 ft.) to a concrete monument, being the easternmost corner of lands herein described with lands retained aforesaid; thence turning and running north thirty-seven degrees fifty minutes west (N37° 50'W) a distance of two hundred and no one-hundredths feet (200.0 ft.) to a concrete monument, being the northernmost corner of lands herein described with retained lands aforesaid; thence turning and running south fifty-two degrees ten minutes west (S52° 10'W) a distance of one hundred forty-one and twenty-two one-hundredths feet (141.22 ft.) to a concrete monument, being the westernmost corner of lands herein described with retained lands; thence turning and running south thirty-seven degrees fifty minutes east (S37° 50'E) a distance of two hundred and no one-hundredths feet (200.0 ft.) to the point of beginning;

CONTAINING six hundred forty-eight one-thousandths of an acre (0.648 a.) more or less.

Bearings are referred to magnetic meridians corrected for a deviation from true meridian of 7° 50' west.

5. That your petitioner alleges and believes that it is advisable and to the interest and advantage of the said Eugene Clayton Cann that the aforesaid offer be accepted and that said lot or parcel of land and all his right, title, interest and estate therein be sold to the said Alexander J. Knight and Olive F. Knight, his wife, as tenants by the entireties; subject, however, to the following covenants and restrictions, which shall be applicable to all the land included in the tract composed of Blocks A and B as shown on the aforesaid Plat of Corsica Hills:

(a) All lots shall be for residential use only and not for purposes of any trade or business whatsoever. Structures erected on any one lot shall consist of the main dwelling or residence for the occupancy of one family only, together with a private garage and other structures appurtenant to the main residence or to be used in connection therewith and on no lot shall there be more than one main dwelling and on no lot shall more than one family occupy the main dwelling or any structure appurtenant thereto. No part of the foundation of any main dwelling or residence, including steps, bay window, verandas and porches, shall be erected or permitted on any lot closer to the front line of said lots than fifty-five (55) feet from the edge of the Centreville-Church Hill State Road.

(b) No residence, dwelling, fences, walls, hedges, driveways, footpaths, sidewalks, garages or other structures appurtenant to the residence shall be erected, constructed, built or maintained on said land, nor shall any addition to or change or alteration therein be made until the plans and specifications and location thereof are submitted to and approved in writing by the owners, his, her and their successors, heirs and assigns, in the ownership or development of the entire tract or their duly authorized agents who shall have the right to take into consideration, in passing upon such plans and specifications and location, the use and suitability of the proposed residence, dwelling, fences, walls, hedges, driveways, footpaths, sidewalks, garages or other structures appurtenant to the residence, and of the materials of which it is to be built, to the side upon which it is proposed to erect the same, the harmony thereof with the surroundings, and the effect thereof on the outlook from the adjacent neighboring property, but in no event, shall written approval be unreasonably or arbitrarily withheld.

(c) All detached garages and other outbuildings of any kind whatsoever shall be in the rear of the dwelling.

(d) No privy of any kind shall be allowed on said property but each house shall have inside toilets with adequate water supply and an installation for disposal of sewage approved by the Maryland State Board of Health.

(e) No noxious or offensive trade shall be carried on upon any lot nor shall anything be done or kept thereon which may be or become an annoyance or nuisance to the neighbors, nor shall any swine, horses, sheep, cattle or other livestock be kept thereon, other than poultry and household pets kept for the benefit of the occupier of said lot and not for any commercial purposes.

(f) No trailer, basement, tent, shack, garage, barn or other out-building erected on the tract shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted.

(g) The owners, his, her and their successors, heirs and assigns in the ownership or development of the entire tract hereby reserve the right, with the consent of the owners of all lots in the tract composed of Blocks A and B as shown on the aforesaid Plat of Corsica Hills, at any time to annul, waive, change or modify any of the restrictions, conditions, covenants, agreements or provisions contained herein, as to any part of said tract then owned by the owners, his, her and their successors, heirs and assigns in the ownership or development of the entire tract, and as to any other land included in said tract; and the owners, his, her and their successors, heirs and assigns in the ownership or development of the entire tract hereby reserve the right in their absolute discretion at any time, to grade, change the grade of, or regrade any street, road or lane shown on said plat, and shall have the further right before a sale to change the size of, locate or relocate any of the lots shown on the said plat.

(h) Easements and rights of way are hereby expressly reserved in and over the strips of ground six feet in width along the front line of the lots for the purpose of erecting, constructing and maintaining wires and the necessary or proper attachments in connection therewith for the transmission of electricity and for telephones and other public utilities or functions, and the owners, his, her and their successors, heirs, and assigns in the ownership and development of the entire tract, or nominees, shall have the right to enter upon said reserved strips of land for any of the purposes for which said easements and rights are reserved as above set forth.

And easements and rights of way are further hereby expressly reserved in and over the strip of ground four feet in width set back six feet from the front line of said lots and designated as "Sidewalk Area" for the purpose of a sidewalk for the benefit of the owners and occupants of all lots.

(i) The provisions herein contained shall run with and bind the land and shall inure to the benefit of and be enforceable by the owners, his, her and their successors, heirs and assigns, in the ownership and development of the entire tract, or the owner of any land included in said tract, their respective personal representatives, heirs, successors, and assigns, and failure by the owners, his, her and their successors, heirs and assigns in the ownership and development of the entire tract, or any land owner to enforce any restriction, condition, covenant or agreement herein contained shall in no event be deemed a waiver of the right to do so thereafter to one occurring prior or subsequent thereto; and the declared invalidity of any one or more of the provisions herein shall not affect the validity of the others.

(j) Any or all of the rights and powers, titles, easements and estates reserved or given to the owners, his, her and their successors, heirs and assigns in the ownership and development of the entire tract, in this agreement, may be assigned to any one or more corporations, persons or associations that will agree to assume said rights, powers, duties and obligations and carry out and perform the same. Any such assignment or transfer shall be made by appropriate instrument in writing in which the assignee or transferee shall join for the purpose of evidencing its acceptance of such rights and powers; and such assignee or transferee shall thereupon have the same rights and powers and be subject to the same obligations and duties as are herein given to and assumed by the owners, his, her and their successors, heirs and assigns, in the ownership and development of the entire tract, who shall thereupon be released therefrom.

WHEREFORE, your petitioner prays this Honorable Court to pass an order authorizing, directing and empowering your Petitioner to accept the aforesaid offer for the said lot or parcel of land and that your Petitioner may be authorized, directed and empowered, upon payment of the entire purchase money therefor, to grant and convey unto the said Alexander J. Knight and Olive F. Knight, his wife, as tenants by the entireties, subject to the aforementioned covenants and restrictions, the said lot or parcel of land.

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 23 day of July, 1953, 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 things stated in the foregoing Petition are true to the best of his knowledge and belief.

T. SORDEN PIPPIN
Clerk

Filed July 23, 1953

ORDER OF COURT

The foregoing Petition and Affidavit having been read and considered, it is thereupon, this 24th day of July, 1953, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED and

DECREED that Clayton C. Carter, Successor Trustee for Eugene Clayton Cann in the above entitled causes, be and he is hereby authorized, empowered and directed to make sale to the said Alexander J. Knight and Olive F. Knight, his wife, as tenants by the entirety, of the lot or parcel of land described in the foregoing Petition, and all right, title, interest and estate therein, at and for the sum of Ten Hundred and Fifty Dollars (\$1050.00); and

IT IS FURTHER ADJUDGED, ORDERED and DECREED that the said Clayton C. Carter, Successor Trustee as aforesaid, be and he is hereby authorized, empowered and directed, upon payment to him of the aforesaid purchase money, and not before, to grant and convey unto the said Alexander J. Knight and Olive F. Knight, his wife, as tenants by the entirety, all his right, title, interest and estate in and to said lot or parcel of land; subject to the aforesaid covenants and restrictions in the foregoing Petition; and

IT IS FURTHER ADJUDGED, ORDERED and DECREED that the said Clayton C. Carter, Successor Trustee as aforesaid, upon receipt of said purchase money, shall pay thereout the costs of the proceedings relating to said sale and shall invest the balance thereof under the future order of this Court for the benefit of his cestue que trust the same as if the proceeds had remained land, and subject to the same devolution of title as by said Deed of Trust and Last Will and Testament creating the aforesaid trust estates is provided.

WM. R. HORNEY
Judge

Filed July 24, 1953

Petition and Order thereon to correct errors and omissions in Petition filed July 23, 1953
Filed Aug. 13, 1953

IN THE MATTER OF THE TRUST

ESTATE OF

EUGENE CLAYTON CANN

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

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Consolidated Causes

No. 2736 and 3636

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Clayton C. Carter, Successor Trustee for Eugene Clayton Cann in the above entitled causes, respectfully shows:

1. That by the order and decree of this Honorable Court dated the 24th day of July, 1953, your Petitioner was authorized, empowered and directed to grant and convey unto Alexander J. Knight and Olive F. Knight a certain lot or parcel of land more fully described in a Petition filed by your Petitioner in said causes on July 23, 1953.

2. That said conveyance was further ordered and decreed to be subject to certain covenants and restrictions set forth in said Petition.

3. That since the filing of said Petition and the passage of the said order and decree thereon, your Petitioner and the said Alexander J. Knight and Olive F. Knight have discovered certain errors and omissions in certain of said covenants and restrictions, which, when corrected, should read as follows:

5 (a) All lots shall be for residential use only and not for purposes of any trade or business whatsoever. Structures erected on any one lot shall consist of the main dwelling or residence for the occupancy of one family only, together with a private garage and other structures appurtenant to the main residence or to be used in connection therewith and on no lot shall there be more than one main dwelling and on no lot shall more than one family occupy the main dwelling or any structure appurtenant thereto. No part of the foundation of any main dwelling or residence, including steps, bay window, verandas and porches, shall be erected or permitted on any lot closer to the front line of said lots than fifty-five (55) feet from the edge of the Centreville-Church Hill State Road.

5 (b) No residence, dwelling, fences, walls, hedges, driveways, footpaths, sidewalks, garages or other structures appurtenant to the residence shall be erected, constructed, built or maintained on said land, nor shall any addition to or change or alteration therein be made until the plans and specifications and located thereof are submitted to and approved in writing by the owners, his, her and their successors, heirs and assigns, in the ownership or development of the entire tract or their duly authorized agents who shall have the right to take into consideration, in passing upon such plans and specifications and located, the use and suitability of the proposed residence, dwelling, fences, walls, hedges, driveways, footpaths, sidewalks,

garages or other structures appurtenant to the residence, and of the materials of which it is to be built, to the site upon which it is proposed to erect the same, the harmony thereof with the surroundings, and the effect thereof on the outlook from the adjacent neighboring property, but in no event, shall written approval be unreasonably or arbitrarily withheld.

4. That the last word in paragraph 5 (i) of said Petition should read "others" instead of "owners."

WHEREFORE, your Petitioner prays this Honorable Court to pass an order authorizing and directing your Petitioner to correct said errors and omissions, by interlineation, in the original Petition, so that the same will then contain the changes above-mentioned.

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 13th day of August 1953, 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 things stated in the foregoing Petition are true to the best of his knowledge and belief.

T. SORDEN PIPPIN
Clerk of the Court

Filed Aug. 13, 1953

ORDER OF COURT

The foregoing Petition and Affidavit having been read and considered, it is thereupon, this 14th day of August, 1953, ORDERED by the Circuit Court for Queen Anne's County, in Equity, that Clayton C. Carter, Successor Trustee for Eugene Clayton Cann in the above-entitled causes, be and he is hereby authorized and directed to correct certain errors and omissions, by interlineation, in the Petition filed by him in these causes on the 23rd day of July, 1953, so that the same will then contain the changes set forth in the within and foregoing Petition.

AND it is further ORDERED, that the order and decree of this Court passed in these causes on the 24th day of July, 1953, be and the same is hereby confirmed as to said changes.

WM. R. HORNEY
Judge

Filed Aug. 14, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twelfth day of June in the year nineteen hundred and fifty two, the following Foreclosure of Redemption was filed for record, to wit:

C A U S E N O. 3800

THEODORE HOPPSTEIN
Marydel, Maryland
Complainant

vs.

MAHALIA SMITH
438 Frederick Road
Detroit, Michigan
R. R. 201

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN THE PROPERTY LYING IN THE FIRST ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, ON THE INGLESIDE-CAIN'S CORNER ADJOINING THE LANDS OF HARRY WATKINS, ASSESSED TO MAHALIA SMITH FOR ONE HUNDRED AND TWENTY DOLLARS, AND THE UNKNOWN OWNER OF SAID PROPERTY, HIS 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
No. 3800

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

1.- That on the 15th day of May, 1951, at a public tax sale held in front of the Court House, Centreville, Maryland, your Orator being then and there the highest bidder for the hereinafter described property, was issued by C. Percy Arrington, Treasurer and Collector of Taxes for Queen Anne's County, Maryland, a body politic, a certificate of sale, as will more fully appear by reference to the same, being filed herewith as a part hereof, and marked, "Complainant's Exhibit A".

2.- That the land so purchased is described as follows, to wit:

ALL that certain tract, piece or parcel of land situate, lying and being in the first Election District of Queen Anne's County, State of Maryland, on the Ingleside-Cain's corner road, adjoining the lands of George Clendaniel, Harry Watkins, and Maggie Johnson and more fully described as follows, to wit:

BEGINNING for the same in the middle of the said public road, a corner for this land and the land formerly of John Thorp; thence running with said public road south 84 degrees west 20 perches to a corner near the north side of said road for this land and the land formerly of Debby Baynard; thence north 15 1/2 degrees west 74 perches to a stone to the lands formerly of William Williams, thence north 63 3/4 degrees east 32.5 perches to a stone in a swamp, a corner for this land the lands formerly of John Thorp, and running thence south 6 1/2 degrees east 84.4 perches to the place of beginning, containing 12 acres and 31 square perches of land, more or less.

BEING the same tract or parcel of land conveyed unto Bettie B. Edmunds and James A. Edmunds, her husband by deed from William G. Smith, et. al, dated the 30th day of April, 1930, and recorded among the Land Records of Queen Anne's County in Liber B.H.T.No. 11, folio 266, the said Bettie B. Edmunds predeceasing her husband and vesting the fee simple interest therein to James A. Edmunds.

3.- That an examination of the title of the hereinabove described tract or parcel, and according to the best information obtainable is vested the unknown heirs of James A. Edmunds.

4.- That said property has not been redeemed by any party in interest, although more than a year and a day has expired since said sale, and that Thirty Dollars and Fifty Four Cents (\$30.54) with interest at the rate of six per cent per annum, from May 15, 1951, 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 property above described.

(2) That your Orator may have such other and further relief as his cause may require.

MAY IT PLEASE YOUR HONORS To Grant Unto Your Orator an Order of Publication giving notice to all persons, having or claiming to have any interest

in property lying in the first Election District of Queen Anne's County, Maryland, on the Ingleside-Cain's Corner Road, adjoining the lands of Harry Watkins, consisting of a parcel of land assessed at One Hundred and Twenty Dollars (\$120.00) to Mahalia Smith, and the unknown heirs of James A. Edmunds, and the unknown owner of said property, his heirs, devisees, executors, administrators, grantees, assigns, or successors in right, title and interest, or any of them, 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 herein.

AND as in duty bound, etc.

JOHN PALMER SMITH
John Palmer Smith

VACHEL A. DOWNES JR.
Vachel A. Downes, Jr.
Solicitors for Complaint

Filed June 13, 1952

CERTIFICATE OF SALE

I, C.P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 15, 1951, I sold to Theodore Hoppstein at public auction for the sum of Thirty-five--- Dollars and no Cents, of which Thirty and 54/100 Dollars has been paid, for the property in the First Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland located on Ingleside-Cain's Corner Road adjoining the lands of Harry Watkins. Assessed value \$120.00. Consisting of a lot containing 12 acres of land and assessed to Mahalia Smith.

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 §61 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 18, 1952, 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 15th day of May, 1951.

C.P. ARRINGTON
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 15th day of May, 1951, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County personally appeared C. P. Arrington, 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.

KATHERINE C. O'NEAL
Notary Public
My Commission Expires: May 4 1953

Notary
Public
Seal.

Filed June 13, 1952

Certificate of Title
Filed June 16, 1952

THIS IS TO CERTIFY, that I have examined title to all that tract or parcel of land situate, lying and being in the First Election District of Queen Anne's County, State of Maryland, on the north side of the public road from Ingleside-Cain's Corner, adjacent to the land of Harry Watkins, and being the same lot or parcel of land assessed to Mahalia Smith for One Hundred and Twenty Dollars (\$120.00). The period of this examination has been for a period of approximately fifty-eight years, that is to say, from the 24th day of December, 1894 to the 10th day of June, 1952. In our opinion, fee-simple title, according to the Land Records of Queen Anne's County and the best information obtainable from residents in the locality who knew both James A. Edmunds and Bettie B. Edmunds, and Mahalia Smith, is vested in the unknown heirs of James A. Edmunds. We have been informed that James A. Edmunds was survived by, after his death about 1945, a sister and nieces and nephews from Baltimore, whose names and addresses are unknown. We were unable to ascertain in the existence of any other heirs at law of James A. Edmunds.

James A. Edmunds and Bettie B. Edmunds, his wife, acquired title to this property by deed from William G. Smith, et. al. dated the 30th day of April, 1930 and recorded among the Land Records of Queen Anne's County in Liber B.H.T. No. 11, folio 266, as tenants by the entireties. The said Bettie B. Edmunds pre-

deceased her husband, although the date of her death is unknown, Mahalia Smith and Harrison Allan, whose address is unknown, were the two children surviving Bettie Edmunds. Being the children of her previous marriage, and not the children, adoptive or natural, of James A. Edmunds, they can not be considered his heirs at law upon his death.

The records of the office of the Clerk of Court and the Register of Wills for the County aforesaid, reveal no further instruments affecting this title except as reported herein. There is no administration found in this County on either the estate of Bettie B. Edmunds and James A. Edmunds, although both died here.

This parcel of land is subject to a right of way granted to the Choptank Electric Co-operative, Inc., from Mahalia Smith by deed dated the 8th day of February, 1949 and recorded among the Land Records aforesaid in Liber N.B.W. No. 2, folio 578.

On the Tax Assessment Records of Queen Anne's County, the assessment was changed from the names of Bettie B. and James A. Edmunds to that of Mahalia Smith approximately in the year of 1943. However, we have failed to discover any instruments recorded among the records of Queen Anne's County that would indicate title vesting in her.

That your affiants have neither learned or heard of any other claims to the aforesaid property other than Mahalia Smith and the unknown heirs of James A. Edmunds.

Given under my hand and seal this 16 day of June 1952.

JOHN PALMER SMITH
John Palmer Smith

VACHEL A. DOWNES JR.
Vachel A. Downes Jr.

Subscribed and sworn before me this 16th day of June, 1952.

T. SORDEN PIPPIN, Clerk

Filed June 16, 1952

ORDER OF PUBLICATION
Filed June 16, 1952

THEODORE HOPPSTEIN
Marydel, Maryland
Complainant

vs.

MAHALIA SMITH
438 Frederick Road
Detroit, Michigan
R. R. 201

IN THE

CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

No. 3800

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN THE PROPERTY LYING IN THE FIRST ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, ON THE INGLESIDE-CAIN'S CORNER ADJOINING THE LANDS OF HARRY WATKINS ASSESSED TO MAHALIA SMITH FOR ONE HUNDRED AND TWENTY DOLLARS, AND THE UNKNOWN OWNER OF SAID PROPERTY, HIS 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

The object of this proceeding is to secure the foreclosure of all rights, of redemption in the following property assessed to Mahalia Smith, situate in the First Election District of Queen Anne's County, State of Maryland, and sold by C. Percy Arrington, Treasurer and Collector of Taxes for the County aforesaid, a body politic, to Theodore Hoppstein, complainant.

"All that lot or parcel of land situate, lying and being in the First Election District of Queen Anne's County, State of Maryland, located on the Ingleside-Cain's Corner Road, adjoining the lands of Harry Watkins, and assessed to Mahalia Smith for \$120.00, consisting of a lot containing 12 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 sale have expired.

IT IS THEREUPON this 16th day of June, 1952, 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 said property to be and appear in this Court by the 18th day of August, 1952, and redeem the property assessed to Mahalia Smith 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 Complainants a title, free and clear of all encumbrances.

WM. R. HORNEY
Judge

Filed June 16, 1952

ORDER OF PUBLICATION

THEODORE HOPPSTEIN
Marydel, Maryland
Complainant

VS.

NAHALIA SMITH
438 Frederick Road
Detroit, Michigan,
R.R. 201

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

No. 3800

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN THE PROPERTY LYING IN THE FIRST ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, ON THE INGLESIDE-CAIN'S CORNER ADJOINING THE LANDS OF HARRY WATKINS ASSESSED TO MAHALIA SMITH FOR ONE HUNDRED AND TWENTY DOLLARS, AND THE UNKNOWN OWNER OF SAID PROPERTY, HIS 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

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Mahalia Smith, situate in the First Election District of Queen Anne's County, State of Maryland, and sold by C. Percy Arrington, Treasurer and Collector of Taxes for the County aforesaid, a body politic, to Theodore Hoppstein, complainant.

"All that lot or parcel of land situate, lying and being in the First Election District of Queen Anne's County, State of Maryland, located on the Ingleside-Cain's Corner Road, adjoining the lands of Harry Watkins, and assessed to Mahalia Smith for \$120.00, consisting of a lot containing 12 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 sale have expired.

IT IS THEREUPON this 16th day of June, 1952, 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 said property to be and appear in this Court by the 18th day of August, 1952, and redeem the property assessed to Mahalia Smith 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 Complainants a title, free and clear of all encumbrances.

Wm. R. HORNEY
Judge.

True Copy:
Test:

T. SORDEN PIPPIN,
Clerk

Filed June 16, 1952

THE QUEENSTOWN NEWS

Queenstown, Md. Aug. 11, 1952

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 Theodore Hoppstein, Marydel, Md., Complainant Vs. Nahalia Smith, 438 Frederick Road, Detroit, Michigan, R. R. 201 No. 3800 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 Aug. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 20th day of June 1952.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Aug. 12, 1952

DECREE
Filed Sept. 9, 1952

THEODORE HOPPSTEIN

VS.

MAHALIA SMITH, et. al.

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

No. 3800

* * * * *

DECREE

It appearing that the defendants and all persons claiming through or under them, having been duly summoned or notified by Order of Publication to appear and answer the Bill of Complaint filed in this Cause on or before the 18th day of August, 1952, 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 9th day of September, 1952, 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 9th day of September, 1952, 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, Theodore Hoppstein.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, in Equity, that Claude Lowery, Treasurer of Queen Anne's County and collector of taxes for said county shall execute a deed to Theodore Hoppstein, 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 Sept. 9, 1952

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QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty second day of July in the year nineteen hundred and fifty two, the following Bill of Complaint, Certificate of Title, Certificate of Sale, Order of Publication were filed for record, to wit:

C A U S E N O. 3810

HARRY C. BUTLER, Plaintiff,
Centreville, Maryland,

#

#

VS.

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IN THE

EDGAR C. ROGERS and ANNA M. ROGERS,
Crumpton, Maryland,
THE PENINSULAR ANNUAL CONFERENCE OF THE
METHODIST EPISCOPAL CHURCH, a body corporate,
incorporated under the Laws of the State of
Delaware, THE TRUSTEES OF THE WILMINGTON ANNUAL
CONFERENCE OF THE METHODIST EPISCOPAL CHURCH,
a body corporate, incorporated under the laws
of the State of Delaware, THE UNKNOWN HEIRS-AT-
LAW, EXECUTORS, PERSONAL REPRESENTATIVES OR DE-
VISEES OF MAURICE WELCH, deceased.

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CIRCUIT COURT

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FOR

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QUEEN ANNE'S COUNTY

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IN EQUITY.

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AND ALL OTHER PERSONS AND BODY CORPORATE, KNOWN
OR UNKNOWN, HIS, HER or ITS, EXECUTORS, PERSONAL
REPRESENTATIVES, HEIRS-AT-LAW, DEVISEES, SUCCESSORS,
GRANTEES, OR ASSIGNS claiming to have any interest
in the lot and improvements thereon situate in
Crumpton, Maryland, assessed to Edgar C. and Anna
M. Rogers, adjoining the Church Property, at a
valuation of \$1,300.00.

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Cause No. 3810

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Defendants.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator complaining, says:

1. That on the 15th. day of May, 1951, at a tax sale held in front of the Court House in Centreville, Maryland, your Orator, being then and there the highest bidder, became the purchaser of all that lot of land and improvements thereon being in the Seventh Election District of Queen Anne's County, Maryland, located in Crumpton, adjoining the lands of the church, assessed value \$1,300.00, consisting of a lot and building assessed to Edgar C. and Anna M. Rogers at and for the sum of FIFTY TWO DOLLARS (\$52.00), and was issued a Certificate of Sale therefor by C. P. Arrington, Treasurer for Queen Anne's County, he being Collector of County and State Taxes for Queen Anne's County, which Certificate of Sale is attached hereto and made a part hereof.

2. That an examination of the title to said land shows that the Methodist Episcopal Church at Crumpton held title to said land from 1874 to 1936, through the various corporate names of said church, and that said Church in deeding said land to its various corporate names misplaced and can not locate a deed for a part of this land, and that the said Church in 1936 deeded said land to Marcus E. Rogers and Anna M. Rogers, his wife, and upon the death of the said Marcus E. Rogers the said land and improvements became vested in Anna M. Rogers, who by straw deed vested the same in herself and Edgar C. Rogers, that the said Church and its grantees have been in possession of said land since 1874.

3. That the said property has not been redeemed by any party in interest although more than a year and a day has elapsed since the said tax sale.

4. That the sum of FIFTY ONE DOLLARS AND TWENTY FIVE CENTS (\$51.25) with interest thereon from May 15th., 1951, at 6% is the amount necessary for the redemption of the aforesaid property.

TO THE END THEREFORE:

1. That this Honorable Court may pass a final decree in this cause foreclosing all rights of redemption of the Defendants or any one claiming by, through or under them, to the property herein mentioned and described.

2. That your Orator may have such other and further relief as his case may require

MAY IT PLEASE YOUR HONORS to grant your Orator the writ of Subpoena directed to the Sheriff of Queen Anne's County, commanding him to summons Edgar C. Rogers and Anna M. Rogers, of Crumpton, Queen Anne's County to be and appear, either in person or by solicitor, in this Court on a day certain to be named thereto to answer this Bill of Complaint and to abide by and perform such order or decree as may be passed in the premises, and to grant unto your orator The Order of Publication directed to The Peninsular Annual Conference of the Methodist Episcopal Church, a foreign corporation, and The Trustees of the Wilmington Annual Conference of the Methodist Episcopal Church, a foreign corporation, and to The unknown heirs-at-law of Maurice Welch, his executors, personal representatives, or devisees, and all other persons and body corporate, known or unknown, his, her or its Executors, personal representatives, heirs-at-law, devisees, successors, grantees or assigns claiming to have any interest in the lot and improvements therein situate in Crumpton, Maryland, assessed to Edgar C. Anna M. Rogers, adjoining the Church Property at a valuation of \$1,300.00,

notifying them and each of them to be and appear in this Court, either in person or by solicitor, on a day certain to be named therein and to abide by and perform such Order or decree as may be passed in the premises.

RICHARD T. EARLE
Atty. for Plaintiff

Filed July 22, 1952

CERTIFICATE OF SALE

I, C. P. Arrington, Treasurer and Collector of Taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 15, 1951, I sold to Harry C. Butler at public auction for the sum of Fifty-two-----Dollars and no Cents, of which fifty-one and 25/100 Dollars has been paid, the property in the Seventh Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land lying and being in the Seventh Election District of Queen Anne's County, Maryland, located in Crumpton, adjoining the lands of the church. Assessed value of \$1300.00. Consisting of a lot and buildings, and assessed to Edgar C. & Anna M. Rogers.

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 18, 1952, 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 15th day of May, 1951.

C. P. ARRINGTON
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 15th day of May, 1951, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County personally appeared C. P. Arrington, 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.

Notary
Public
Seal

ANNA O. SKINNER
Notary Public
My Commission Expires:

May 7, 1953

Filed July 22, 1952

THIS IS TO CERTIFY that we have examined the title to ALL that lot of land, situate, lying and being in the 7th Election District of Queen Anne's County State of Maryland, and in the Town of Crumpton and described as follows, to wit: BEGINNING at the northwest corner (a half inch pipe driven in the ground) of the lot known as the Methodist Protestant Church property now or formerly owned by the Trustees of the Wilmington Annual Conference of the Methodist Episcopal Church, on the corner of Second and Caroline Streets, and running then along and with said Second Street North 61° 30' East, a distance of 74 feet 8 inches to (half inch pipe driven in ground) a corner for this land and other lands now or formerly owned by the Trustees of the Wilmington Annual conference of the Methodist Episcopal Church, thence with said land South 28° 52' East a distance of 140 feet 8 inches (to a half inch pipe driven in the ground) to the land now or formerly owned by Lucinda Ware; thence with said land South 61° 15' West, for a distance of 76 feet (to a half inch pipe driven in the ground) at Caroline St. and thence along and with said Caroline Street North 28° 22' West, a distance of 141 feet 2 inches (to a half inch pipe driven in the ground) at Second Street to the place of beginning, containing whatever quantity of land it may; for a period of approximately 78 years, that is to say, from January 24, 1874, to June , 1952, and that in our opinion, the fee simple title, according to the Land Records of Queen Anne's County, Maryland, was vested in Anna Maud Rogers and Edgar C. Rogers, as joint tenants, in fee simple, by deed dated January 17, 1942, from George R. and Clara B. Ringgold, his wife, said deed recorded in Land Liber, Queen Anne's County, A.S.G. Jr., No. 5, folio 461, etc.

The records in the office of the Clerk of the Court for Queen Anne's County reveal the following information concerning the title to the aforesaid property:

1. Deed from Maurice Welch and Elizabeth E. Welch, his wife, said deed dated January 24, 1874, and recorded among the land records of Queen Anne's County, Maryland, in W. A. G. H. No. 1, folio 1. In this deed the property herein mentioned is conveyed to H. T. Roberts, George I. Harrison, John Sparks, et al, "to hold in trust, in fee simple, as a place of public worship and said land to be held only and used for the erection of a church or meeting house for the worship of God and for no other purpose whatsoever".

Attention is called to the fact that this property was used for the erection of a church or meeting house, although the church was abandoned and

torn down prior to the amalgamation of the Methodist Churches in 1939. Although the statutory period of limitation has not run since the church was abandoned, we feel that in line with recent decisions in Maryland and elsewhere the condition imposed by the original grantors in 1874 would not probably be a cloud on the title. (192 Md. 264, 181 Md. 542)

2. Attention is also called to the deed from the Trustees of the Wilmington Annual Convergence of the M. E. Church to Marcus E. Rogers and wife, deed dated October 19, 1936, and recorded in Land Liber Queen Anne's County, W.H.C. No. 4A, folio 191, etc. In this deed the property conveyed is described as being part of the same land described in two deeds from the Trustees of the Maryland Annual Conference to the Trustees of the Wilmington Annual Conference; the first mentioned deed being recorded in B.H.T. No. 15, folio 41, dated February 15, 1932. This deed was found and the description noted.

However, the other deed is described as dated August 18, 1936, and is said to be of record but the undersigned after extensive searches failed to locate that deed. The Trustees of the Wilmington Annual Conference of the M.E. Church were also unable to locate this deed among their papers.

We feel that the M.E. Church at Crumpton has owned this land for many years, that is the tract sold by above deed to the Rogers, however, we are unable to locate how they obtained a part of the tract sold to Rogers. If, how the boundaries to this lot are definite, and there have been no disputes for over 21 years as to said boundaries, we feel at this date the lines are adequately established. If the sale of this property for taxes is properly conducted, and if the Trustees of the Wilmington Annual Conference of the M.E. Church, a Delaware Corporation, now the Peninsula Annual Conference, a body corporate, are made a party to the tax sale proceeding, we feel that the purchaser at the tax sale will acquire a good title to all the land which they sold Marcus E. Rogers and wife (W.H.C. No. 4A, 191.)

We feel, also, that the original grantors of this tract, or a part of it, Maurice E. Welch and Elizabeth E. Welch, his wife, their heirs and assigns and devisees should be made a party to the tax sale proceeding, as well, of course, as Anna M. Rogers and Edgar C. Rogers, parties who held the property when the taxes became delinquent and subsequent sale thereon took place.

That your affiant has neither learned nor knows of any other claimants or defects to the aforesaid property except abovementioned.

Given under my hand and seal this 22 day of July 1952.

TURNER AND TURNER

BY: B. H. TURNER JR. (SEAL)

Subscribed and Sworn to before me this 22 day of July, 1952.

Circuit Court Seal

T. SORDEN PIPPIN Clerk of Circuit Court for Queen Anne's County

Filed July 22, 1952

ORDER OF PUBLICATION

HARRY C. BUTLER, Plaintiff, Centreville, Maryland,

VS.

EDGAR C. ROGERS and Anna M. Rogers, Crumpton, Maryland, THE PENINSULAR ANNUAL CONFERENCE OF THE METHODIST EPISCOPAL CHURCH, a body corporate incorporated under the laws of the State of Delaware, THE TRUSTEES OF THE WILMINGTON ANNUAL CONFERENCE OF THE METHODIST EPISCOPAL CHURCH, a body corporate, incorporated under the laws of the State of Delaware, The UNKNOWN HEIRS-AT-LAW executors, personal representatives, or devisees of MAURICE WELCH, deceased, AND ALL OTHER PERSONS AND BODY CORPORATE, KNOWN OR UNKNOWN, HIS, HER OR ITS, EXECUTORS, PERSONAL REPRESENTATIVES, HEIRS-AT-LAW, devisees, successors, GRANTEEES OR ASSIGNS, claiming to have any interest in the lot and improvements thereon situate in Crumpton, Maryland, assessed to Edgar C. and Anna M. Rogers, adjoining the Church Property, at a valuation of \$1,300.00 Defendants.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY. Cause No. 3810

The object of this proceedings is to assure the foreclosure of all rights of redemption in all that lot or tract of land, with improvements thereon, situate in Crump-

ton, Queen Anne's County, adjoining the Church Property and assessed to Edgar C. Rogers and Anna M. Rogers at a valuation of \$1,300.00, and sold by the Treasurer of Queen Anne's County, on account of default in payment of State and County Taxes to Harry C. Butler.

The Bill states that among other things that the amount necessary for redemption have not been paid, although more than a day and a year has elapsed since said tax sale and that the amount necessary to redeem said property is \$51.25 and interest at 6% thereon from May 15th., 1951.

It is thereupon this 25th day of July, 1951, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that Notice be given by insertion of a copy of this Order in some newspaper, having 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 26th day of September, 1952, and redeem the property assessed to Edgar C. and Anna M. Rogers and answer this 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

Filed July 25, 1952

EQUITY SUBPOENA
FILED Aug. 4, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Edgar C. Rogers and Anna M. Rogers,
Crumpton, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of August next and ending Sept. 26, 1952 thereafter cause your answer or other defense to be filed to the complaint of Harry C. Butler, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th. day of July, 1952.

Issued the 25th. day of July, 1952.

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 26th. day of September, 1952, 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 Richard T. Earle

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendants summoned by reading subpoena to them, and leaving copy of subpoena and bill of complaint with each of them this 2nd. day of August, 1952.

FRANK Y. WHITELEY
Sheriff

ORDER OF PUBLICATION

Harry C. Butler, Plaintiff,
Centreville, Maryland,

Vs.

Edgar C. Rogers and Anna M. Rogers
Crumpton, Maryland
The Peninsula Annual Conference of the
Methodist Episcopal Church, a body corporate,
incorporated under the laws of the State of
Delaware, The Trustees of the Wilmington Annual
Conference of the Methodist Episcopal Church,
a body corporate, incorporated under the laws
of the State of Delaware, The unknown Heirs-at-Law
executors, personal representatives, or devisees of
Maurice Welch, deceased, And all other persons and
body corporate known or unknown, His, her or its,
executors, personal representatives, Heirs-at-Law,
devisees, successors, Grantees or Assigns, claiming
to have any interest in the lot and improvements
thereon situate in Crumpton, Maryland, assessed to
Edgar C. and Anna M. Rogers, adjoining the Church
Property, at a valuation of \$1,300.00
Defendants

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IN THE

CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY.

Cause No. 3810

The object of this proceedings is to assure the foreclosure of all rights of redemption in all that lot or tract of land, with improvements thereon, situate in Crumpton, Queen Anne's County, adjoining the Church Property and assessed to Edgar C. Rogers and Anna M. Rogers at a valuation of \$1,300.00, and sold by the Treasurer of Queen Anne's County, on account of default in payment of State and County Taxes to Harry C. Butler.

The Bill states that among other things that the amount necessary for redemption have not been paid, although more than a day and a year has elapsed since said tax sale and that the amount necessary to redeem said property is \$51.25 and interest at 6% thereon from May 15., 1951.

It is thereupon this 25th day of July, 1952, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that Notice be given by insertion of a copy of this Order in some newspaper, having 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 26th day of September, 1952, and redeem the property assessed to Edgar S. and Anna M. Rogers and answer this 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: T. SORDEN PIPPIN,
Clerk.
Filed July 25, 1952.

THE QUEENSTOWN NEWS

Queenstown, Md. Oct. 13, 1952

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 Harry C. Butler, Plaintiff, Centreville, Md., Vs. Edgar C. Rogers and Anna M. Rogers, Crumpton, Md., Cause No. 3810 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 26th day of Sept. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 1st day of Aug. 1952

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Oct. 14, 1952

FINAL DECREE
Filed Oct. 15, 1952

| | | |
|------------------------|---|--------------------------------|
| HARRY C. BUTLER, | # | IN THE CIRCUIT COURT FOR QUEEN |
| VS. | # | ANNE'S COUNTY, IN EQUITY. |
| EDGAR C. ROGERS et al. | # | Cause No. 3810 |

FINAL DECREE.

It appearing that the defendants and all persons claiming by, through or under them or any of them, have been served either by subpoenas or by an Order of Publication to appear and answer the Bill of Complaint filed in this cause, and it further appearing that the time to answer said Bill of Complaint for all the said defendants has expired, and that none of said defendants or any one claiming any interest in the real estate mentioned and described in these proceedings has answered said Bill of Complaint, and this cause having been submitted and the proceedings read and considered, IT IS THEREUPON this 14th day of October, 1952, 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 alienations and descents of property occurring prior to this date, 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 lying and being in the Seventh Election District of Queen Anne's County, Maryland in Crumpton, adjoining the lands of the church, and assessed to Edgar C. and Anna M. Rogers, is vested in Harry C. Butler.

AND IT IS FURTHER ORDERED that the Treasurer of Queen Anne's County, as collector of Taxes for the State of Maryland and for Queen Anne's County, execute a deed to Harry C. Butler, in fee simple, in and to all that lot of land herein described, upon the payment to the said Treasurer of the balance of the purchase money, if any, together with all taxes, interest and penalties thereon accruing subsequent to the date of sale.

WM. R. HORNEY
Judge

Filed Oct. 15, 1952

C A U S E N O. 3815

.....
 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 Twelfth day of August, in the year nineteen hundred and fifty three, the following Bill of Complaint was brought to be recorded, to wit:-

Luther E. Downes, and Marie Downes, his wife, Centreville, Md..

IN THE

vs.

CIRCUIT COURT

Ella Mae Warner, and Spencer Warner, her husband, Centreville, Md.
 I. Newton Downes, and Louise Downes, his wife, 1929 Willow St., Linwood, Pa.
 Woodrow W. Downes, and Helen Downes, his wife, 30 Sharpless Ave, Boothwyn, Pa.
 Alvin Downes, and Marie Downes, his wife, 813 McDowell St, Chester, Pa.
 Susan Bryant, and Charles Bryant, her husband, 30 Sharpless Ave, Boothwyn, Pa.
 Lillian Derlock, and Michael Derlock, her husband, 200 Odessa Ave, Gwinhurst, Del.
 Catherine Carroll, and James Carroll, her husband, Meetinghouse Road, Boothwyn, Pa.
 Marion Powell, and Janet Powell, his wife, 2614 Sharpless Ave, Boothwyn, Pa.
 Lillian Ray, and Curtis Ray, her husband, 608 7th St, Chester, Pa.
 Shirley Powell, minor, Centreville, Md.
 Dell Powell, minor, Centreville, Md.
 Edith McKenney, and Samuel McKenney, her husband, 30 Sharpless Ave, Boothwyn, Pa.

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

CAUSE NO 3815

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orators complaining, say:

1. That Luther E. Downes, late of Queen Anne's County, Maryland, deceased, was, in his lifetime, and at the time of his death, seized and possessed, in fee simple, of a large and valuable tract of real estate, called or known as Adventure or Plain Dealing", situate near the village of Burrisville in Spaniard's Neck in the Third Election District of Queen Anne's County, Maryland, and which was vested in him by virtue of a deed from William H. Bains, et.al., dated July 30th, 1900, and recorded in Liber J. E. G., No. 1, at folio 16, a Land Record Book for Queen Anne's County, a certified copy of which deed is filed herewith as a part hereof, and marked Exhibit A.

2. That being so seized, the said Luther E. Downes departed this life on or about the 8th day of January, 1932, leaving a last will and testament, duly executed to pass real estate in this State, which said will has been admitted to probate by the Orphans Court of said Queen Anne's County, and is now of record in the office of the Register of Wills of the same in Wills Liber W. T. B., No. 3, folio 372, etc., a certified copy of which is filed herewith and made a part hereof as Exhibit B.

3. That on or about the 18th day of February, 1952, the life tenant under said will of the aforesaid real estate, Mary E. Downes Skinner, departed this life, and the following children and children of deceased child of the aforesaid Luther E. Downes, deceased, survive, and who are seized and possessed, as tenants in common, in fee of aforesaid real estate as devisees of the aforesaid will and testament, as follows:

1-Luther E. Downes, a son, who is married to Marie Downes, his wife, and they live near Centreville, Maryland, with a 1/9 interest, and both of whom are adults.

2-Ella Mae Warner, a daughter, with a 1/9 interest, and who is married to Spencer Warner, her husband, and they reside at Centreville, Maryland, and both of whom are adults.

3-I. Newton Downes, a son, with a 1/9 interest, and who is married to Louise Downes, his wife, and who reside at 1929 Willow Street, Linwood, Pa., and both of whom are adults.

4-Woodrow W. Downes, a son, with a 1/9 interest, and who is married to Helen Downes, his wife, and who reside at 30 Sharpless Avenue, Boothwyn, Pa. and both of whom are adults.

5. Alvin Downes, a son, with a 1/9 interest, and who is married to Marie Downes, his wife, and who reside at 813 McDowell St, Chester, Pa. both of whom are adults.

6-Susan Bryant, a daughter, with a 1/9 interest, and who is married to Charles Bryant, her husband, and who reside at 30 Sharpless Ave., Boothwyn, Pa. both of whom are adults.

7-Lillian Derlock, a daughter, with a 1/9 interest, and who is married to Michael Derlock, her husband, and who reside at 200 Odessa Ave., Gwinhurst, Del. both of whom are adults.

8-Edith McKenney, a daughter, with a 1/9 interest, and who is married to Samuel McKenney, her husband, and who reside at 30 Sharpless Ave., Boothwyn, Pa. both of whom are adults.

9-Catherine Carroll, a daughter of Mary Powell, deceased daughter of aforesaid Luther E. Downes, deceased, with a 1/45 interest, and who is married to James Carroll, her husband, and who reside at Meetinghouse Road, Boothwyn, Pa. both of whom are adults.

10-Marion Powell, a son of Mary Powell, deceased daughter of aforesaid Luther E. Downes, deceased, with a 1/45 interest, and who is married to Janet Powell, his wife, and who reside at 2614 Sharpless Ave., Boothwyn, Pa. both of whom are adults.

11-Lillian Ray, a daughter of Mary Powell, deceased daughter of aforesaid Luther E. Downes, deceased, with a 1/45 interest, and who is married to Curtis Ray, her husband, and who reside at 608 7th St., Chester, Pa. both of whom are adults.

12-Shirley Powell, a minor daughter of Mary Powell, deceased daughter of aforesaid Luther E. Downes, deceased, and who resides at Centreville, Md., a 1/45 interest.

13-Dell Powell, a minor daughter of Mary Powell, deceased daughter of aforesaid Luther E. Downes, deceased, and who resides at Centreville, Md. a 1/45 interest.

4. That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interest therein as above stated, and that, in order to make division of said interests, it will be necessary that said real estate be sold, and the proceeds thereof divided amongst the parties according to their several interests.

To the end, therefore,

(1) That a decree may be passed for the sale of the said real estate, and a trustee appointed to make same.

(2) That the proceeds of said sale may be distributed between your orator and the said Ella Mae Warner, I. Newton Downes, Woodrow W. Downes, Alvin Downes, Susand Bryant, Lillian Derlock, Edith McKenney, Catherine Carroll, Marion Powell, Lillian Ray, Shirley Powell and Dell Powell according to their respective rights and interests.

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

And as in duty bound, etc.,

J. THOMAS CLARK
J. Thomas Clark,
Solicitor for Plaintiffs

Filed August 12, 1952

EXHIBIT A
Filed Aug. 12, 1952

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the second day of August in the year nineteen hundred the following Deed was brought be recorded, to wit:

This Represents 3 One
Dollar Stamps. W.H.B.
S.C.S. C.A.B. July 30,
1900

This Deed, made this 30th day of July in the year one thousand and nine hundred by William H. Bains of Baltimore City, State of Maryland, now temporarily at Atlantic City, State of New Jersey, Mortgagee and Vendor, and Carrie A. Skinner and Samuel C. Skinner, her husband of Queen Anne's County in the State of Maryland, Witnesseth: Whereas by virtue of a Power of Sale contained in a Mortgage from James E. Burris unto the said William H. Bains, dated this sixteenth day of March in the year eighteen hundred and ninety one and recorded in Liber W. D. No. 5, folios 409 etc. a Land Record Book for Queen Anne's County, State of Maryland, he did on the thirteenth day of July, in the year eighteen hundred and ninety seven sell at public sale unto one Susan E. Burris of said County, the said mortgaged property, which is hereinafter conveyed, at and for the sum of three thousand dollars and having made report of said sale to the Circuit Court for Queen Anne's County in Equity, in the case therein of "William H. Bains, Mortgagee vs. James E. Burris, Mortgagor", No. 1401, after its order nisi the same was by said Court, by its order of the twenty seventh day of September in the year eighteen hundred and ninety seven finally ratified and confirmed; and whereas the said Susan E. Burris having paid the said William H. Bains, the sum of thirteen hundred dollars of said purchase money, with interest on the balance to the 13th day of July in the year eighteen hundred and ninety nine, departed this life in the early part of the present year leaving a last Will and Testament, duly executed to pass real and personal estate, and admitted to probate by the Orphans' Court for Queen Anne's County aforesaid whereby she devised all her estate, both real and personal, which in part included the property hereinafter conveyed unto her nephew Luther E. Downes and her niece Carrie A. Skinner, share and share alike, which said will admitted to probate as aforesaid is recorded among the Will Records of said County in Liber F. R. No. 3, folios 154 etc., and whereas the said Carrie E. Skinner has since sold her said undivided right and title, interest and estate in said hereinafter described land unto the said Luther E. Downes, at and for six hundred and fifty dollars, which he has paid her therefore, and as said William H. Bains Mortgagee and Vendor, has since been paid the balance of the aforesaid purchase money he has been requested to unite with Carrie A. Skinner and Samuel C. Skinner, her husband in convey-

ing said property directly to said Luther E. Downes by this Deed therefor, Now therefore in consideration of the foregoing premises and the sum of one dollar, the said William H. Bains, Mortgagee and Vendor, and Carrie A. Skinner and Samuel C. Skinner, her husband do hereby grant and convey unto the said Luther E. Downes, his heirs and assigns, all those tracts, parts of tracts, or parcels of land, called "Adventure", and "Plain Dealing" or "Crumps Chance", or by whatsoever other name or names the same may be called or known, situate on the right of the public road leading from Church Hill Road by said land to Burrisville in Spaniards Neck, in the Third Election District of Queen Anne(s County aforesaid, and bounded on the north or rear by the lands now owned by James W. Slaughter and the lands formerly owned by the late Charles H. Kennedy, colored; on the east by the said Kennedy lands the Pierce Lot, the Jones Lot, and the land now owned by Clem Chance, on the south or front by said public road; and on the west by the farm formerly owned by A. Randolph Weedon, where Hasa H. Boyce now resides, containing one hundred and forty two acres and five perches of land, more or less, and being the farm whereon James R. Burris, deceased the father of said James E. Burris, resided at the time of his death, and comprising the parcels then constituting said farm, one of which was conveyed to said James R. Burris by Charles E. Frazier, by deed dated the sixteenth day of March eighteen hundred, and seventy two, recorded in Liber J. W. No. 3, folios 296 etc., a Land Record Book of said County, and also the lot or parcel acquired by said James R. Burris of said Weedon, and also being the same farm or lands conveyed by said mortgage or the Deeds therein referred to, or which were intended to be conveyed by said mortgage or deeds. And the said William H. Bains covenants that he will make such further assurances of title of said lands or farm hereby conveyed as may be right and proper for him to do as said mortgagee and vendor, but does not otherwise covenant, And the said Carrie A. Skinner and Samuel C. Skinner jointly and severally covenant that they will warrant generally and specially the interest and estate of said Carrie A. Skinner hereby conveyed in said property, and will give such further assurances thereof as may be necessary.

Witness their hands and seals,

Test; as to Bains

Wm. H. Bains (SEAL)
Mortgagee and Vendor

Clement J. Adams

Carrie A. Skinner (SEAL)

Test: as to Skinner & wife
B. Emory Jr.

Samuel C. Skinner (SEAL)

STATE OF NEW JERSEY, Atlantic City and County, to wit: I hereby certify that on this Thirtieth day of July in the year nineteen hundred before the subscriber a Notary Public of the State of New Jersey in and for Atlantic City and County aforesaid, duly commissioned and qualified, personally appeared William H. Bains, Mortgagee and Vendor, as aforesaid, and acknowledged the foregoing Deed to be his act.

In Testimony Whereof I have hereunto set my hand and affix my notarial seal the day and year above written.

Clement J. Adams
Notary Public

Notary
Public
Seal.

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

I hereby certify that on this second day of August in the year nineteen hundred, before the subscriber a Justice of the Peace of the State of Maryland in and for Queen Annes County aforesaid personally appeared Carrie A. Skinner and Samuel C. Skinner her husband and did each acknowledge the foregoing Deed to be their respective act.

B. Emory, Jr.
Justice of the Peace

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

I hereby certify that the foregoing is truly taken and copied from Liber J.E.G. No. 1, folio 16 a Land Record Book 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 Twelfth day of August in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Certified Copy of Last Will
and Testament of Luther E.
Downes, deceased.
Filed Aug. 12, 1952

IN THE NAME OF GOD, AMEN.

I, Luther E. Downes, of Queen Anne's County, State of Maryland, do make, publish and declare this as and for my last Will and Testament in manner and form as follows, to wit:

Item 1. I do direct that all my just debts and funeral expenses shall be paid by my Executor hereinafter to be named.

Item 2. I give, devise and bequeath all the rest and residue of my estate, real, personal and mixed, wherever same may be situated or located, unto my wife, Mary E. Downes, for and during the term of her natural life and no longer, and from

and after her death in fee, share and share alike to such of our children as may be living at the time of her death and to the child or children of any of our children who may have predeceased her, such child or children of said predeceased child or children to take per stirpes and not per capita.

Item 3. I do hereby appoint and constitute my wife, Mary E. Downes as Executor of this, my last Will and Testament and I do request that she be not required to give bond.

In Testimony whereof I hereunto set my hand and affix my seal this eleventh day of August in the year nineteen hundred and twenty-four.

Luther E. Downes (Seal)

Signed, sealed, published and declared by Luther E. Downes, the above named testator as and for his last Will and Testament in our presence and the presence of each of us who at his request and in his presence and in the presence of each of us have hereunto set our hands as witnesses hereunto.

L. Herman Meredith

Edwin H. Brown Jr.

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

On the 19th day of January A.D., 1932, came Edwin H. Brown, Jr., Custodian of the within and foregoing instrument of writing, purporting to be the last Will and Testament of Luther E. Downes, 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 Luther E. Downes on or about 11th day of August A.D., 1924.

Sworn before

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

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

On the 19th day of January 1932, came L. Herman Meredith and Edwin H. Brown, Jr. of Centreville, Queen Anne's County, Maryland, subscribing witnesses to the foregoing last Will and Testament of Luther E. Downes, 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:

NORMAN S. DUDLEY
Register of Wills of Queen Anne's
County,

STATE OF MARYLAND,

IN THE ORPHANS' COURT

FOR QUEEN ANNE'S COUNTY:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of Luther E. Downes, 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 19th day of January, A.D., 1932, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Luther E. Downes deceased.

Henry C. Bowen

Clayton T. Cann

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

Filed Aug. 12, 1952

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 LUTHER E. DOWNES, late of Queen Anne's County, deceased, as filed and probated in this office on January 19th, 1932 and recorded in Liber W.T.B. No. 3

Folio 372 in Record Book of WILLS in the Orphans' Court for Queen Anne's County, Maryland.

Orphans' Court Seal.

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of my office this 12th day of August 1952.

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

ORDER OF PUBLICATION
Filed Aug. 12, 1952

ORDER OF PUBLICATION

| | | |
|--|---|-----------------------|
| Luther E. Downes, and Marie Downes, his wife, Centreville, Md. | : | |
| vs. | : | |
| Ella Mae Warner, and Spencer Warner, her husband, Centreville, Md | : | IN THE |
| I. Newton Downes, and Louise Downes, his wife, 1929 Willow St., Linwood, Pa. | : | CIRCUIT COURT |
| Woodrow Downes, and Helen Downes, his wife 30 Sharpless Ave, Boothwyn, Pa. | : | FOR |
| Alvin Downes, and Marie Downes, his wife, 813 McDowell St., Chester, Pa. | : | QUEEN ANNE'S COUNTY |
| Susan Bryant, and Charles Bryant, her husband, 30 Sharpless Ave, Boothwyn, Pa. | : | |
| Lillian Derlock, and Michael Derlock, her husband, 200 Odessa Ave., Gwinhurst, Del. | : | IN EQUITY |
| Catherine Carroll, and James Carroll, her husband, Meetinghouse Road, Boothwyn, Pa. | : | |
| Marion Powell, and Janet Powell, his wife, 2614 Sharpless Ave, Boothwyn, Pa. Lillian Ray, and Curtis Ray, her husband, 608 7th St., Chester, Pa. | : | |
| Shirley Powell, minor, Centreville, Md. Dell Powell, Minor, Centreville, Md. Edith McKenney, and Samuel McKenney, her husband, 30 Sharpless Ave., Boothwyn, Pa. | : | CAUSE NO. <u>3815</u> |
| | : | |

The object of this suit is to have a trustee or trustees appointed to make sale of the real estate of which LUTHER E. DOWNES died seized and possessed and which was devised to the parties to this suit by his last will and testament, and to distribute the net proceeds so received among those entitled thereto.

The Bill of Complaint alleges that Luther E. Downes, late of Queen Anne's County, Maryland, deceased, died seized and possessed of a large tract of real estate, called or known as "Adventure or Plain Dealing", situate near the village of Burrisville in Spaniard's Neck in the Third Election District of said county, and which vested in him by virtue of deed from William H. Bains, et. al, dated July 30th, 1900, and recorded in Liber J.E.G. No. 1, folio 16, a land record book for said county, a certified copy of which is filed herewith and made a part hereof as Exhibit A. That being so seized, said Luther E. Downes, died on or about January 8th, 1932, leaving a last will and testament which was admitted to probate by the Orphans Court for Queen Anne's County and is of record in the office of the Register of Will in said county in Wills Liber W.T.B. No. 3, folio 372, a certified copy of which is filed herewith and made a part hereof as Exhibit B. That on or about February 18, 1952, Mary E. Downes Skinner, the life tenant under said will of the aforesaid real estate died, and the following children and children of deceased child of the aforesaid Luther E. Downes, survive, and are seized and possessed, as tenants in common, in fee of the aforesaid real estate, by virtue of said will as follows: Luther E. Downes, a son, a 1/9 interest; Ella Mae Warner, a daughter, a 1/9 interest; I. Newton Downes, a son, a 1/9 interest; Woodrow W. Downes, a son, a 1/9 interest; Alvin Downes, a son, a 1/9 interest; Susan Bryant, a daughter, a 1/9 interest; Lillian Derlock, a daughter, a 1/9 interest; Edith McKenney, a daughter, a 1/9 interest; Catherine Carroll, a daughter of Mary Powell, deceased, a 1/45 interest; Marion Powell, a son of Mary Powell, deceased, a 1/45 interest; Lillian Ray, a daughter of Mary Powell, deceased, a 1/45 interest; Shirley Powell, minor, a daughter of Mary Powell, deceased, a 1/45 interest; and Dell Powell, minor a daughter of Mary Powell, deceased, a 1/45 interest. That all the parties to this suit are joined with their respective spouses, if married, and all parties are adults, except Shirley Powell and Dell Powell, who are minors. That the real estate is not susceptible of division agreeable to their respective interests without loss or injury.

IT IS THEREUPON, this 12th day of August, 1952, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that notice be given by inserting a copy of this order in some newspaper printed and published in Queen Anne's County once a week for four successive weeks before the 22nd day of September, 1952, warning the said I. NEWTON DOWNES and LOUISE DOWNES, his wife, WOODROW W. DOWNES and HELEN DOWNES, his wife, ALVIN DOWNES and MARIE DOWNES, his wife, SUSAN BRYANT and CHARLES BRYANT, her husband, LILLIAN DERLOCK and MICHAEL DERLOCK, her husband, CATHERINE CARROLL and JAMES CARROLL, her husband, MARION POWELL and JANET POWELL, his wife, LILLIAM RAY and CURTIS RAY, her

husband, and EDITH MCKENNEY and SAMUEL MCKENNEY, her husband, non-residents of the State of Maryland, to be and appear in this Court in person or by solicitor on or before the 8th day of October, 1952, to show cause, if any they have, why the relief prayed in said Bill of Complaint should not be granted and to abide by and perform such order or decree as may be passed in the premises.

T. SORDEN PIPPIN Clerk

Filed August 12, 1952

Equity Subpoena
Filed Aug. 29, 1952

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Shirley Powell, minor,
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 Luther E. Downes and Marie Downes, his wife, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th. day of July, 1952.

Issued the 12th. day of August, 1952.

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 J. Thomas Clark

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Service of copy of summons made on August 14th, 1952, by reading to and leaving copy of summons with Shirley Powell, minor and Anna Mae Powell, next friend.

FRANKY W. WHITELEY
Sheriff

Filed Aug. 29, 1952

Equity Subpoena
Filed Aug. 29, 1952

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Ella Mae Warner and Spencer Warner, her husband,
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 Luther E. Downes and Marie Downes, his wife, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th. day of July, 1952.

Issued the 12th. day of August, 1952.

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 J. Thomas Clark

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summons served by reading same and leaving a copy of same & the bill of complaint with Spencer Warner on August 13th 1952, and with Ella Mae Warner on August 14, 1952.

FRANK Y. WHITELEY
Sheriff

Filed Aug. 29, 1952

Equity Subpoena
Filed Aug. 29, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Dell Powell, minor,
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 Luther E. Downes and Marie Downes, his wife, Centreville, Md. 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 July, 1952.

Issued the 12th. day of August, 1952.

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 J. Thomas Clark

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Service of copy of summons made this 14th day of August, 1952, by reading to and leaving copy of same together with copy of bill of complaint with Dell Powell, minor and Sally Powell, her next friend.

FRANK Y. WHITELEY
Sheriff

Filed Aug. 29, 1952

Petition for appointment of
Guardian ad litem and order
thereon
Filed Sept. 10, 1952

Luther E. Downes, et. al.

vs.

Ella Mae Warner, et. al.

In The Circuit Court For

Queen Anne's County In

Equity Chy, No. 3815

To The Honorable, The Judge of Said Court:

The petition of Luther E. Downes, one of the plaintiffs, in the above entitled cause, respectfully represents:

That Shirley Powell and Dell Powell, infants, two of the defendants in said above cause, have been duly returned summoned, but being infants they cannot answer and defend this suit for themselves, and have no guardians within the jurisdiction of this Court to answer and defend the suit for them.

Your petitioner therefore prays your Honor to appoint separate guardian ad litem to appear and answer for said infants.

And as in duty bound, etc.,

J. THOMAS CLARK
Attorney for Petitioner

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

I hereby certify that on this 9th day of September, 1952, before me, the subscriber, Clerk of the Circuit Court for Queen Anne's County, Maryland, personally appeared the above named Luther E. Downes and made oath in due form of law that the matters and facts in the foregoing petition are true to the best of his knowledge and belief.

T. SORDEN PIPPIN Clerk
of the Circuit Court of Queen
Anne's County.

Filed Sept. 9, 1952

ORDER OF COURT

Ordered this 10th day of September, 1952, by the Circuit Court for Queen Anne's County, in Equity, upon the foregoing petition and affidavit, that Anna Mae Powell, be and she is hereby appointed guardian ad litem to appear and answer for Shirley Powell, infant defendant in the above cause, and that Elizabeth Powell be, and she is hereby appointed guardian ad litem to appear and answer for Dell Powell, infant defendant in the above cause.

WM. R. HORNEY
Judge

Filed Sept. 10, 1952

Petition
Filed Sept. 16, 1952

Luther E. Downes, et al

vs.

Ella Mae Warner, et al

In The Circuit Court For

Queen Anne's County In

Equity Chy. 3815

To the Honorable, The Judge of Said Court:

The petition of Luther E. Downes, one of the plaintiffs, in the above entitled cause, respectfully represents:

That heretofore, by order of this honorable Court, dated September 10th, 1952, one Elizabeth Powell, was appointed guardian ad litem to appear and answer for Dell Powell, an infant defendant in the above cause.

That said person designated as Elizabeth Powell is incorrectly designated as her true name is Bertha P. Powell.

Wherefore your petitioner prays that the order of his honorable Court, bearing date the 10th day of September, 1952, appointing Elizabeth Powell, guardian ad litem of Dell Powell, infant, in the above entitled cause be amended to read Bertha P. Powell, guardian ad litem of Dell Powell, infant.

And as in duty bound, etc.,

LUTHER DOWNES
Luther E. Downes

Sworn and subscribed to before me this 16th day of September, 1952.

T. SORDEN PIPPIN Clerk

Filed Sept. 16, 1952

ORDER OF COURT

Ordered this 16th day of September, 1952, by the Circuit Court for Queen Anne's County, in Equity, upon the foregoing petition and affidavit thereon, that so much of the order of this Court bearing date the 10th day of September, 1952, that reads "Elizabeth Powell be, and she is hereby appointed guardian ad litem to appear and answer for Dell Powell, infant defendant in the above cause", is hereby revoked, and it is hereby ordered by the authority of said court that Bertha P. Powell be, and she is hereby appointed guardian ad litem to appear and answer for

Dell Powell, infant defendant in the above cause.

WM. R. HORNEY
Judge

Filed Sept. 16, 1952

Answer of Guardian ad litem
Filed Sept. 16, 1952

Luther E. Downes, et al
vs.
Ella Mae Warner, et al

In the Circuit Court For
Queen Anne's County In
Equity Chy. No. 3815

To The Honorable, The Judge of Said Court:

The answer of Shirley Powell, infant, by Anna Mae Powell, guardian ad litem, duly appointed by order of this Court, to the bill of complaint of Luther E. Downes, et. al. against her in this Court exhibited.

This defendant, being an infant, cannot admit any of the matters and facts in said bill alleged, and submits his rights thereunder to the protection of this Court.

And as in duty bound, et c.,

ANNA MAE POWELL
Guardian Ad Litem

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

I hereby certify, that on this 16th day of September, 1952, before me, the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Anna Mae Powell, guardian ad litem for Shirley Powell, and made oath in due form of law that the matters and facts in the foregoing Answer are true to the best of her knowledge and belief.

T. SORDEN PIPPIN Clerk

Filed Sept. 16, 1952

Answer of Guardian ad litem
Filed Sept. 19, 1952

Luther E. Downes, et al
vs.
Ella Mae Warner, et al

In The Circuit Court For
Queen A nne's County In
Equity Chy No. 3815

To The Honorable, The Judge of Said Court:

The answer of Dell Powell, infant, by Bertha P. Powell, guardian ad litem, duly appointed by order of this Court, to the bill of complaint of Luther E. Downes, et. al., against her in this Court exhibited.

This defendant, being an infant, cannot admit any of the matters and things in said bill alleged, and submits her rights thereunder to the protection of this Court.

A nd as in duty bound, e tc.,

BERTHA P. POWELL
Guardian Ad Litem

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

I hereby certify, that on this day of September, 1952, before me, the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Bertha P. Powell, gardina ad litem for Dell Powell, and made oath in due form of law that the matters and facts in the foregoing Answer are true to the best of her knowledge and belief.

T. SORDEN PIPPIN Clerk

Filed Sept. 19, 1952

Answer of part of Defendant
Filed Oct. 9, 1952

Luther E. Downes, et. al.
Plaintiffs
vs.

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

Chancery No. 3815

Ella Mae Warner, et. al.

To The Honorable, The Judges of Said Court:

The Answer of Ella Mae Warner, Spencer Warner, Woodrow Downes, Helen Downes, Alvin Downes, Marie Downes, Susan Bryant, Charles Bryant, Catherine Carroll, James Carroll, Marion Powell, Janet Powell, Lillian Ray, Curtis Ray, Edith McKenney and Samuel McKenney to the Bill of Complaint of Luther E. Downes and Marie Downes, his wife, against them in this court exhibited; respectfully sets forth:

These defendants, all adults, admit the matter and facts set forth in said Bill of Complaint and do each consent to the passage of such decree or order as may be passed in the premises; each defendant hereby waives notice of the taking of testimony in this cause and agree that depositions in said cause be taken at any time by one of the Standing Examiners of this Court as each does not choose to appear to offer evidence in the premises.

And as in duty bound, et c.

HARRY C. BUTLER
Attory for named Defendants

Service of copy of foregoing answer hereby admitted this 9th day of October, 1952.

J. THOMAS CLARK
Attorney for Plaintiffs

Filed Oct. 9, 1952

Order of Publication
Filed Oct. 11, 1952

ORDER OF PUBLICATION

Luther E. Downes and Marie
Downes, his wife, Centreville, Md.

IN THE CIRCUIT COURT

Vs.

Ella Mae Warner and Spencer
Warner, her husband, Centreville,
Md.

FOR

I. Newton Downes, and Louise
Downes, his wife
1929 Willow St., Linwood, Pa.
Woodrow Downes, and Helen Downes,
his wife, 30 Sharpless Ave.,
Boothwyn, Pa.

QUEEN ANNE'S COUNTY

Alvin Downes, and Marie Downes, his
wife, 813 McDowell St., Chester, Pa.
Susan Bryant, and Charles Bryant, her
husband, 30 Sharpless Ave., Boothwyn, Pa.
Lillian Derlock, and Michael Derlock,
her husband, 200 Odessa Ave., Gwinhurst, Del.
Catherine Carroll, and James Carroll, her
husband, Meetinghouse Road, Boothwyn, Pa.
Marion Powell, and Janet Powell, his wife,
2614 Sharpless Ave., Boothwyn, Pa.
Lillian Ray, and Curtis Ray, her husband,
608 7th St., Chester, Pa.
Shirley Powell, minor, Centreville, Md.
Dell Powell, minor, Centreville, Md.
Edith McKenney, and Samuel McKenney, her
husband, 30 Sharpless Ave., Boothwyn, Pa.

IN EQUITY

Cause No. 3815

The object of this suit is to have a trustee or trustees appointed to make sale of the real estate of which LUTHER E. DOWNES died seized and possessed and which was devised to the parties to this suit by his last will and testament, and to distribute the net proceeds so received among those entitled thereto.

The Bill of Complaint alleges that Luther E. Downes, late of Queen Anne's County, Maryland, deceased, died seized and possessed of a large tract of real estate, called or known as "Adventure or Plan Dealing," situate near the village of Burrisville in Spaniards Neck in the Third Election District of said county, and which vested in him by virtue of deed from William H. Bains, et al, dated July 30th, 1900 and recorded in Liber J.E.G. No. 1, folio 16, a land record book for said county, a certified copy of which is filed herewith and made a part hereof as Exhibit A. That being so seized, said Luther E. Downes, died on or about January 8th, 1932, leaving a last will and testament which was admitted to probate by the Orphans Court for Queen Anne's County, and is of record in the office of the Register of Wills in said county in Willis Liber W.T.B. No. 3, folio 372, a certified copy of which is filed herewith and made a part hereof as Exhibit B. That on or about February 18, 1952, Mary E. Downes Skinner, the life tenant under said will of the aforesaid real estate died, and the following children and children of deceased child of the aforesaid Luther E. Downes, survive, and are seized and possessed, as tenants in common, in fee of the aforesaid real estate, by virtue of said will as follows:

Luther E. Downes, a son, a 1-9 interest; Ella Mae Warner, daughter a 1-9 interest; I. Newton Downes, a son, a 1-9 interest; Woodrow W. Downes, a son, a 1-9 interest; Alvin Downes, a son, a 1-9 interest; Susan Bryant, a daughter, a 1-9 interest; Lillian Derlock, a daughter, a 1-9 interest; Edith McKenney, a daughter, a 1-9 interest; Catherine Carroll, a daughter of Mary Powell, deceased, a 1-45 in-

terest; Marion Powell, a son of Mary Powell, deceased, a 1-45 interest; Lillian Ray, a daughter of Mary Powell, deceased, a 1-45 interest; Shirley Powell, a minor, a daughter of Mary Powell, deceased, a 1-45 interest; and Dell Powell, minor, a daughter of Mary Powell, deceased, a 1-45 interest. That all the parties of this suit are joined with their respective spouses, if married, and all parties are adults, except Shirley Powell and Dell Powell, who are minors. That the real estate is not susceptible of division agreeable to their respective interests without loss or injury.

IT IS THEREUPON, this 12th day of August, 1952, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that notice be given by inserting a copy of this order in some newspaper printed and published in Queen Anne's County once a week for four successive weeks before the 22nd Day of September, 1952, warning the said I. NEWTON DOWNES and LOUISE DOWNES, his wife, WOODROW W. DOWNES ALVIN DOWNES, and MARIE DOWNES, his wife, SUSAN BRYANT, her husband, CATHERINE CARROLL and JAMES CARROLL, her husband, MARION POWELL and JANET POWELL, his wife, LILLIAN RAY and CURTIS RAY, her husband, and EDITH MCKENNEY AND SAMUEL MCKENNEY, her husband, non-residents of the State of Maryland and HELEN DOWNES, his wife, land, to be and appear in this Court in person or by solicitor on or before the 8th day of October, 1952, to show cause, if any they have, why the relief prayed in said Bill of Complaint should not be granted and to abide by and perform such order or decree as may be passed in the premises.

T. SORDEN PIPPIN,
Clerk.

True Copy:
Test:

T. SORDEN PIPPIN,
Clerk.

Filed August 12, 1952.

THE QUEENSTOWN NEWS

Queenstown, Md, Oct. 9, 1952

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 Luther E. Downes, and Marie Downes, his wife, Centreville, Md., Vs. Ella Mae Warner, and Spencer Warner, her husband, etc., Cause No. 3815 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 Sept. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 22nd day of Aug. 1952.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Oct. 11, 1952

Military Affidavit
Filed Oct. 11, 1952

Luther E. Downes, et. al.

vs.

Ella Mae Warner, et. al.

In The Circuit Court For

Queen Anne's County In

Equity Chy. #3815

Military Affidavit

This is to certify that I. Newton Downes and Louise Downes, his wife, Lillian Derlock and Michael Derlock, her husband, defendants in the above entitled cause are not now, nor were any of them on August 12, 1952, nor were they or any of them three months prior to August 12th, 1952, a member of the United States Armed Forces.

LUTHER E. DOWNES

Luther E. Downes, one of the
Plaintiffs

Sworn to and subscribed to before me this 11th day of October, 1952.

T. SORDEN PIPPIN Clerk

Filed Oct. 11, 1952

Petition for and decree
pro confesso
Filed Oct. 24, 1952

Luther E. Downes, et. al.

vs.

Ella Mae Warner, et. al.

In The Circuit Court For

Queen Anne's County In

Equity Chy. #3815

To the Honorable, The Judge of Said Court:

The Petition of Luther E. Downes and Marie Downes, his wife, Plaintiffs, by J. Thomas Clark, their attorney, to your Honor, respectfully sets forth:

1. That I. Newton Downes and Louise Downes, his wife, and Lillian Derlock and Michael Derlock, her husband, some of the defendants in the above stated cause are non-residents of the State of Maryland, were duly served with notice of the above cause by due publication of the order of publication published in The Queenstown News on August 22, 29, September 5, and 12 in the year 1952, as shown by the certificate of The Queenstown News showing publication of the same, heretofore filed herein.

2. That although the said defendants were commanded to appear before this Court on or before October 8, 1952, to answer the complaint of the plaintiffs, the said defendants have not entered their appearances either in person or by solicitor nor filed any answer herein.

3. That the defendants, Ella Mae Warner, Spencer Warner, Woodrow Downes, Helen Downes, Alvin Downes, Marie Downes, Susan Bryant, Charles Bryant, Catherine Carroll, James Carroll, Marion Powell, Janet Powell, Lillian Ray, Curtis Ray, Edith McKenney and Samuel McKenney, have all filed an answer to the complaint filed herein, as well as answers having been filed by their respective guardian ad litem for Dell Powell, infant and Shirley Powell, infant defendants.

4. That your petitioners are advised and therefore allege that they have a right to secure a Decree Pro Confesso against the defendants, I. Newton Downes, Louise Downes, Lillian Derlock and Michael Derlock, and that the papers be submitted to an Examiner so that your petitioners 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 I. Newton Downes, Louise Downes, Lillian Derlock and Michael Derlock, defendants.

2. That the papers in this cause may be submitted to one of the Standing Examiners of this Court so that the petitioners may take testimony in support of the allegations of the bill of complaint.

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

And as in duty bound, etc.,

J. THOMAS CLARK
Attorney for petitioners

Filed Oct. 24, 1952

Answer of Part of Defendants
Filed Oct. 27, 1952

Luther E. Downes, et. al.
Plaintiffs

vs.

Ella Mae Warner, et. al.
Defendants

In The Circuit Court for
Queen Anne's County In
Equity Cause #3815

To The Honorable, The Judge of Said Court:

The Answer of I. Newton Downes and Louise Downes, his wife, and Lillian Derlock and Michael Derlock, her husband, to the Bill of Complaint of Luther E. Downes and Marie Downes, his wife, against them in this court exhibited, respectfully represents:

These defendant, all adults, admit the matters and facts set forth in said Bill of Complaint and do each consent to the passage of such decree or order as may be passed in the premises, each defendant hereby waives notice of the taking of testimony in this cause and agree that depositions in said cause be taken at any time by one of the standing examiners of this Court as each does not choose to appear to offer evidence in the premises.

And as in duty bound, etc.,

HARRY C. BUTLER
Atty for above named defendants

Service of copy of above answer hereby admitted this 27th day of Oct., 1952.

J. THOMAS CLARK
Atty. for plaintiffs

Filed Oct. 27, 1952

Report of Examiner and depositions
Filed Oct. 31, 1952

LUTHER E. DOWNES, et al.

VS.

ELLA MAE WARNER et al.

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY, IN EQUITY.
Cause No. 3815

Report of Examiner and Depositions.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

That your examiner at the request of J. Thomas Clark, attorney for Complainants, went to the office of said attorney on Wednesday afternoon at 2.30 o'clock and after swearing in said witnesses proceeded to take the attached depositions, that before that time Anna Mae Powell, guardian ad litem for Shirley Powell, infant, advised your examiner, that she did not desire to be present and waived notice of the taking of said depositions.

That the examiner and Thomas J. Clark and the witnesses testifying were the only ones present, Harry C. Butler attorney for most of the defendants having waived notice of the taking of said depositions.

Respectfully submitted,

RICHARD T. EARLE

One of Regular Examiners

Filed Oct. 31, 1952

Q. State your name, age, residence and occupation.

A. Edward Stowman, 39 years of age, farmer and I live on the farm which is the subject matter of this suit, which is located on the right hand side of the public road leading from Centreville to Burrisville, and which is known as the "Luther Downes Farm, and my address is Centreville, Maryland.

Q. Are you acquainted with the parties to this suit, or any, and which of them?

A. Yes, and I know Luther and his wife Marie, who are the plaintiffs, and I also know Woodrow Downes and his wife, whose name is Helen, Ella Mae Warner and Her husband Spencer, Newton Downes and his wife Louise, Alvin Downes and his wife Marie., Lillian Derlock and her husband, Michael, Edith McKenney and her husband Samuel Marion Powell and his wife Janet, Lillian Ray and her husband Curtis, all of whom are adults, and I also know Dell Powell, who is a daughter of Mary Powell, a deceased daughter of Mary Powell as well as Marion Powell, Lillian Ray; however, Dell is a minor, who all are children or grandchildren of Luther E. Downes, Sr.

Q. Did you know the late Luther E. Downes, Sr., during his lifetime?

A. No, he died before I knew the family.

Q. Was the late Luther E. Downes, Sr, was married, and if so to whom, and is she living?

A. Yes, he was he married to Mary E. Downes, who married Mr. Skinner about 1938, and Mrs. Skinner died as a widow during February of 1952.

Q. Do you know the property in these proceedings mentioned; if yes, describe its quantity, quality, situation and value?

A. Yes, it has a total of about 143 acres of land of which 117 acres is tillable and the rest is branch and woodland, and its quality is that of norman cultivation, and it is located in the Third District of Queen Anne's County, on the right hand side of the public road leading from Centreville to Burrisville and is about 4 miles from the town of Centreville, and is located on a paved road, and its value in my opinion is \$15,000.00.

Q. Is or not the said property susceptible of division among the parties interested therein without material loss and injury to them?

A. No.

Q. Would it or not be to the benefit and advantage of all the parties interested therein to sell the said property, and divide the proceeds among them? State your reasons for such opinion as you may give?

A. Yes, because the property cannot be divided with out all of the parties suffering a loss, and at this time farms are bringing a good price.

Q. In what capacity do you occupy the farm which has to do with these proceedings?

A.. As a tenant, wherein I was a tenant of Mrs. Mary Downes Skinner, who told me that she had the sole say of this farm during her lifetime, and since then, I have stayed on at the farm and put in the crops for the children of Mrs. Skinner; in fact I have already seeded the wheat for the next year at the request of about five of the several children. I also have in my possession some checks for crops grown on the farm after Mrs. Skiner's death somewhere about the sum of \$1000.00

Exam. Spec.

A. No.

EDWARD STOWMAN

Q. State your name, residence, and occupation and age.

A. Berthan P. Powell, Centreville, Maryland, saleslady, and an adult.

Q. Are you acquainted with the parties to this suit, or any, and which of them?

A. Yes. I'll know all of them.

Q. Did you know the late Luther E. Downes, Sr., in his lifetime? Is he still living or dead; if dead when and where did he die, and did he leave any last will and testament? Was he married, and if yes, to whom; and is his widow living or dead? What children and descendant did he leave, and what are their several names, ages and residences?

A. Yes, and he is dead, he died January 8, 1931, Burrsville, Maryland. I don't know whether or not Mr. Downes left a last will and testament or not. Yes, he was married to Mary E. Downes, who later married a Mr. Skinner, and Mrs. Skinner is dead now, Luther Downes, Ella Warner, both of whom are adults and live in Queen Anne's County, Maryland, and Lillian Derlock, Edith McKenney, Susan Bryant Woodrow, Newton, Alvin Downes, all of whom are adults and live in the State of Pennsylvania, except Lillian Derlock who lives in the State of Delaware, and all of whom are married, but I do not know either their wives or husbands. Then there are the five children of Mary Powell, who is a deceased daughter of Luther, Sr. who died sometime during the year 1938, and are as follows: Marion Powell, Catherine Carroll, and Lillian Ray, all of whom are adults and are married, but I do not know their respective spouses, and all live in the State of Pennsylvania, and Shirley Powell, who is a minor and resides with Mr. Royden Powell, Sr. and wife, in Centreville, Maryland, and Dell Powell, who is also a minor and resides with me in Centreville, Maryland.

Q. Do you know in the property in these proceedings mentioned?

A. Yes., I know where it is.

Q. Is or not the said property in these proceedings mentioned susceptible of division among the parties interested therein without material loss or injury to them?

A. No.

Q. Would it or not be to the benefit and advantage of all the parties interested therein to sell the said property, and divided the proceeds among them? State your reasons for your answer.

A. Yes, because the property is not susceptible of division without loss to all the parties concerned.

Exam. Sp.

A. No.

BERTHA P. POWELL

Q. State your name, age, residence and occupation?

A. Luther E. Downes, 50 years of age, Centreville, Md., and a farmer

Q. Are you acquainted with the parties to this suit, or any, and which of them?

A. Yes, I know all of them.

Q. Did you know the late Luther E. Downes, Sr., in his lifetime? Is he living or dead; if dead, when and where did he die, and did he leave any last will and testament? Was he married, and if yes, to whom; and is his widow living or dead? What children and descendants did he leave and what are their several names ages and residences?

A. Yes, he was my father. He is dead, and he died January 8, 1931, on the farm which is a matter of this suit in Queen Anne's County, Maryland, and he left a last will and testament, a copy of which has been filed in this suit and is marked exhibit B. He was married to my mother who was Mary E. Downes, and who married Albert Skinner sometime during the year around 1938, and who has since died, My mother, Mrs. Skinner is now dead, and she died during the month of February, 1952. The following children were living at the time of my father's death and are still living, with their designated spouses at the following addresses: Edith McKenny, who is married to Samuel McKenney, and who is about 46 years of age, and they live at 30 Sharpless Avenue, Boothwyn, Pennsylvania, Susan Bryant, who is married to Charles Bryant, and who is about 42 years of age, and they live at Chester, Pennsylvania, Lillian Derlock, who is married to Michael Derlock, and who is about 38 years of age, and who live Gwinhurst, Delaware, Ella Warner, who is married to Spencer Warner, and is about 35 years of age, and they live at Centreville, Maryland; Alvin Downes, and who is married to Marie Downes, and who is about 42 years of age, and they live at Chester, Pennsylvania; Newton Downes, who is married to Louise Downes, and he is about 39 years of age, and they live at Linwood, Pennsylvania; Woodrow Downes, who is married to Helen Downes, and he is about 28 years of age, and his present address is West Chester, Pennsylvania; and then myself, and I am married to Marie Downes, and all of the above parties are adults, and all are defendants in this cause, except myself and my wife, who are plaintiffs. I had one more sister, Mary Powell, who was living at the time of my father's death, and who died about 1938, and left the following children surviving her: Marion Powell, and who is married Janet Powell, both of whom are adults, and they live at Boothwyn, Pennsylvania; Lillian Ray who is married to Curtis Ray, both of whom are adults and live at Chester, Pennsylvania; and Catherine Carroll and who is married to James Carroll, and both of whom are adults, and live at Boothwyn, Pennsylvania; Shirley Powell, who is a minor, and who resides with Royden Powell, Sr. and wife at Centreville, Maryland; Dell Powell, who is a minor, and who resides with Bertha P. Powell at Centreville, Maryland

Q. Do you know the property in these proceedings mentioned; if yes, describe its quantity, quality, situation and value?

A. Yes, it has about 117 acres of cleared land and about 26 acres of branch and woodland, it is a farm farm of normal state of cultivation and is a fair one, and is located on a paved road about 4 miles from Centreville, on the right side of the public road known as the Centreville-Burrisville road, and its value is in my opinion about \$16,000.00

Q. Is this property susceptible of division among the parties hereto without material loss or injury to them?

A. No.

Q. Would it or not be to the benefit and advantage of the parties hereto to sell the said property and divide the proceeds among them. Please state the reasons for your answer?

A. Yes, because there is no accurate way of dividing it without someone getting hurt financially.

Q. Is there a tenant on this farm, and if so, who is he, and state what if any crops he may have in on this farm?

A. Yes, Edward Stowman, and who has carried on this farm since my mother's death and has just finished putting in the wheat crop of next year., and has carried on the tenancy due to the agreement of most of the heirs

Exam. Sp.

A. No.

LUTHER DOWNES

Q. State your name, residence and occupation.

A. Harry F. Callahan, Centreville, Maryland, county commissioner, farm owner, and appraiser for the State Roads Commission of Maryland.

Q. Are you acquainted with the farm known as "The Luther Downes Farm", located in the Third Election District of Queen Anne's County, about 3 miles from Centreville located on the public road leading from Centreville to Burrisville, and which lies on the right hand side of said road?

A. Yes.

Q. Are you also acquainted with the buildings located thereon as well as the land?

A. Yes, I know it personally.

Q. How long have you known this farm?

A. For over twenty years

Q. Are you acquainted with farm values in this area?

A. Yes, I have been appraising them for over 5 years. in this district and county as well as owning them.

Q. In your opinion, what is the market value of this farm, The Luther Downes Farm, located on the Centreville-Burrisville public road, today?

A. About \$25,000.00, because although this farm is a small one of about 142 acres of land, more or less, of which about 117 acres is tillable, and the most of the balance is good woodland, this farm has very good buildings on it, which are far above the average, and also, the land has been taken care of exceptionally well during the past few years.

Q. Do you think that this farm is susceptible of division among several heirs without material loss or injury to them?

A. No.

Q. Would it or not be to the benefit and advantage of several heirs to this farm to sell the same and divide the proceeds among them, and if so, please state your reasons for your answer?

A. Yes, because this farm is susceptible of division, and money from the proceeds of sale is the only thing that can be divided equally between several heirs, so that each would share equally, without any loss or injury to any of them.

Exam. Sp.

A. No.

HARRY F. CALLAHAN
Harry F. Callahan

That at the termination of said depositions, the examiner was advised by the attorney for Complainants that he did not desire to take further depositions, and was requested to file same.

Richard T. Earle, Examiner-----\$10.00

RICHARD T. EARLE
One of Regular Examiners

Filed Oct. 31, 1952

Decree
Filed Nov. 11, 1952

Luther E. Downes, et al

vs.

Ella Mae Warner, et al

In The Circuit Court For
Queen Anne's County In
Equity Chy. #3815

* * * * *

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

IT IS THEREUPON, this 11th day of November, in the year nineteen hundred and fifty two, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, ADJUDGED, ORDERED AND DECREED, that the real estate described in the above entitled proceedings be sold for the purpose of partition. And that J. Thomas Clark and Harry C. Butler, both of Centreville, Queen Anne's County, Maryland, be and they are hereby appointed Trustees to make sale thereof; and that the course and manner of their proceeding shall be as follows: they shall, before they proceed to make such sale, first file with the Clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland, executed by them and a surety or sureties in the penalty of Twenty Thousand Dollars if a corporate and indouble that amount if personal sureties, conditioned for the faithful performance of the trust reposed in them by this Decree or which may be reposed in them by any future order or decree passed in the premises, which said bond shall be approved by one of the Judges of the said Circuit Court, or by the Clerk of the Circuit Court for Queen Anne's County. The said Trustees shall then proceed to make said sale, having given at least three weeks' previous notice by advertisement inserted in some newspaper or newspapers printed and published in Queen Anne's County, and such other manner as they 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 incash on day of sale, and the balance of the purchase money to be paid on date of final ratification of said sale by this Court, or all cash at the option of the purchaser, the credit payment, if any, to bear interest from the date of sale and to be secured by the note of the purchaser with surety or sureties thereon to be approved by the Trustees. That as soon as convenient after such sale, the said Trustees shall return to this Court, a full and particular account of their proceedings in the premises, with an affidavit thereto annexed of the truth thereof, and of the fairness of such sale, And on the final ratification thereof, and the full payment of the whole purchase money, and not before, the said Trustees are hereby authorized, by a good and sufficient deed, acknowledged and recorded according to law, to convey to the purchaser, his, her or their heirs, the property and estate to him, her or them sold, free clear and discharged from all claims of the parties to this Cause.

And the said Trustees shall bring into this Court the money arising from the sale of the said land and premises, to be distributed under the direction of this Court, after deducting the costs of suit and such commissions to the 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.

WM. R. HORNEY
Judge

Filed Nov. 11, 1952

Certified Copy of Bond
Filed Dec. 4, 1952

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourth day of December in the year nineteen hundred and fifty-two, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, J. Thomas Clark and Harry C. Butler, of Centreville, Queen Anne's County, State of Maryland, and The Maryland Casualty Company, a body corporate, duly authorized by its charter to become sole surety on bond are held and firmly bound unto the State of Maryland in the full and just sum of Twenty Thousand (\$20,000.00) Dollars, current money, 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, jointly and severally firmly by these presents, sealed with our seals and dated the 4th day of December, in the year nineteen hundred and fifty-two.

WHEREAS, the above bounden, J. Thomas Clark and Harry C. Butler,

by virtue of a decree of the Circuit Court of Queen Anne's County, In Equity, have been appointed trustees to sell the property mentioned in the partition proceedings in the case of Luther E. Downes, et. al. vs. Ella Mae Warner, et. al., now pending in said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION is such, that if the above bounden, J. Thomas Clark and Harry C. Butler, do, and shall well and faithfully perform the trust reposed in them by said decree, or that may be reposed in them by any future decree or order in the premises, then the 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

LORRAINE DILLEHUNT

Witness as to surety

LORRAINE DILLEHUNT

J. THOMAS CLARK (SEAL)
J. Thomas Clark

HARRY C. BUTLER (SEAL)
Harry C. Butler

MARYLAND CASUALTY COMPANY

BY HARRY C. BUTLER
Harry C. Butler
Attorney in Fact

Corporate Seal

And at the foot of the foregoing Bond is the following Endorsement, to wit:

Security approved and Bond filed Dec. 4, 1952.

T. SORDEN PIPPIN, Clerk

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

I hereby certify that the foregoing was truly taken and copied from Liber A.S.G. Jr. No. 1, folio 298, a Bond Record Book 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 Fourth day of December in the year nineteen hundred and fifty two.

T. SORDEN PIPPIN
Clerk

Report of Sale
Filed Dec. 9, 1952

Luther E. Downes, et al

vs.

Ella Mae Warner, et al

In The Circuit Court For

Queen Anne's County In

Equity Cause 3815

REPORT OF SALE

TO THE HONORABLE, The Judge of said Court:

The report of J. Thomas Clark and Harry C. Butler, trustees, appointed by a decree of this Court, passed in the above entitled cause, dated 11th day of November, 1952, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of their trust, and after having complied with all the other prerequisites, as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement inserted in the "Queen Anne's Record-Observer", a weekly newspaper printed and published in Queen Anne's County, Maryland, for at least three successive weeks before the day of sale, they did, pursuant to said notice, attend in front of the Court House Door in the town of Centreville, Queen Anne's County, Maryland, at 1:30 o'clock P.M. on the 9th day of December, 1952, then and there proceed to sell said property in the manner following, that is to say:

Your trustees did offer the hereinafter described property at public sale to the highest bidder, after first reading said advertisement of sale, through J. Elmer Anthony, Auctioneer, who, after crying said sale, for some time, did sell said property unto Harry F. Callahan, Centreville, Queen Anne's County, Maryland at and for the sum of Eighteen Thousand Dollars (\$18,000.00) the said property being described as follows:

ALL those tracts, parts of tracts or parcels of land called, "Adventure" and Plain Dealing" or "Crumps Chance" or by whatsoever other name or names the same may be called or known, situate, lying on the right of the public road leading from Church Hill road by said land to Burrisville in Spaniard's Neck, in the 3rd Election District of Queen Anne's County aforesaid and bounded on the North or rear by the lands of or formerly of James W. Slaughter and the lands formerly of Charles H. Kennedy; on the east by the said Kennedy land, the Pierce lot, the Jones lot and the land of or formerly of Clem Chance; on the South or front by said public road; on the West by the farm formerly owned by A. Randolph Weedon, containing 142 acres 5 perches of land, more or less. Being the same farms granted and conveyed unto Luther E. Downes by William H. Bains et al by deed dated July 30, 1900, and recorded in Liber J.E. G. No. 1, folio 16, a land record book for Queen Anne's County aforesaid.

The terms of sale were those set forth in the advertisement and the additional announcements that that all costs of transfer of title to be at expense of purchaser including all documentary stamps, the wheat crop of 39 acres was as to the landlord's share being sold with the farm, the electric pump located on said farm belonged to Edward Stowman, the tenant, and that that terms of the tenancy and his rights were to occupy the farm as a tenant for the year 1953 and that the tenant and landlord were each to furnish one half of all seed including grass seed and fertilizers, the landlord to furnish all lime and the tenant to harvest all crops.

The Purchasers have complied with the terms of sale by payment of Six Thousand Dollars (\$6,000.00) one third of purchase price

The Report states the amount of sales to be \$18,000.00.

Respectfully submitted,

J. THOMAS CLARK
(J. Thomas Clark)

HARRY C. BUTLER
Harry C. Butler) TRUSTEES

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

This is to certify that on this 9th day of December, 1952, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, in Equity, personally appeared J. Thomas Clark and Harry C. Butler, trustees named in the above report of sale, and made oath in due form of law that the matters and facts set forth in the foregoing report are true and bona fide as therein set forth, and that the sale therein reported was fairly made.

T. SORDEN PIPPIN

Clerk

Filed Dec. 9, 1952

Trustee's Sale
Filed Dec. 9, 1952

TRUSTEE'S SALE
OF VALUABLE
REAL ESTATE

By virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed in Cause No. 2815 entitled "Luther E. Downes, et. al." versus "Ella Mae Warner, et. al." the undersigned, as Trustees named in said decree, will sell at public sale to the highest bidder in front of the Court House door in the town of Centreville, Queen Anne's County, Maryland, on TUESDAY, DEC. 9, 1952 At the hour of 1:30 P.M.

ALL those tracts, parts of tracts or parcels of land called, "Adventure" and "Plain Dealing" or "Crumps Chance" or by whatsoever other name or names the same may be called or known, situate on the right of the public road leading from Church Hill road by said land to Burrisville in Spaniard's Neck, in the 3rd Election District of Queen Anne's County aforesaid and bounded on the North or rear by the lands of or formerly of James W. Slaughter and the lands formerly of Charles H. Kennedy; on the east by the said Kennedy land, the Pierce lot the Jones lot and the land of or formerly of Clem Chance on the South or front by said public road; on the West by the farm formerly owned by A. Randolph Weedon, containing 142 acres 5 perches of land, more or less.

Being the same farms granted and conveyed unto Luther E. Downes by William H. Bains et. al. by deed dated July 30, 1900, and recorded in Liber J.E. G. No. 1, folio 16 a land record book for Queen Anne's County, aforesaid.

Improved by a fine residence with a nice screened porch and 5 bedrooms, house is covered with asbestos shingles, cow stable, chicken house, shed etc. all in good repair, water and electricity. TERMS OF SALE One-third of purchase money to be paid incash on day of sale, and the balance of the purchase money to be paid on date of final ratification of said sale by the court, or all cash at the date 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 the note of the purchaser with surety or sureties thereon to be approved by the trustees, Taxes and insurance to be adjusted as of date of final settlement. Possession subject to the rights of tenant which will be announced day of sale.

J. THOMAS CLARK
HARRY C. BUTLER,
Trustees

J. Elmer Anthony, Auct.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Dec. 9, 1952

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 3815 Luther E. Downes vis Ella Mae Warner 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 9th day of Dec. 1952, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 13th day of Nov. 1952, and the last insertion on the 4th day of Dec. 1952.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

BY MYRTLE FAULKNER

Filed Dec. 9, 1952

Order Nisi
Filed Dec. 9, 1952

N I S I

| | | |
|---|---|--------------------------|
| Luther E. Downes and Marie Downes, his wife, |) | IN THE CIRCUIT COURT |
| |) | |
| VS. |) | FOR QUEEN ANNE'S COUNTY |
| |) | |
| Ella Mae Warner, et. al. |) | IN EQUITY |
| |) | CHANCERY NO. <u>3815</u> |

ORDERED, This 9th. day of December A.D. 1952, that the sale of real estate made and reported in this cause by J. Thomas Clark and Harry C. Butler, Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 10th. 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 10th. day of January next.

The Report states the amount of sales to be \$18,000.00

T. SORDEN PIPPIN Clerk

Filed Dec. 9, 1952

NISI

| | | |
|---|--|--------------------------|
| Luther E. Downes and Marie Downes, his wife, | | In the Circuit Court for |
| | | Queen Anne's County, |
| Vs. | | in Equity. |
| Ella Mae Warner, et. al. | | Chancery No. 3815 |

ORDERED, This 9th day of December, A.D. 1952, that the sale of real estate made and reported in this cause by J. Thomas Clark and Harry C. Butler, Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 10th 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 10th day of January next.

The Report states the amount of sales to be \$18,000.00.

T. SORDEN PIPPIN, Clerk

True Copy
Test: T. SORDEN PIPPIN, Clerk

Filed Dec. 9, 1952

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Feb. 12, 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of Luther E. Downes, and wife vs. Ella Mae Warner, 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 10th day of Jan. 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 11th day of Dec. 1952, and the last insertion on the 1st day of Jan. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

BY MYRTLE FAULKNER

Filed Feb. 19, 1953

Petition to pay mortgage
and order thereon
Filed Feb. 20, 1953

Luther E. Downes, et al

vs.

Ella Mae Warner, et al

In The Circuit Court For

Queen Anne's County In

Equity No. 3815

To The Honorable, The Judge of Said Court:

The petition of J. Thomas Clark and Harry C. Butler, trustees in the above stated cause, respectfully sets forth:

1. That heretofore, on or about the 9th day of December, 1952, your petitioners sold as trustees pursuant to order of this Court the real estate the subject of the partition suit in this cause to Harry E. Callahan for the sum of \$18,000.00, of which the sum of \$6,000.00 has been paid to your petitioners.

2. That the aforesaid purchaser is ready and willing to complete the payment of the due balance out standing on said purchase price upon ratification by this Court of said sale, and the ability of your petitioners to convey a good fee simple title.

3. That it has recently come to your petitioners knowledge that there is a mortgage outstanding and unreleased on the real estate sold in these proceedings, said mortgage having been given by Luther E. Downes and Mary E. Downes, his wife, to The Centreville National Bank of Maryland, dated October 29, 1931, in the sum of \$1657.66, and given as security for five antecedent notes of the mortgagors either as co-makers or co-endorsers; that said mortgage was assigned to Mary E. Downes Skinner, nee Mary E. Downes, one of the original mortgagors, for value on February 20, 1945, said mortgage and assignment thereof being of record among the land records of Queen Anne's County aforesaid in Liber BHT #13, folio 494, etc., all of which matters and facts are more fully set forth in the certified copy of the same filed herewith and made a part hereof and marked "Exhibit 1".

4. That the said Mary E. Downes Skinner and Mary E. Downes, now deceased, is the same person and one of the original mortgagors.

5. That Woodrow W. Downes and Ella Mae Warner have duly qualified as Executors of the Will of Mary E. Downes Skinner, deceased, per certificate of the Register of Wills for Queen Anne's County filed herewith and marked "Exhibit 2".

6. That the aforesaid executors of the will of Mary E. Downes Skinner, deceased, are not parties to this cause.

7. That the aforesaid unreleased mortgage constitutes a cloud upon the real estate sold in this cause by your petitioners.

8. That the aforesaid real estate is liable for one half of the said monies due on said mortgage, and the said executors have indicated to your petitioners that they will release said mortgage upon the payment of the sum of \$850.00, and that they are authorized to do so as evidenced by the certified copy of the Orphans' Court for Queen Anne's County order of February 17th, 1953, filed herewith and marked "Exhibit 3".

Wherefore your petitioners pray this Honorable Court to pass an order authorizing them to pay out of the proceeds of said sale the sum of \$850.00 to Woodrow W. Downes and Ella Mae Warner, Executors of the Will of Mary E. Downes Skinner, deceased, so that a release of aforesaid mortgage may be obtained from said executors.

And as in duty bound, etc.,

J. THOMAS CLARK
J. Thomas Clark

HARRY C. BUTLER
Harry C. Butler, Trustees

Filed Feb. 20, 1953

EXHIBIT 1
Filed Feb. 20, 1953

.....
#15,229. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty ninth day of October, in the year nineteen hundred and thirty one, the following Mortgage was brought to be recorded, to wit:-

THIS MORTGAGE, Made this 29th day of October, in the year nineteen hundred and thirty one by Luther E. Downes and Mary E. Downes, his wife, of Queen Anne's County, in the State of Maryland, and The Centreville National Bank of Maryland, a body corporate, of Queen Anne's County, in the State of Maryland, aforesaid.

WHEREAS, the said Luther E. Downes and Mary E. Downes, his wife, are indebted unto The Centreville National Bank of Maryland, in the sum of sixteen hundred and fifty seven dollars and sixty six cents (\$1657.66) either as maker or endorser of the hereinafter described notes;

One note signed Luther E. Downes and Mary E. Downes, payable to said Bank and dated June 12th, 1931, payable six months after date, for the sum of one hundred and eighty dollars and thirty five cents; a note signed Luther E. Downes and Mary E. Downes, given to said Bank, dated August 11th, 1931 and payable six months

after date, for the sum of four hundred and twelve dollars and ten cents; a note of Mary E. Downes and Luther E. Downes, given to said Bank, dated September 22nd, 1931, payable six months after date for the sum of two hundred and six dollars and ten cents; a note of Luther E. Downes and Mary E. Downes given to said Bank, dated September 11th, 1931, payable six months after date for four hundred and twenty one dollars and twenty six cents; a note signed Holliday Powell, Mary E. Downes and Luther E. Downes, dated April 29th, 1931, payable six months after date, for four hundred and thirty seven dollars and eighty five cents. All of the above described notes being payable at the Centreville National Bank of Maryland, at its Banking House in the town of Centreville, Maryland, and to further secure and assure the prompt payment of the above described notes and the interest to accrue thereon as they severally fall due and all renewals, re-renewals and part renewals of same this mortgage is executed.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH: That in consideration of the premises and the further sum of fifteen dollars, the receipt of which is hereby acknowledged, the said Luther E. Downes and Mary E. Downes, his wife, do hereby grant and convey unto The Centreville National Bank of Maryland, a body corporate, in fee simple; All that farm or tract of land, situated on the public road leading from Church Hill road by said land to Burrisville in Spandiard's Neck in the Third Election District of Queen Anne's County aforesaid, and bounded on the north by the land formerly owned by James W. Slaughter, deceased, and the land formerly owned by the late Charles P. Kennedy, colored, on the east by said Kennedy land and others, containing one hundred and forty two acres of land, more or less, and being the same land which was conveyed unto the said Luther E. Downes by William H. Bians, mortgagor and vendor, and Carrie A. Skinner and Samuel C. Skinner, her husband, by deed dated July 30th, 1900 and recorded among the land records of said Queen Anne's County in Liber J.E.G. No. 1, folios 16 & etc. to which deed 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 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 Luther E. Downes and Mary E. Downes, his wife, their heirs, executors, administrators or assigns shall well and truly pay to the said The Centreville National Bank of Maryland, a body corporate, its successors, executors, administrators or assigns the aforesaid sum of sixteen hundred and forty seven dollars and sixty six cents, as evidenced by the various notes above mentioned, and the interest to accrue thereon, as above set forth, and shall perform all the covenants, conditions and agreements herein on their part to be performed, then this mortgage shall be void; and until default be made in the premises the said Luther E. Downes and Mary E. Downes, his wife, their, heirs and assigns shall possess said property.

AND the said Luther E. Downes and Mary E. Downes, his wife, 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 The Centreville National Bank of Maryland, a body corporate, 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 hereto to be secured and all moneys owing hereunder or secured hereby shall be due and demandable and the said The Centreville National Bank of Maryland, a body corporate, its 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, State of 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 date 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 Luther E. Downes 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 The Centreville National Bank of Maryland, its executors, administrators, successors or assigns, or 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 Luther E. Downes and Mary E. Downes, his wife, for themselves and their heirs, executors, administrators and assigns, hereby covenant to pay.

Test:

W. L. Holton Jr.

LUTHER E. DOWNES (SEAL)

MARY E. DOWNES (SEAL)

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

I hereby certify that on this 29th day of October, 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 aforesaid, personally appeared the within named Luther E. Downes and Mary E. Downes, his wife, and did each acknowledge the within and foregoing Mortgage to be their respective act; and at the same time personally appeared Spencer Wright, Cashier of said Bank and made oath in due form of law that the consideration named in the foregoing Mortgage is true as therein set forth and he further made oath that he was the duly constituted agent of the said Bank to make this oath.

Notary
Public
Seal.

W. L. HOLTON JR.
NOTARY PUBLIC

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twentieth day of February, in the year nineteen hundred and forty five, 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 to Hiram Biscoe the sum of seventeen hundred dollars (\$1700.00) with interest from April third, in the year nineteen hundred and thirty four, which represents the amount due and owing this day on the notes as set forth in the aforesaid Mortgage, without recourse or guarantee, to or by the said body corporate, The Centreville National Bank of Maryland.

As witness the corporate seal of the said Bank and the signature of its President, attested by its Cashier, this third day of April, in the year nineteen hundred and thirty four.

Attest:

W. RAM TABLER
Cashier.

Corporate Seal.

THE CENTREVILLE NATIONAL BANK OF
MARYLAND

By WM. R. WILSON, President.

For Value Received.

I, Hiram Biscoe, Assignee of the within and foregoing Mortgage do hereby assign said mortgage unto Mary E. Downes Skinner to the extent of Seventeen Hundred Dollars which is the amount due and owing to me on this date by way of principal debt due under said mortgage and the notes set forth in said mortgage and at the request of said Mary E. Downes Skinner I do hereby release the heirs, devisees and assigns of Luther E. Downes, the principal Mortgagor making said mortgage and said notes from the payment of the interest on said sum of Seventeen Hundred Dollars (\$1700.00) from April 3, 1934 to the date hereof, to wit: February the twentieth, 1945.

WITNESS my hand and seal this twentieth day of February in the year nineteen hundred and forty five.

Attest:

HIRAM BISCOE (SEAL)

MADISON BROWN

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

I hereby certify the foregoing is truly taken and copied from Liber B.H.T. No. 13, folios 494 & etc., a Land Record Book 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 23rd day of January, in the year nineteen hundred and fifty three.

T. SORDEN PIPPIN
Clerk

Exhibit 2
Filed Feb. 20, 1953

Seal's Place

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 TESTAMENTARY of all the goods, chattels, credits and personal estate of MARY E. DOWNES SKINNER, late of Queen Anne's County, deceased, were on the 27th day of February in the year of our Lord one thousand nine hundred and fifty-two granted and committed unto Woodrow W. Downes and Ella Mae Warner the Executors 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 13th day of February in the year of our Lord, nineteen hundred and fifty-three.

Seal's Place

Test:

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

Certified Copy of
Petition and Order
In Re: Estate of Mary E.
Downes Skinner, deceased.
Filed Feb. 20, 1953

In Re Estate of

Mary E. Downes, Skinner,
Deceased.

In The Orphans Court For

Queen Anne's County

To The Honorable, The Judges of Said Court:

The petition of Woodrow W. Downes and Ella Mae Warner, executors of the last will and testament of Mary E. Downes Skinner, late of Queen Anne's County, deceased, respectfully represents:

1. That there has come into their possession as one of the assets of the estate of the said decedent a mortgage, dated October 29th, 1931, given by Luther E. Downes and decedent, his wife, to The Centreville National Bank of Maryland to secure antecedent notes of said mortgagors in which said mortgagors were either joint makers or joint endorsers in the sum of \$1657.66, and prior to the death of said decedent assigned to her for value; that the heirs of said Luther E. Downes are liable to said decedent estate for the sum of \$828.83 of said mortgage indebtedness and interest which has accrued thereon amounts to \$397.68, no part of which, principal or interest, has been paid, said mortgage being of record in Liber BHT, #13, folio 494, a land record book for Queen Anne's County aforesaid.

2. That the said decedent received all the rents and profits from the aforesaid mortgaged premises, which were owned in fee by the said Luther E. Downes, deceased, subject to the said decedent's right of dower, from on or about the 8th day of January 1932, the date of the death of the said Luther E. Downes, deceased, to the date of said decedent's death during the month of February, 1952, and believes that the offer of compromise of the heirs of the said Luther E. Downes, deceased, in the sum of \$850.00, is a just and true one after considering all the circumstances, and that it is to the best interest's of the estate to accept said offer. to avoid litigation on this debt.

Wherefore, your petitioners pray that they be authorized to compromise said mortgage debt by accepting the said offer and giving the said mortgagor debtor a discharge therefor.

And as in duty bound, etc.

Ella Mae Warner
Petitioner, one of Executors

ORDER OF COURT

Upon consideration of the foregoing petition of Woodrow W. Downes and Ella Mae Warner, executors of the last will and testament of Mary E. Downes Skinner, deceased, praying for authority to compromise a debt secured by mortgage of \$1226.31 due the estate of the said decedent from the heirs at law and devisees under the last will and testament of Luther E. Downes, deceased, it appearing that the said debtor has offered to pay the sum of \$850.00 in discharge of the said debt, and that it is to the best interest of the estate that such offer be accepted, it is ordered by the Orphans Court of Queen Anne's County, this 17th day of February, 1953, that the said executors be and are hereby authorized and directed to compromise the said mortgage debt by accepting in full satisfaction thereof the sum of \$850.00, and to execute a proper discharge to said debtor which shall include a release of said mortgage.

Edgar L. LaneRichard B. C. DavidsonWilliam E. Coleman
Judges

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 Petition and Order of Court authorizing Woodrow W. Downes and Ella Mae Warner, executors of the estate of Mary E. Downes, Skinner, deceased, to compromise certain mortgage debt by accepting certain offer and giving the mortgagor debtor a discharge therefor as filed and passed in this office on February 17th, 1953 and recorded in Liber E.E.C. No. 3, folio in Record Book of Petitions and Orders in the Orphans' Court for Queen Anne's County Maryland.

Seals' Place

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of my office this 18th day of February 1953.

EDWARD E. COURSEY

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

Petition for substitute purchaser
Filed Feb. 20, 1953

Luther E. Downes, et al

vs.

Ella Mae Warner, et al

In The Circuit Court For

Queen Anne's County In

Equity Chy. #3815

To The Honorable, The Judge of said Court:

The petition of J. Thomas Clark and Harry C. Butler, Trustees in this cause, Harry F. Callahan, purchaser and Luther E. Downes and Marie Downes, his wife, substitute purchasers, respectfully sets forth:

1. That heretofore, on or about the 9th day of December, 1952, your trustees did at public sale sell the real estate described in the report of sale heretofore filed in this cause to Harry F. Callahan at and for the sum of \$18,000.00, of which the sum of \$6,000.00 was paid down and the balance of \$12,000.00 with interest thereon is to be paid upon the final ratification of said sale by this court.

2. That the aforesaid sale has not been as yet finally ratified by this court.

3. That the said Harry F. Callahan, purchaser, has sold all his right, title and interest in the real estate sold by said trustees in these proceedings to Luther E. Downes and Marie Downes, his wife, as tenants by the entirety, as substitute purchasers of said real estate, and desires to have said Luther E. Downes and Marie Downes, his wife, substituted in his, the said Harry F. Callahan's place and stead as purchaser of aforesaid real estate, and that he be released from all liability on said sale by said trustees.

4. That the said Luther E. Downes and Marie Downes, his wife, have paid or secured unto the said Harry F. Callahan the down payment on said premises and stand ready to pay the balance due per report of sale aforesaid, under the terms and conditions of said sale as reported by said trustees, upon ratification by this court.

5. That your trustees are satisfied and willing to substitute Luther E. Downes and Marie Downes, his wife, as tenants by the entirety as purchaser in the place and stead of Harry F. Callahan, the original purchaser, upon order of this court authorizing them to do so.

Wherefore, your petitioners pray this Court to pass an order substituting in the place and stead of Harry F. Callahan, purchaser, Luther E. Downes and Marie Downes, his wife, as tenants by the entirety as substitute purchaser of said real estate sold in these proceedings under the same terms and conditions as said real estate was sold to Harry F. Callahan, the original purchaser, by the report of sale filed in this cause on December 9, 1952.

Respectfully submitted,

J. THOMAS CLARK

J. Thomas Clark, Trustee

HARRY C. BUTLER

Harry C. Butler, Trustee

HARRY F. CALLAHAN

Harry F. Callahan, Purchaser

MARIE DOWNESLUTHER E. DOWNESLuther E. Downes, Substitute
Purchaser (Husband & Wife)

Filed Feb. 20, 1953

ORDER OF COURT

Upon the foregoing petition, it is this 20th day of February, 1953, Ordered by the Circuit Court for Queen Anne's County, in Equity, that J. Thomas Clark and Harry C. Butler, Trustees in the above stated cause, are hereby authorized to pay to Woodrow W. Downes and Ella mae Warner, Executors of the will of Mary E. Downes Skinner, nee Mary E. Downes, the sum of \$850.00, upon the deliverance to said trustees of a good and sufficient release of the Mortgage dated October 29th, 1931, from Luther E. Downes and Mary E. Downes, his wife, to the Centreville National Bank of Maryland, duly recorded among the land records for Queen Anne's County in Liber B.H.T. No. 13, folio 494, etc., and upon receipt of said release they shall at once have same recorded among the land records for Queen Anne's County, and said trustees shall be allowed all necessary expense not personal upon production of proper vouchers

WM. R. HORNEY

Filed Feb. 20, 1953

ORDER OF COURT

Upon the foregoing petition, it is this 20th day of February, 1953, Ordered by The Circuit Court for Queen Anne's County, in Equity, that Luther E. Downes and Marie Downes, his wife, as tenants by the entireties, be and they hereby are substituted as purchasers of the real estate sold in this cause by J. Thomas Clark and Harry C. Butler, trustees, in the place of Harry F. Callahan, the original purchaser, and that it is further ordered by the authority of the Court hereof that said substitute purchasers shall be subject to the same terms and conditions as the original purchaser and as set forth in the report of sale filed in this cause on the 9th day of December, 1952.

WM. R. HORNEY
JUDGE

Filed Feb. 20, 1953

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Queen Anne's County in Equity, this 20th day of February, 1953, that the sale made and reported by the trustees aforesaid, be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the order nisi passed in said cause; and the trustees are allowed the usual commissions and such proper expense as they shall produce vouchers for the auditor.

WM. R. HORNEY
Judge

Filed Feb. 20, 1953

Luther E. Downes, et al

vs.

Ella Mae Warner, et al

In The Circuit Court For

Queen Anne's County In

Equity Cause #3815

PETITION FOR APPOINTMENT OF SPECIAL AUDITOR

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of J. Thomas Clark, regular Auditor, of this Court, unto your Honor, respectfully sets forth:

That your petitioner considers himself disqualified from stating the audit of the funds realized from the sale of real estate in this cause because of his participation in the sale since your petitioner was one of the two trustees who made said sale.

Wherefore, your petitioner prays this Honorable Court to pass an order designating some suitable person as Special Auditor for the purpose of stating the above mentioned audit.

And as in duty bound, etc.,

J. THOMAS CLARK
Petitioner

Filed Feb. 20, 1953

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED this 20th day of February, 1953, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that Vachel A. Downes, Jr., be and he is hereby appointed to act as Special Auditor to State the audit required by the rule of this Court with reference to the proceeds realized from the sale of real estate sold under decree of this Court in the above entitled cause, AND IT IS FURTHER ORDERED, that, upon qualification of such Special Auditor by taking the oath required by law, the proceedings in the above cause be forthwith referred to him for such purpose.

WM. R. HORNEY
Judge

Filed Feb. 20, 1953

NISI RATIFICATION OF AUDIT
Filed March 31, 1953

Luther E. Downes, et al.

VS

Ella Mae Warner, et al.

) IN THE CIRCUIT COURT

) FOR QUEEN ANNE'S COUNTY

) IN EQUITY

) Cause No. 3815

ORDERED, This 31st day of March in the year nineteen hundred and fifty three that the Report and Account filed in these proceedings by Vachel A. Downes, Jr., Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of April, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 17th day of April, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk.

Filed March 31, 1953

NISI RATIFICATION OF AUDIT

Luther E. Downes, et al.

vs.

Ella Mae Warner, et al.

In the Circuit Court for

Queen Anne's County

In Equity

Cause No. 3815

ORDERED, This 31st day of March, in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by Vachel A. Downes, Jr., Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of April, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 17th day of April, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy

Test: T. SORDEN PIPPIN, Clerk

Filed March 31, 1953.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. April 13, 1953

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 Luther E. Downes, et al vs. Ella Mae Warner, 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 17th day of April, 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 2nd day of April 1953, and the last insertion on the 9th day of April 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE FAULKNER

Filed April 13, 1953

Petition, exhibit and order thereon
Filed March 23, 1954

Luther E. Downes, et al

vs.

Ella Mae Warner, et al

In The Circuit Court For

Queen Anne's County In

Equity Cause No. 3815

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of J. Thomas Clark and Harry C. Butler, trustees in the above stated cause, respectfully sets forth:

1. That heretofore, on the 31st day of March, 1953, the report and account of Vachel A. Downes, Jr., Special Auditor in this Cause, was filed with the Clerk of this Court, That thereafter, after due publication of "Nisi Ratification of Audit", the said report and account of said Vachel A. Downes, Jr., Special Auditor, was finally ratified by this Court on April 25, 1953, and duly filed with the Clerk. A copy of said report and account of said Vachel A. Downes, Jr., Special Auditor, and of the final order of ratification is filed herewith and marked Exhibit 1.

2. That sometime thereafter prior to the recording by the Clerk of the papers in this cause, the aforesaid audit and ratification thereof became lost, and although diligent search for the same has been made by your petitioners they have not been found.

Wherefore your petitioners pray this honorable Court to pass an order authorizing your petitioners to substitute in the place and stead of the original audit and order of final ratification thereof, the copy of the same which is attached to this petition and marked Exhibit 1.

Respectfully submitted,

HARRY C. BUTLER
J. THOMAS CLARK
Trustees

Sworn to before me this 23 day of March, 1954.

T. SORDEN PIPPIN Clerk

Filed March 23, 1954

LUTHER E. DOWNES, et. al.

IN THE CIRCUIT COURT FOR

vs.

QUEEN ANNE'S COUNTY

ELLA MAY WARNER, et. al.

IN EQUITY No 3815

* * * * *

Report and Account of Special Auditor

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report and Account of Vachel A. Downes, Jr., Special Auditor appointed by this Honorable Court by its Order dated the 20th day of February, 1953, respectfully shows:

That after taking the oath prescribed by law, he has proceeded to state the audit in the following manner, to wit:

Your Special Auditor has charged J. Thomas Clark and Harry C. Butler, Trustees, with the gross proceeds from the sale in this cause mentioned, less the amount expended by said trustees in satisfaction of an unpaid mortgage from Luther E. Downes and Mary E. Downes, unto the Centreville National Bank of Maryland, dated October 29, 1931, and recorded among the Land Records of Queen Anne's County in Liber B.H.T. No. 13, folio 494, assigned to Mary E. Downes Skinner on February 20, 1945, and released by a Deed of Release from Woodrow Downes, et al. Executors, to J. Thomas Clark and Harry C. Butler, Trustees, dated the 9th day of March, 1953 and recorded among the Land Records aforesaid in Liber T. S. P. No. 9, folio 323. Your Special Auditor has then allowed said Trustees all their expenses, not personal, upon producing vouchers for the same showing payment.

It appears that Luther E. Downes, late of Queen Anne's County, Maryland, died on or about the 8th day of January, 1932, testate, and by the terms of said will devised a life estate unto his wife, Mary E. Downes, and a vested remainder unto his children surviving her, or to the child or children of any child or children predeceasing the life tenant. The said Mary E. Downes, life tenant, died on or about the 18th day of February, 1952. So far as a Maryland Inheritance Tax on the distributive shares of these remaindermen, The Court of Appeals in Safe Deposit and Trust Co. vs. Bouse, 181 Md. 351, held the criterion for the taxable occasion is not the time when the estate is transferred, but when the estate passed to or vested in the beneficiary. All persons having any interest in the real estate sold in this cause are direct heirs. The Direct Inheritance Tax Act was enacted in the legislature in 1935 (Acts of 1935, Chapter 90). The death of Luther E. Downes having occurred prior to this act, and title having vested in his devisees at that time, no direct inheritance tax is payable on any of the distributive shares hereunder.

The Trustees have collected the sum of One hundred Twenty (\$120.00) for interest on the purchase price from date of sale to date of settlement. That sum is not properly reflected in this audit, but is to be separately distributed among said distributees, in the proportions shown herein by said trustees, after deducting their commissions therefrom.

Respectfully submitted:

/s/ VACHEL A. DOWNES, JR.
Special Auditor

The proceeds of the sale of the real estate of which Luther E. Downes died seized and possessed, less balance due on the open and unsatisfied mortgage aforesaid, IN ACCOUNT WITH J. Thomas Clark and Harry C. Butler, Trustee appointed in this cause to make sale of said real estate.

CR.

By gross amount of proceeds of sale of said real estate as per Report of Sale filed in this cause by said Trustees. \$18,000.00

\$18,000.00

Less amount paid unto Woodrow Downes, et al., Executors in satisfaction of unpaid mortgage, as per order of court docket 20th day of February, 1953 850.00
\$17,150.00

DR.

| | | |
|--|----------|-------------------|
| To J. Thomas Clark and Harry C. Butler, their commissions on \$15,000, per rule of court, for making sale, to wit: the sum of | \$765.00 | |
| To do., for the cost of their corporate surety bond, per receipt of Harry C. Butler, agent for Maryland Casualty Company, per receipt, exhibited, to wit: the sum of | 80.00 | |
| To do., for costs of the Order of Publication, per receipt of the Queenstown News exhibited, to wit: the sum of | 36.25 | |
| To do., for costs of Advertisement of Sale, per receipt of the Queen Anne's Record Observer, to wit: the sum of | 45.00 | |
| To do., for costs of advertising Order Nisi on Report of Sale, per receipt of the Queen Anne's Record Observer, to wit: the sum of | 7.50 | |
| To do., for costs of advertising Order Nisi to be passed on this audit, to wit: the sum of | 5.00 | |
| To do., for state and county taxes for 1952 on said real estate, per receipt of Claude Lowery Treasurer, exhibited, to wit: the sum of | 141.48 | |
| To do., for fee of auctioneer, per receipt of J. Elmer Anthony, auctioneer, exhibited, to wit: the sum of | 50.00 | |
| To do., for court costs, per receipt of I. Sorden Pippin, Clerk, exhibited, to wit: the sum of | 121.45 | |
| To do., for costs of recording release of mortgage, per receipt of T. Sorden Pippin, Clerk, exhibited, to wit: the sum of | 1.60 | |
| To do., for premiums paid for fire insurance on premises, per receipt of Mutual Fire Insurance Co., of Kent County | 143.50 | |
| Less adjustment for unexpired portion | 95.67 | 47.83 |
| To Vachel A. Downes, Jr., for stating this account | | \$45.00 |
| Balance for Distribution | | <u>\$1,346.11</u> |
| | | \$15,803.89 |

DISTRIBUTION

\$15,803.89

Distributed as follows:

| | |
|--|-----------|
| Luther E. Downes, a 1/9 interest, or | \$1756.00 |
| Ella Mae Warner, a 1/9 interest, or | 1756.00 |
| I. Newton Downes, a 1/9 interest, or | 1755.99 |
| Woodrow Downes, a 1/9 interest, or | 1755.99 |
| Alvin Downes, a 1/9 interest, or | 1755.99 |
| Susan Bryant, a 1/9 interest, or | 1755.99 |
| Lillian Derlock, a 1/9 interest, or | 1755.99 |
| Edith McKenney, a 1/9 interest, or | 1755.99 |
| Catherine Carroll, a 1/45 interest, or | 351.19 |
| Marion Powell, a 1/45 interest, or | 351.19 |
| Lillian Ray, a 1/45 interest, or | 351.19 |
| Shirley Powell, a 1/45 interest, or | 351.19 |
| Dell Powell, a 1/45 interest, or | 351.19 |

\$15,803.89

Respectfully submitted

/s/ VACHEL A. DOWNES, JR.
SPECIAL AUDITOR

CARRIED FORWARD TO FOLIO 611.

QUEEN ANNE'S COUNTY TO WIT: Be it remembered that on this Sixth day of May in the year nineteen hundred and fifty three, the following Bill and Exhibits were filed for record, to wit:

C A U S E N O. 3861

Roy S. Slaughter, Sr.,
Denton, Maryland
Complainant

In The Circuit Court

For

vs.

West Dover Trust Company, mortgage, Hartley, Del
George Slaughter, Boothwyn, Pa.
L. M. Gordman, Pinehurst, N. C.
Beatrice Mann, Camden, N.J.
Ruth Slaughter, Washington, D.C.
Henry Slaughter, Washington, D. C.
Vernon Slaughter, Washington, D.C.
James Slaughter, address unknown,
The unknown heirs at law of John
Slaughter, addresses unknown, The unknown
heirs at law of Solomon Slaughter,
deceased, address unknown, and all persons
having or claiming to have any interest
in property lying and being in the First
Election District of Queen Anne's County,
Maryland, located on Anderson Corner-Schenks
Corner Road, adjoining the lands of D. Clough
assessed value \$200.00, consisting of land,
(containing) 20 acres of land, and assessed
to George Slaughter, and the unknown owner of
the aforesaid property, his heirs, devisees,
and personal representatives and their or any
of their heirs, devisees, executors, administrators,
grantees, assigns, or successors in right, title
and interest

Queen Anne's County

In Equity

Cause No. 3860

Defendants

TO THE HONORABLE; THE JUDGE OF SAID COURT:

Your orator, complaining, says:

1. That on the 15th day of May, 1951, at a public tax sale held in front of the Court House, Centreville, Maryland, your orator, being then and there the highest bidder for the hereinafter described land, was issued by the Treasurer and Collector of Taxes of Queen Anne's County and the State of Maryland, a Certificate of Sale, as will more fully appear by reference to the same, which is filed herewith as a part hereof and marked Complainant's Exhibit A.

2. That the land so purchased is described in substantially the same form as the description appearing on the Collector's Tax Roll, as follows:

"ALL that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located on Anderson Corner-Schenks Corner Road adjoining the lands of D. Clough. Assessed value \$200.00 consisting of land (Containing) 20 acres of land and assessed to George Slaughter".

3. That according to the best information obtainable the aforesaid property is vested in the above named defendants, to whom the same descended as heirs at law of L. Rodney Slaughter, upon his death sometime during the year 1937 or 1938, intestate. That said L. Rodney Slaughter acquired said property by deed dated February 19, 1937, recorded in Land Liber W.H.C. No. 4A, folio 415, of Queen Anne's County aforesaid. That said property is vested as follows, to wit: a one half share of the same was in Rose Slaughter, widow of L. Rodney Slaughter who conveyed same to George Slaughter, now deceased, by deed dated February 21, 1938, recorded in Land Liber W.H.C. No. 6A, folio 261, of Queen Anne's County aforesaid, and which upon his death descended to his heirs at law George Slaughter, Jr and L. M. Gordman, who also inherited the said George Slaughter's share in the other half of said property upon his said death, intestate; the other half of said property descended to his only heirs at law, namely, the heirs at law of on Solomon Slaughter, deceased, a brother of the intestate, and whose heirs are unknown, to George Slaughter, deceased, aforesaid, and which descended to his aforesaid heirs at law, and who was another brother, Beatrice Mann, daughter of Mary Slaughter McCollum, a deceased sister of the intestate, Ruth Slaughter, James Slaughter, Henry Slaughter and Vernone Slaughter, children of James Slaughter, another deceased brother, and the unknown heirs at law of John Slaughter, another deceased brother.

4. That said property has not been redeemed by any party in interest, although more than a year and a day from the date of sale has expired.

5. That One Hundred Dollars (\$100.00) with interest at six per centum per annum from May 15, 1951, in addition to other sums allowable by law, 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 property above mentioned and described

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 Order of Publication giving notice to the following persons who are non-residents of the State of Maryland and do not reside herein:

West Dover Trust Company, Hartley Del, (mortgagee)
 George Slaughter, Jr, Boothwyn, Pa
 L. M. Gordman, Pinehurst, N.C.
 Beatrice, Mann, Camden, N.J.
 Ruth Slaughter, Washington, D.C.
 Henry Slaughter, Washington, D.C.
 Vernon Slaughter, Washington, D. C.
 James Slaughter, address unknown
 The unknown heirs at law of John Salughter, deceased,
 The unknown heirstat law of Solomon Salughter, deceased,
 and to all persons having or claiming to have any interest in property lying and being in the First Election District of Queen Anne's County, Maryland, located on Anderson Corner-Schenks Corner Road adjoining the lands of D. Clough, assessed value \$200.00, consisting of land (containing) 20 acres of land and assessed to George Slaughter, and the unknown owner of the aforesaid property, his heirs, devisees, and personal representatives, and their heirs, devisees, executors, administrators, grantees, assigns, or successors in right, title and interest, 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.,

J. THOMAS CLARK
 Solicitor for Complainant

Filed May 6, 1953

I, C.P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's hereby certify that on May 15, 1951, I sold to Roy S. Slaughter Sr. at public auction for the sum of One Hundred -----Dollars and no cents, of which Twenty-eight and 78/100 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 lying and being in the First Election District of Queen Anne's County, Maryland, located on Anderson Corner-Schenks Corner Road Adjoining the lands of D. Clough. Assessed value \$200.00 consisting of land, (Containing) 20 acres of land and assessed to George Slaughter.

The property described herein is subject ot 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 18, 1952, 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 15th day of May, 1951.

C. P. ARRINGTON (SEAL)
 Treasurer and Collector

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

I HEREBY CERTIFY, that on this 15th day of May, 1951, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared C. P. Arrington, Treasurer and Collector of Taxes for the State of Maryland and the County of Queen A nne's and acknowledge the foregoing Certificate of Sale to be his act.

Witness my hand and notarial seal.

Notary
 Public
 Seal.
 Filed May 6, 1953

KATHERINE C. O'NEAL
 Notary Public
 My Commission Expires: May 4-1953

Exhibit A

AFFIDAVIT OF TITLE SEARCH

THIS IS TO CERTIFY that I have examined the title to

All that lot or parcel of land lying and being in the First Election District of Queen A nne's County, Maryland, located on Anderson Corner-Schenks Corner Road, adjoining the lands of D. Clough, assessed value \$200.00 consisting of land (con-

taining) 20 acres of land and assessed to George Slaughter.

for a period of 46 years, that is to say, from February 20, 1907 to May 1, 1953, and that, in my opinion, the fee simple title, according to the Land Records of Queen Anne's County, is vested in the heirs at law of L. Rodney Slaughter by virtue of a deed to said L. Rodney Slaughter, deceased, dated February 19, 1937, and recorded among the Land Records aforesaid in Liber W.H.C. No. 4A, folio 415, and a deed of One Rose Slaughter, widow of L. Rodney Slaughter, deceased, to George Slaughter, dated February 21, 1938, recorded among the land records aforesaid in Liber W. H. C. No. 6A, folio 271, and that according to the recitals contained in the last mentioned deed, the following facts were disclosed:

1. That said property is subject to an unrecorded mortgage in an undisclosed amount to West Dover Trust Company

2- That L. Rodney Slaughter died intestate and without children, but leaving a widow, one Rose Slaughter.

3- That the other heirs at law of said L. Rodney Slaughter are his brothers and sisters, or their children and heirs at law so disclosed as follows:

- A.- George Slaughter, a brother
- b- Solomon Slaughter, a brother
- C- Beatrice Mann, a daughter of Mary Slaughter McCollum, deceased
- D- Ruth Slaughter, James Slaughter, Henry Slaughter and Vernon Slaughter, children of James Slaughter, a deceased brother
- E- The unknown heirs of John Slaughter, a deceased brother.

That the records in the office of the Clerk of the Circuit Court and Register of Wills of Queen Anne's County reveal no further instruments affecting title to the aforesaid property.

That your affiant was able to obtain through inquiry the following information:

1. That George Slaughter is now deceased, and that he died intestate, leaving as his heirs at law said George Slaughter, Jr., and L. M. Gordman, his two children, that his widow predeceased him.

2. That the widow Rose Slaughter is now dead.

3. That Solomon Slaughter died intestate, and his heirs at law are unknown.

4. The addresses of the parties to this suit as set forth in the Bill.

5. That this information was supplied your affiant by the Complainant.

Given under my hand and seal this 6th day of May, 1953.

J. THOMAS CLARK (SEAL)
J. Thomas Clark
Attorney at law

Sworn and subscribed to before me this 6th day of May, 1953.

T. SORDEN PIPPIN
Clerk

Exhibit B

Filed May 6, 1953

ORDER OF PUBLICATION
Filed May 8, 1953

ORDER OF PUBLICATION

Roy S. Slaughter, Sr.,
Denton, Maryland
Complainant

In The Circuit Court

vs.

For

West Dover Trust Company, Mortgagee,
Hartley, Del, George Slaughter, Jr,
Boothwyn, Pa., L. M. Gordman, Pinehurst,
N. C., Beatrice Mann, Camden, N.J.,
Ruth Slaughter, Washington, D.C. Henry
Slaughter, Washington, D.C., Vernon
Slaughter, Washington, D.C., James Slaughter,
address unknown, The Unknown heirs at law of
John Slaughter, address unknown, The unknown
heirs at law of Solomon Slaughter, address
unknown, and all persons having or claiming to
have any interest in property lying and being
in the First Election District of Queen Anne's
County, Maryland, located on Anderson Corner-

Queen Anne's County

In Equity

Schenks Corner Road, adjoining the lands of D. Clough, assessed to George Slaughter, and the unknown owner of the aforesaid property, his heirs, devisees, and personal representatives and their or any of their heirs, devisees, executors, administrators, grantees, assigns, or successors in right title and interest.

Cause No 3861

Defendants

: : : : : : : : : : :

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to George Slaughter in the First District of Queen Anne's County, Maryland, sold by the Collector of Taxes for the County of Queen Anne's and the State of Maryland, to Roy S. Slaughter, Sr., the complainant, in this proceeding:

"All that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located on Anderson Corner-Schenks Corner Road adjoining the lands of D. Clough, Assessed value \$200.00 consisting of land (Containing) 20 acres of land and assessed to George Slaughter".

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 8th day of May, 1953, 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 said property to be and appear in this Court by the 15th day of July, 1953, and redeem the property assessed to George Slaughter and answer the Bill 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 incumbrances.

WM. R. HORNEY
Judge

Filed May 8, 1953

ORDER OF PUBLICATION

Roy S. Slaughter, Sr.,
Denton, Maryland
Complainant

IN THE CIRCUIT COURT

vs.

FOR

West Dover Trust Company Mortgagee,
Hartley, Del.; George Slaughter, Jr.,
Boothwyn, Pa.; L. M. Gordman, Pindhurst,
N.C.; Beatrice Mann, Camden, N.J.;
Ruth Slaughter, Washington, D.C.;
Henry Slaughter, Washington, D.C.; Vernon
Slaughter, Washington, D.C. James Slaughter
address unknown. The unknown heirs at law
of John Slaughter, address unknown, The
unknown heirs at law of Solomon Slaughter,
address unknown, and all persons having or
claiming to have any interest in property
lying and being in the First Election Dis-
trict of Queen Anne's County, Maryland,
located on Anderson Corner-Schenks Corner
Road, adjoining the lands of D. Clough,
assessed to George Slaughter, and the unknown
owner of the aforesaid property, his heirs,
devisees, and personal representatives and
their or any of their heirs, devisees, execu-
tors, administrators, grantees, assigns, or
successors in right title and interest.

QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3861

Defendants

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to George Slaughter in the First District of Queen Anne's County, Maryland, sold by the Collector of Taxes for the County of Queen Anne's and the State of Maryland, to Roy S. Slaughter, Sr., the complainant, in this proceeding:

"All that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located on Anderson Corner-Schenks Corner Road adjoining the lands of D. Clough, Assessed value \$200.00 consisting of land (Containing) 20 acres of land and assessed to George Slaughter."

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 8th day of May, 1953, 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 said property to be and appear in this Court by the 15th day of July, 1953, and redem the property assessed to George Slaughter and answer the Bill 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 incumbrances.

WM. R. HORNEY
Judge

True Copy:
Test: T. SORDEN PIPPIN,
Clerk

Filed May 8, 1953

THE QUEENSTOWN NEWS

Queenstown, Md. May 30, 1953

THE QUEENSTOWN NEWS and George J. Steinfeld, do hereby certify that the Order of Publication in the case of Roy S. Slaughter, Sr., Denton, Md. Vs. West Dover Trust Company, Mortgagee, etc. Cause No. 3861 a true copy of which is annexed hereto, was published at Queenstown, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 15th day of July, 1953, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 15th day of May 1953

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed June 17, 1953

DECREE
Filed July 31, 1953

Roy S. Slaughter, Sr.,

vs.

West Dover Trust Co., etc.
et. al.

In The Circuit Court For

Queen Anne's County In

Equity Chy. #3861

DECREE

It appearing that the defendants and all persons claiming through or under them, having been duly summoned or notified by Order of Publication to appear and answer the Bill of Complaint filed in this cause on or before the 15th day of July, 1953, 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 31st day of July, 1953, 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 31st day of July, 1953, 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, Roy S. Slaughter, Sr.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, in Equity, that Claude Lowery, Treasurer of Queen Anne's County and Collector of Taxes for said county shall execute a deed to Roy S. Slaughter, Sr., in fee simple, in and to all that 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 July 31, 1953



QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-seventh day of April in the year nineteen hundred and fifty-three, the following Bill of Complaint was filed for record, to wit:

C A U S E N O. 3859

CLARA S. RICHARDSON
Price, Queen Anne's County,
Maryland

Complainant

vs.

EDWARD VERNON RICHARDSON
Price, Queen Anne's County,
Maryland

SARAH LOUISE GERMAN
KNOX GERMAN, her husband
4205 Ray Mar Avenue
Baltimore, Maryland

IRVING ANTHONY RICHARDSON
DELL P. RICHARDSON, his wife
Price, Queen Anne's County,
Maryland

JOSEPH RAYMOND RICHARDSON, JR.
Centreville, Queen Anne's County,
Maryland

CALVIN S. RICHARDSON
JUNE RICHARDSON, his wife
Centreville, Queen Anne's County,
Maryland

DORIS EVELYN WELCH
MARION WELCH, her husband
803 South Main Street
Blacksburg, Virginia

and

CLARASS. RICHARDSON
Price, Queen Anne's County,
Maryland

IRVING ANTHONY RICHARDSON
Price, Queen Anne's County,
Maryland

THOMAS J. KEATING
Centreville, Queen Anne's County,
Maryland

Executors of J. Raymond Richardson,
deceased

defendants

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY

IN EQUITY

No. 3859

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Oratrix, Complaining, Says:

1. That your Oratrix and J. Raymond Richardson, late of Queen Anne's County, Maryland, deceased, were married in Baltimore City, State of Maryland, by a Minister of the Gospel on the 16th day of January, 1901, and that your Oratrix and the said J. Raymond Richardson resided together thereafter in Queen Anne's County, aforesaid, until the death of the said J. Raymond Richardson on the 20th day of March, 1949.

2. That at the time of their marriage, the said J. Raymond Richardson and your Oratrix were possessed of no property, real or personal, of any value.

3. That on or about the 26th day of November, 1948, the said J. Raymond Richardson and your Oratrix jointly entered into a contract of sale, as purchasers, with P. Lee Sparks and Vicy J. Sparks, his wife, as sellers, for the purchase of a two story frame building and two lots of land in the Village of Price in the Second Election District of Queen Anne's County, State of Maryland, being hereinafter more particularly described, at and for the purchase price of Forty Four Hundred Dollars (\$4400.00) of which Four Hundred Forty (\$440.00) Dollars was paid prior to the execution thereof and the balance at the date of final settlement, which said contract was duly executed in duplicate, signed, sealed, and witnessed by all parties thereto, a copy thereof being filed herewith, marked, "Plaintiff's Exhibit No. 1", and prayed to be made a part hereof.

4. That on or about the 8th day of January, 1949, final settlement as provided by said contract of sale was effected by the said J. Raymond Richard-

son, alone, in the office of Thomas J. Keating, Jr., his attorney, in Centreville, Queen Anne's County, Maryland, your Oratrix not being present at said settlement.

5. That the purchase money paid unto the said P. Lee Sparks and Vicy J. Sparks, his wife, both as a down payment and in final settlement was withdrawn from the joint bank account of your Oratrix and the said J. Raymond Richardson, which said funds came into being and accumulated as a result of the joint efforts and labors of your Oratrix and the said J. Raymond Richardson throughout the many years of their married life, and which said account had been in joint names for a period of over twenty-seven years.

6. That the aforementioned land and premises, upon final settlement, was conveyed by P. Lee Sparks and Vicy J. Sparks, his wife, grantors, unto J. Raymond Richardson, individually, as grantee, his heirs and assigns, in fee simple, by deed dated the 8th day of January, 1949, and recorded among the Land Records of Queen Anne's County in Liber N.B.W. No. 2, folio 389, which said property is more particularly described as follows, to wit:

All that lot or parcel of land, consisting of two (2) lots of land, situate, lying and being in the village of Price, in the Second Election District of Queen Anne's County, State of Maryland, and being lots Nos. 97 and 98 of the "Brown-Faithful Land" as laid down and described on a Plat thereof made in 1913 by F. E. Schnepfe, Engineer, and which is of record in Liber W.F.W. No. 3, folio 370, etc., a Land Record Book for Queen Anne's County, said lots having a combined frontage of 124 feet and being on the north-east side of the public road leading from Church Hill to Roe, adjoining on one side the property now belonging to Harry Jewell known as Lot No. 99, and on the other side the Voshell and Walls property.

a certified copy of said deed being filed herewith, marked "Plaintiff's Exhibit No. Two", and prayed to be made a part hereof.

6A That on the 29th day of March, 1949, Letters Testamentary on the estate of J. Raymond Richardson were granted unto Clara S. Richardson, Irving Anthony Richardson and Thomas J. Keating, Jr., all as will more fully appear by a certificate thereof by Edward E. Coursey, Register of Wills for Queen Anne's County, marked "Plaintiff's Exhibit No. 2A", filed herewith and prayed to be made a part hereof.

7. That it was the belief of your Oratrix that said deed had been executed by said grantors unto the said J. Raymond Richardson and your Oratrix, as tenants by the entireties, their assigns, and unto the survivor of them, his or her heirs and assigns, in fee simple, all in conformity with said contract of sale, but that your Oratrix did not see said deed, it being in the possession of the said J. Raymond Richardson, or learn of its improper execution until after the settlement of the estate of the said J. Raymond Richardson in February 28th, 1953.

8. That the said J. Raymond Richardson, deceased, late of Queen Anne's County, died testate, leaving a will dated the 4th day of February, 1947, probated on the 29th day of March, 1949, and recorded in Liber N.S.D. No. 1, folio 542, a Will Record Book for Queen Anne's County, the third item of said will setting forth the devisees of said property being more fully set out as follows, to wit:

"Item 3. All the rest residue and remainder of my estate and property of whatever kind and description, real, personal or mixed, and wherever the same may be situated or located, I do give, devise and bequeath unto my dear wife, Clara S. Richardson, for and during the term of her natural life and no longer; and after the death of my said wife I direct my executors of the survivor of them, or the administrator of my estate with the will annexed to sell at public sale such of my property, real or personal, as such executors may deem necessary in order to make the division and distribution hereinafter directed.

After the death of my said wife as aforesaid, and after any sale made as aforesaid, I direct said executors or the survivor of them, or the administration C.T. A., to divide said residue of my estate, or the proceeds of sale thereof, into six equal shares and I do hereby give, devise and bequeath unto my children, Sarah Louise German, Edward Vernon Richardson, Irving Anthony Richardson, Calvin S. Richardson and Doris Evelyn Welch each, one of said equal shares absolutely and in fee simple.

The sixth equal share of said residue I direct my said executors or the survivor of them or my administrator C.T.A., to hold in trust and to either deposit same at interest or invest same in some safe investment, and to pay over into the hands of my son Joseph Raymond Richardson, Jr., and not into the hands of another, the income from said share together with five hundred dollars of the principal thereof each year until said principal shall be fully disbursed or until the death of my said son, whichever shall first occur. In the event of the death of my said son, Joseph Raymond Richardson, Jr., before the principal of said trust fund shall have been disbursed then the undistributed balance of said principal together with any accumulated interest or income shall go to his daughter, Jean Richardson, absolutely, free and discharged of any trust." a certified copy of said will being filed herewith, marked "Plaintiff's Exhibit No. Three", and prayed to be made a part hereof.

9. That all parties to this proceeding are adults, the said Edward Vernon Richardson being a single man and residing at Price, Queen Anne's County, Maryland, the said Sarah Louise Richardson German being intermarried to Knox German and residing at 4205 Ray Mar Avenue, Baltimore, Maryland, the said Irving Anthony Richardson being intermarried to Della P. Richardson and residing in Price, Queen Anne's County, Maryland; the said Joseph Raymond Richardson, Jr., being an unmarried man, residing in Centreville, Queen Anne's County, Maryland; the said Calvin S. Richardson being intermarried to June Richardson and residing in Centreville, Queen Anne's County, Maryland; and the said Doris Evelyn Richardson Welch being intermarried to Marion Welch and residing at 803 South Main Street, Blacksburg, Virginia.

10. That your Oratrix is advised that had the aforementioned deed been properly executed unto J. Raymond Richardson and your Oratrix, as tenants by the entireties, upon the death of the said J. Raymond Richardson, said property would automatically have devolved unto your Oratrix, in fee simple.

11. That your Oratrix is further advised that she is entitled to a decree of this Court stating that although title to said real estate was taken in the name of J. Raymond Richardson, the consideration paid therefor and all payments in any manner connected therewith were made with monies of the plaintiff, and that the said J. Raymond Richardson departing this life prior to your Oratrix, took and held title thereto under a resulting trust in favor of your Oratrix.

WHEREFORE, YOUR ORATRIX PRAYS:

1. That a decree be passed by this Honorable Court declaring that although title to the aforesaid real estate was taken in the name of J. Raymond Richardson, nevertheless, the said J. Raymond Richardson took and held title thereto under a resulting trust in favor of Clara S. Richardson.

2. That a decree be entered directing the defendants and each of them to transfer and convey unto the said Clara S. Richardson by suitable and proper instruments of conveyance any and all rights which they, and any of them, may have in said real estate through or be reason of their being the heirs at law, devisees, or executors of the said J. Raymond Richardson.

3. That your Oratrix may have such other and further relief as her cause may require.

MAY IT PLEASE YOUR HONORS to grant unto your Oratrix Writs of Subpoena giving notice to Edward Vernon Richardson, Sarah Louise German, Knox German, Irving Anthony Richardson, Della P. Richardson, Joseph Raymond Richardson, Jr., Calvin S. Richardson, June Richardson and Clara S. Richardson, Irving Anthony Richardson and Thomas J. Keating, Executors, of J. Raymond Richardson, deceased, 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 make other defense thereto, and abide by and perform such decree as may be passed therein.

MAY IT PLEASE YOUR HONORS to grant unto your Oratrix an Order of Publication giving notice to Doris Evelyn Welch and Marion Welch, her husband, 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 some certain day to be named therein, to answer this Bill, or make other defense thereto, and abide by and perform such decree as may be passed therein.

AND as in duty bound, et c.

JOHN PALMER SMITH
John Palmer Smith

VACHEL A. DOWNES JR.
Vachel A. Downes Jr.
Solicitors for Complainant

CLARA S. RICHARDSON
Clara S. Richardson
Complainant

STATE OF MARYLAND

to wit:

QUEEN ANNE'S COUNTY

THIS IS TO CERTIFY that on this 27th day of April, 1953, before the Subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Clara S. Richardson, Complainant in the above entitled cause and made oath in due form of law that the matters and facts contained in the aforesaid Bill of Complaint are true and correct to the best of her knowledge and belief.

Notary
Public
Seal.

KATHERINE LEWIS
Notary Public

Filed April 27, 1953

Exhibit No. 1
Filed April 27, 1953

STANDARD CONTRACT OF SALE

THIS AGREEMENT OF SALE made this 26th day of November, nineteen hundred and forty-eight, between P. Lee and Vicy J. Sparks, Seller and J. Raymond and Clara S. Richardson, Buyer.

WITNESS that the said Seller does hereby bargain and sell unto the said Buyer, and the later does hereby purchase from the former the following described property situate and lying in the second Election District of Queen Anne's County, State of Maryland, in the village of Price, adjoining the property of Harry Jewell, on the southerly side and Henry Furbush, on the Northerly side, and on the State road leading through Price from Church Hill to Bridgetown, consisting of a two story house and three outbuildings, with no reserve.

at and for the price of FOUR THOUSAND FOUR HUNDRED Dollars (\$4,400.00) of which

FOUR HUNDRED FORTY Dollars (\$440.00) have been paid prior to the signing hereof, and the balance to be paid as follows: Cash on or before the 30th day of January, 1949.

A ndupon payment as above provided of the unpaid purchase money, a deed for the property shall be executed at the Buyers' expense by the Seller, which shall convey the property by a good merchantable title to the Buyer, free of liens and encumbrances except as specified herein; but subject, however, to all applicable restrictions, easements, laws, ordinances, regulations, charges, taxes and assessments, if any.

Ground rent, rent, water rent, taxes and other public charges against the premises shall be apportioned as of date of settlement, at which time possession shall be given; and the said parties hereto hereby bind themselves, their heirs, executors and administrators, for the faithful performance of this agreement.

It is also understood and agreed that the Seller shall immediately have all of the insurance policies on the property so endorsed as to protect all parties hereto, as their interests may appear, and continue said insurance in force during the life of this contract.

This contract contains the final and entire Agreement between the parties hereto, and neither they nor their Agents shall be bound by any terms, conditions or representations not herein written; time being of the essence of this Agreement. Cost of all documentary stamps required by law shall be paid by Buyer.

WITNESS in duplicate the hands and seals of the parties hereto the day and year first above written.

Harry F. Jewell
Witness-as to Seller's signature

P. Lee Sparks (SEAL)
Seller's Signature

Harry F. Jewell
Witness-as to Seller's signature

Vicy J. Sparks (SEAL)
Seller's Signature

Ralph E. Swan
Witness-as to Buyer's signature

J. Raymond Richardson (SEAL)
Buyer's Signature

Ralph E. Swan
Witness-as to Buyer's signature

Clara S. Richardson (SEAL)
Buyer's Signature

Exhibit No. 2
Filed April 27, 1953

.....
#27,345.

QUEEN ANNE'S COUNTY, TO WIT:

Be it remembered that on this Eighteenth day of January, in the year nineteen hundred and forty nine, the following Deed was brought to be recorded, to wit:-

Two-Two Dollar Twenty Cent Recordation
Tax Stamps. Endorsed TJK Jr. 1-18-49.

One-Three Dollar, One-One Dollar and Two-
Twenty Cent Int. Rev. Stamps. Endorsed
TJK Jr. 1-18-49.

THIS DEED, made this 8th day of January in the year 1949, by P. Lee Sparks and Vicy J. Sparks, his wife, of Chester, in the State of Pennsylvania, but temporarily in Queen Anne's County, Maryland, at the time of the execution hereof, witnesseth:

THAT for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, receipt of which is hereby acknowledged the said P. Lee Sparks and Vicy J. Sparks, his wife, do hereby grant and convey unto J. Raymond Richardson of Queen Anne's County, Maryland, his heirs and assigns, in fee simple, all of the following described real estate, to wit:

ALL that lot or parcel of land, consisting of two (2) lots of land, situate, lying and being in the village of Prices, in the Second Election District of Queen Anne's County, Maryland, and being Lots Nos. 97 and 98 of the "Brown-Faithful Land", as laid down and described on a Plat thereof made in 1913 by F. E. Schnepfe, Engineer, and which is of record in Liber WFW #3, folio 370, etc., a Land Record Book for Queen Anne's County, said lots having a combined frontage of 124 feet and being on the Northeast side of the public road leading from Church Hill to Roe, adjoining on one side the property now belonging to Harry Jewell known as "Lot No. 99", and on the other side the Voshell and Walls property; and being the same two (2) lots of land firstly and secondly described and conveyed in a Deed to the said P. Lee Sparks as Lee Sparks from T. Alan Goldsborough and J. Frank Harper, Trustees, bearing date the 18th day of December 1915, recorded in Liber WFW #8, folio 205, a Land Record Book for Queen Anne's County.

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.

AND the said P. Lee Sparks and Vicy J. Sparks, his wife, do hereby covenant to warrant specially the Title to the property hereby conveyed and to execute such other and further assurances thereof as may be requisite or necessary.

WITNESS the hands and seals of the above named Grantors the day and year herein first above written.

TEST:

J. CARL STARKEY

P. LEE SPARKS (SEAL)
(P. Lee Sparks)

VICY J. SPARKS (SEAL)
(Vicy J. Sparks)

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

THIS IS TO CERTIFY that on this 8th day of January, 1949, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared P. Lee Sparks and Vicy J. Sparks, 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

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

I hereby certify that the foregoing was truly taken and copied from Liber N.B.W. No. 24 folio 389, a Land Record Book 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 Twenty-third day of March in the year nineteen hundred and fifty-three.

T. SORDEN PIPPIN
Clerk

Exhibit No. 2A
Filed April 27, 1953

Seal's Place

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 TESTAMENTARY of all the goods, chattels, credits and personal estate of J. RAYMOND RICHARDSON, late of Queen Anne's County, deceased, were on the 29th day of March in the year of our Lord one thousand nine hundred and forty-nine granted and committed unto Clara S. Richardson, Irving Anthony Richardson and Thomas J. Keating, Jr. the Executors by the Last Will and Testament of the said deceased, appointed, and that said letters are at this date in full force and effect.

Seal's Place

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of my office, this 23rd day of March in the year of our Lord, nineteen hundred and fifty-three.

Test:

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

Certified Copy of Last Will
and Testament and Codicil
Thereof of J. Raymond Richardson,
deceased
Filed April 27, 1953

I, J. Raymond Richardson, of Queen Anne's County in the State of Maryland, being of sound and disposing mind, memory and understanding, do make, publish and declare this to be my last will and testament, hereby revoking any and all wills or codicils by me heretofore made.

First I direct my executors, hereinafter named, to pay all my just debts and funeral expenses.

Item 1. I do give and bequeath my Parker shot gun, which was given to me by my father, unto my dear son Calvin S. Richardson.

Item 2. I direct my executors, hereinafter named, to collect any and all debts unto me at the time of my death by any of my children or to charge any such debt against the share or legacy which such child may receive under this will.

Item 3. All the rest residue and remainder of my estate and property of whatever kind and description, real, personal or mixed, and wherever the same may be situated or located, I do give, devise and bequeath unto my dear wife, Clara S. Richardson, for and during the term of her natural life and no longer; and after the death of my said wife I direct my executors or the survivor of them, or the administrator of my estate with the will annexed to sell at public sale such of my property, real or person, as such executors may deem necessary in order to make the division and distribution hereinafter directed.

After the death of my said wife as aforesaid, and after any sale made as aforesaid, I direct said executors or the survivor of them, or the administrator C.T.A., to divide said residue of my estate, or the proceeds of sale thereof, into six equal shares and I do hereby give, devise and bequeath unto my childre, Sarah Louise German, Edward Vernon Richardson, Irving Anthony Richardson, Calvin S. Richardson and Doris Evelyn Welch each, one of said equal shares absolutely and in fee simple.

The sixth equal share of said residue I direct my said executors, or the survivor of them or my administrator C.T.A., to hold in trust and to either deposit same at interest or invest same in some safe investment, and to pay over into the hands of my son Joseph Raymond Richardson, Jr., and not into the hands of another, the income from said share together with five hundred dollars of the principal thereof of each year until said principal shall be fully disbursed or until the death of my said son, whichever shall first occur. In the event of the death of my said son, Joseph Raymond Richardson, Jr., before the principal of said trust fund shall have been disbursed then the undistributed balance of said principal togetherwith any accumulated interest or income shall go to his daughter, Jean Richardson, absolutely, free and discharged of any trust.

Item 4. I do hereby nominate, consitute and appoint my dear wife, Clara S. Richardson, and my attorney, Thomas J. Keating, Jr., to be the Executors of this my last will and testament.

In testimony whereof I have hereunto set my hand and seal this fourth day of February in the year nineteen hundred and forty-seven.

J. Raymond Richardson (SEAL)
J. Raymond Richardson

Signed, sealed, published and declared by the above named testator J. Raymond Richardson, as and for his last will and testament in the presence of us, who, at his request, in his presence, and in the presence of each other have hereunto subscribed our names as witnesses.

Glenn T. James

Paul B. Smith

I, J. Raymond Richardson, of Queen Anne's County in the State of Maryland, being of sound and disposing mind, memory and understanding and having heretofore on the fourth day of February in the year nineteen hundred fourty-seven, made my last will and testament, do hereby make, publish and declare this to be a first codicil to said last will and testament.

Whereas by Item four of my aforesaid last will and testament, I have nominated, constituted and appointed my dear wife, Clara S. Richardson, and my attorney, Thomas J. Keating, Jr., to be the executors thereof; I do hereby revoke said Item four and in lieu thereof, I do hereby substitute the following as Item four thereof:

Item 4. I do hereby nominate, constitute and appoint my dear wife, Clara S. Richardson; my son, Irving Anthony Richardson; and my attorney, Thomas J. Keating, Jr., to be the executors of this my last will and testament and this my first codicil thereto.

In all other respects, I do hereby ratify and confirm the provisions of my aforesaid last will and testatment.

In testimony whereof, I have hereunto set my hand and seal this twenty-fifth day of February in the year nineteen hundred and forty-eight.

J. Raymond Richardson (SEAL)
J. Raymond Richardson

Signed, sealed, published and declared by the above named testator, J. Raymond Richardson, as and for a first codicil to his last will and testament in the presence of us, who at his request, in his presence, and in the presence of each other have hereunto subscribed our names as witnesses.

L. Parker Keating

Jean W. Neighbors

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

On the 24th day of March A.D., 1949, came Thomas J. Keating, Jr. Custodian of the within and foregoing instrument of writing, purporting to be the last Will and Testament of J. Raymond Richardson, late of Queen Anne's County, deceased, and made oath in due form of law, that the foregoing is the true and whole Will & Codicil 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 the Register of Wills with whom it was deposited for safe keeping on or about the 23rd day of March 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 28th day of March, 1949, came Glenn T. James of Centreville, Maryland, one of the subscribing witnesses to the foregoing last Will and Testament of J. Raymond Richardson, 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 Paul B. Smith 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 29th day of March, 1949, came Paul B. Smith of Centreville, Maryland, one of the subscribing witnesses to the foregoing last Will and Testament of J. Raymond Richardson, 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 Glenn T. James subscribed his name as witness to said Will and at his request in his 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 28th day of March, 1949, came L. Parker Keating, of Centreville, Maryland, one of the subscribing witnesses to the foregoing codicil to the last Will and Testament of J. Raymond Richardson, 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 Codicil, that she heard him publish, pronounce and declare the same to be the Codicil to 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 Jean W. Neighbors subscribed her name as witness to said Codicil 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 28th day of March 1949, came Jean W. Neighbors of Centreville, Maryland, one of the subscribing witnesses to the foregoing codicil to the last Will and Testament of J. Raymond Richardson, 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 Codicil and that she heard him publish, pronounce and declare the same to be a Codicil to 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 L. Parker Keating subscribed her name as witness to said Codicil 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 and Codicil thereto of J. RAYMOND RICHARDSON, late of Queen Anne's County, deceased, having been exhibited for probate, and no objection there- to 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 29th day of March, A.D., 1949, that the same be admitted in this Court as the true and genuine last Will and Testament and Codicil thereto of the said J. RAYMOND RICHARDSON, 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 Codicil thereto and proof thereof of J. RAYMOND RICHARDSON, late of Queen Anne's County, deceased, as filed and passed in this office on March 29th, 1949 and recorded in Liber N.S.D. No. 1 Folio 542 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 March 1953.

Seal's Place

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

ORDER OF PUBLICATION
Filed April 27, 1953

CLARA S. RICHARDSON
Price, Queen Anne's County,
Maryland

Complainant

vs.

EDWARD VERNON RICHARDSON
Price, Queen Anne's County,
Maryland

SARAH LOUISE GERMAN
KNOX GERMAN, her husband
4205 Ray Mar Avenue
Baltimore, Maryland

IRVING ANTHONY RICHARDSON
DELL A P. RICHARDSON, his wife
Price, Queen Anne's County,
Maryland

JOSEPH RAYMOND RICHARDSON, JR.
Centerville, Queen Anne's County
Maryland

CALVIN S. RICHARDSON
JUNE RICHARDSON, his wife
Centerville, Queen Anne's County,
Maryland

DORIS EVELYN WELCH
MARION WELCH, her husband
803 South Main Street
Blacksburg, Virginia

and

CLARA S. RICHARDSON
Price, Queen Anne's County,
Maryland

IRVING ANTHONY RICHARDSON
Price, Queen Anne's County,
Maryland

THOMAS J. KEATING
Centerville, Queen Anne's County,
Maryland

Executors of J. Raymond Richardson,
Deceased

Defendants

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
NO. 3859

* * * * *

ORDER OF PUBLICATION

The object of the proceeding is to have the hereinafter described real estate impressed with a trust for the benefit of Clara S. Richardson, and to secure a decree of this Honorable Court directing the Defendants, and each of them to convey unto the said Clara S. Richardson, by good and sufficient deed, all right, title, interest and estate they may have in said property as the heirs at law, devisees or executors of J. Raymond Richardson, deceased.

The Bill states, among other things, that J. Raymond Richardson and Clara S. Richardson were married on the 16th day of January, 1901, and lived together thereafter in Queen Anne's County, Maryland, until the death of J. Raymond Richardson on the 20th day of March, 1949; that on November 26, 1948, J. Raymond Richardson and Clara S. Richardson, as purchasers, entered into a contract of sale with P. Lee Sparks and Vicy J. Sparks, his wife, for the purchase of two lots of land in the Second Election District of Queen Anne's County, Maryland, in or near the village of Price, being designated as Lots Nos. 97 and 98 of the "Brown-Faithful Lands" as laid down and described on a plat thereof made in 1913 by F.E. Schnepfe, Engineer, recorded among the Land Records of Queen Anne's County in Liber W.F.W. No. 3, folio 370; that the purchase money was paid from the joint bank account of J. Raymond Richardson and Clara S. Richardson, but that title to the aforesaid property was taken in the name of J. Raymond Richardson, individually, by deed dated January 8, 1949, recorded among the Land Records aforesaid in Liber N.B.W. No. 2, folio 389, without the knowledge or consent of the said Clara S. Richardson.

IT IS THEREUPON this 27th. day of April, 1953, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that notice be given the said Doris Evelyn Welch and Marion Welch, her husband, non-resident defendants, by 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 the said non-resident defendants to be and appear in this Court in person or by Solicitor on or before the 17th day of June 1953, to answer the said Bill of Complaint, or make other defense thereto, or show cause, if any they have, why a decree should not be passed as prayed.

T. SORDEN PIPPIN
Clerk

Filed April 27, 1953

Subpoena
Filed May 1, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Calvin S. Richardson and June Richardson, his wife,
Centreville, 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 May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clara S. Richardson, 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, Chief Judge of the Second Judicial Circuit of Maryland, the 2nd. day of March, 1953.

Issued the 27th. day of April, 1953.

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 John Palmer Smith
Vachel A. Downes Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendants summoned this 29th day of April, 1953, and a copy of Subpoena and Bill of Complaint left with each

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed May 1, 1953

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Edward Vernon Richardson
Price, 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 May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clara S. Richardson, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 2nd. day of March, 1953.

Issued the 27th. day of April, 1953.

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 John Palmer Smith
Vachel A. Downes, Jr.Address Centreville, Md.T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendant summoned this 29th day of April, 1953, and a copy of Subpoena and Bill of Complaint left with said defendant.

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed May 1, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Joseph Raymond Richardson, Jr.
Centreville, 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 May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clara S. Richardson, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 2nd. day of March, 1953.

Issued the 27th. day of April, 1953.

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 John Palmer Smith
Vachel A. Downes, Jr.Address Centreville, MarylandT. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsment, to wit:

Defendant summoned this 29th day of April, 1953, and a copy of Subpoena and Bill of Complaint left with defendant.

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed May 1, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Irving Anthony Richardson, and Della P. Richardson, his wife,
Price, 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 May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clara S. Richardson, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 2nd. day of March, 1953.

Issued the 27th. day of April, 1953.

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 John Palmer Smith
Vachel A. Downes Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsment, to wit:

Defendants summoned this 29th day of April, 1953, and a copy of subpoena and Bill of Complaint left with each.

Frank Y. Whiteley
Sheriff

Subpoena
Filed

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Clara S. Richardson, Price, Queen Anne's County, Maryland,
Irving Anthony Richardson, Price, Queen Anne's County, Maryland,
and Thomas J. Keating, Centreville, Maryland, Executors of J.
Raymond Richardson, deceased.

GREETING:

We command and enjoin 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 Clara S. Richardson, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 2nd. day of March, 1953.

Issued the 27th. day of April, 1953.

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(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 John Palmer Smith
Vachel A. Downes, Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And at the foot of the foregoing is the following endorsement, to wit:

Defendants summoned this 29th day of April, 1953, and a copy of Subpoena and Bill of Complaint left with each.

FRANK V. WHITELEY

Subpoena
Filed May 4, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Sarah Louise German and Knox German,
her husband,
4205 Ray Mar Avenue
Baltimore, 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 Clara S. Richardson, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 2nd. day of March, 1953.

Issued the 27th. day of April, 1953.

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(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitors for Complainant(s)

Name John Palmer Smith
Vachel A. Downes, Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

NON SUNT
HAASE

JOSEPH DUGAN
Sheriff

Subpoena
Filed May 18, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Sarah Louise German and Knox German,
her husband,
4205 Ray Mar Avenue
Baltimore, Maryland

GREETING: 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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clara S. Richardson, 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 Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 4th day of May, 1953.

Issued the 4th day of May, 1953.

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 John Palmer Smith
Vachel A. Downes, Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Sarah Louise German, and Knox German and a copy of Process with a copy of Bill of Complaint left with each defendant on the 15th day of May 1953 in the presence of Edwin L. Haase.

Joseph Deegan
Sheriff

ANSWER
Filed May 19, 1953

CLARA S. RICHARDSON
Price, Queen Anne's
County, Maryland
Complainant

vs.

EDWARD VERNON RICHARDSON
Price, Queen Anne's County,
Maryland

SARAH LOUISE GERMAN
KNOX GERMAN, her husband
4205 Ray Mar Avenue
Baltimore, Maryland

IRVING ANTHONY RICHARDSON
DELLA P. RICHARDSON, his wife
Price, Queen Anne's County, Maryland

JOSEPH RAYMOND RICHARDSON, JR.
Centreville, Queen Anne's County,
Maryland

CALVIN S. RICHARDSON
JUNE RICHARDSON, his wife
Centreville, Queen Anne's County,
Maryland

DORIS EVELYN WELCH
MARION WELCH, her husband
803 South Main Street
Blacksburg, Virginia

and

CLARA S. RICHARDSON
Price, Queen A nne's County,
Maryland

IRVING ANTHONY RICHARDSON
Price, Queen Anne's County,
Maryland

THOMAS J. KEATING,
Centreville, Queen A nne's County,
Maryland

Executors of J. Raymond Richardson,
deceased.
Defendants

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
NO. 3859

A N S W E R

TO THE HONORABLE, the Judges of said Court:

The Answer of Thomas J. Keating, Jr., (described in the Bill of Complaint as Thomas J. Keating) one of the Executors of J. Raymond Richardson, deceased, answering the Bill of Complaint filed against him and others in this cause, respectfully sets forth:

1. THAT your Respondent neither admits nor denies the allegations of Paragraph 1 of the Bill of Complaint except that allegation of the death of J. Raymond Richardson on March 20, 1949, which he admits.

2. THAT your Respondent neither admits nor denies the allegations of Paragraph 2 of the Bill of Complaint as he has no knowledge thereof.

3. THAT your Respondent neither admits nor denies the allegations of Paragraph 3 of the Bill of Complaint except insofar as he has recently seen the Contract mentioned therein as Plaintiff's Exhibit No. 1.

4. Answering Paragraph 4 of the Bill of Complaint your Respondent says that he does not remember the exact date when settlement for the real estate in question took place; that Respondent's calendar pad for January 8, 1949 has a notation of engagement to settle the Sparks-Richardson sale; that Respondent's file contains a settlement sheet with interest on a mortgage to January 17, 1949 and copies of letters written to the Mortgagee and to the Seller on January 17, 1949 transmitting by mail the proceeds of the sale; that your Respondent does not remember who was in his office on January 8, 1949.

5. Answering Paragraph 5 of the Bill of Complaint your Respondent alleges that the purchase money for said real estate in the amount of Four Thousand Four Hundred Dollars (\$4,400.00) was paid by J. Raymond Richardson to your Respondent by check of the said J. Raymond Richardson, your Respondent depositing same on January 17, 1949 in your Respondent's attorney account in The Centreville National Bank of Maryland and your Respondent thereupon disbursed same to a Mortgagee holding a Mortgage on said property and paid the balance to P. Lee Sparks both by check; that your Respondent does not know the source of the funds which the said J. Raymond Richardson used to cover the check above mentioned.

6. Answering Paragraph 6 of the Bill of Complaint your Respondent admits that the land and premises therein described were conveyed by P. Lee Sparks and Vicy J. Sparks, his wife, unto J. Raymond Richardson, individually, by the Deed therein mentioned and further says that the reason for such conveyance were instructions give to your Respondent and reduced to a memorandum by him now remaining in his files. although your Respondent does not recall who gave him such instructions and your Respondent further alleges that at the time of this transaction your Respondent had no knowledge of the Contract of Sale mentioned in the Bill of Complaint and filed as an exhibit therewith.

6A. That your Respondent admits the matters alleged in Paragraph 6A of the Bill of Complaint.

7. Answering Paragraph 7 of the Bill of Complaint your Respondent says that he does not know what the belief of the Plaintiff was at the time of the purchase of the real estate in question and the settlement and passing of the Deed therefor but your Respondent avers that at the time of the death of said J. Raymond Richardson and the probating of his Will on or about March 29, 1949, your Respondent fully explained to the Plaintiff that the real estate in question was owned by the said J. Raymond Richardson, individually, and it was appraised as per the inventory thereof filed in the Orphans' Court of Queen Anne's County, as an asset of the decedent and the inheritance tax thereon paid by the Plaintiff herself so that the Plaintiff must have known since that time that the real estate had not been conveyed to the said J. Raymond Richardson and the Plaintiff, as tenants by the entireties, although she may not have remembered the form of the Contract of Sale at that time; and your Respondent avers that at the time of the funeral of J. Raymond Richardson your Respondent explained to the Plaintiff and to all of the Defendants the fact that the real estate in question was the sole property of the decedent at the time of his death and likewise explained the effect of the decedent's Will thereon.

8. That your Respondent admits the allegations of Paragraph 8 of the Bill of Complaint.

9. That your Respondent admits the allegations of Paragraph 9 of the Bill of Complaint.

10. Answering Paragraph 10 of the Bill of Complaint your Respondent admits that if the real estate had been conveyed unto J. Raymond Richardson and the Plaintiff, as tenants by the entireties, said real estate, upon the death of J. Raymond Richardson would have devolved upon the Plaintiff; but as to whether or not the Deed was property executed your Respondent neither admits nor denies.

11. Your Respondent neither admits nor denies the allegations of Paragraph 11 of the Bill of Complaint.

AND having fully answered said Bill of Complaint your Respondent prays to be dismissed, hence with his costs.

THOS. J. KEATING JR.
 (Thomas J. Keating, Jr.)
 one of the Executors of J. Raymond
 Richardson, deceased.

THIS IS TO CERTIFY that I served a copy of the foregoing Answer upon John Palmer Smith, Esquire, Attorney for the Complainant, by leaving same with him at his office in Centreville, Maryland, on the 19th day of May 1953.

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)

Filed May 20, 1953

ANSWER OF CALVIN S. RICHARDSON
AND JUNE F. RICHARDSON
Filed June 15, 1953

CLARA S. RICHARDSON,
PLAINTIFF,

VS.

EDWARD VERNON RICHARDSON,
ET AL.,

DEFENDANTS.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. 3859.

A N S W E R

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Calvin S. Richardson and June Richardson, his wife, adults, Defendants, to the Bill of Complaint of Clara S. Richardson, above named, against them in this Court exhibited:

These Defendants, both adults, admit the matters and facts set forth in said Bill of Complaint, and do each consent to the passage of such decree or order as may be passed in the premises and as may be right and proper in the premises and as prayed for in the Bill, and do each waive the taking of testimony in this Cause, and each Defendant does hereby submit the papers in this Cause for a final decree forthwith.

And as in duty bound, etc.,

CALVIN S. RICHARDSON

JUNE F. RICHARDSON
Defendants.

GIBSON AND WOOD

BY HOWARD WOOD 3rd
Solicitors for these Defendants.

Service Admitted June 15, 1953

VACHEL A. DOWNES JR.

ANSWER OF SARAH LOUISE GERMAN
AND KNOX GERMAN.
Filed July 7, 1953

CLARA S. RICHARDSON,
Complainant,

vs.

EDWARD VERNON RICHARDSON,
ET AL.,

Defendants.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. 3859.

A N S W E R

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Sarah Louise German and Knox German, adults, to the Bill of Complaint of the Complainant above named against them in this Court exhibited:

These Defendants, both adults, admit the matters and facts set forth in said Bill of Complaint and do hereby consent to the passage of such decree or order as may be passed in the premises; each defendant does hereby waive notice of the taking of testimony in this case and agree that depositions in said case may be taken at any time by one of the Standing Examiners of this Court if required as each does not choose to appear to offer evidence in the premises; and each defendant does hereby submit the papers in this 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.,

SARAH LOUISE GERMAN
Sarah Louise German

KNOX GERMAN
Knox German

Filed July 7, 1953

ANSWER OF DORIS EVELYN WELCH
AND MARION WELCH
Filed July 7, 1953

CLARA S. RICHARDSON,
COMPLAINANT,
VS.
EDWARD VERNON RICHARDSON,
ET AL.,
DEFENDANTS.

IN THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY,
IN EQUITY.
CHANCERY NO. 3859

A N S W E R

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Doris Evelyn Welch and Marion Welch, adults to the Bill of Complaint of the Complainant above named against them in this Court exhibited:

These Defendants, both adults, admit the matters and facts set forth in said Bill of Complaint and do hereby consent to the passage of such decree or order as may be passed in the premises; each defendant does hereby waive notice of the taking of testimony in this case and agree that depositions in said case may be taken at any time by one of the Standing Examiners of this Court if required as each does not choose to appear to offer evidence in the premises; and each defendant does hereby submit the papers in this 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.,

DORIS EVELYN WELCH
Doris Evelyn Welch

MARION WELCH
Marion Welch.

Filed July 7, 1953

ANSWER OF VERNON RICHARDSON,
IRVING ANTHONY RICHARDSON,
DELLA P. RICHARDSON,
JOSEPH R. RICHARDSON, JR.;
Filed July 9, 1953

CLARA S. RICHARDSON,
COMPLAINANT,
VS.
EDWARD VERNON RICHARDSON,
ET AL.,
DEFENDANTS.,

IN THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY.
CHANCERY NO. 3859

A N S W E R

TO THE HONORABLE, the Judges of said Court:

The Answer of Edward Vernon Richardson, Irving Anthony Richardson, Della P. Richardson and Joseph Raymond Richardson, Jr., adults, to the Bill of Complaint of the Complainant above named against them in this Court exhibited:

These Defendants, all adults, admit the matters and facts set forth in said Bill of Complaint and do hereby consent to the passage of such decree or order as may be passed in the premises; each defendant does hereby waive notice of the taking of testimony in this case and agree that depositions in said case may be taken at anytime by one of the Standing Examiners of this Court if required as each does not choose to appear to offer evidence in the premises; and each defendant does hereby submit the papers in this Cause for a Decree forthwith hereby waiving the time which the evidence shall remain in Court prior to decree.

And as in duty bound, etc.,

EDWARD VERNON RICHARDSON
Edward Vernon Richardson,

IRVING ANTHONY RICHARDSON
Irving Anthony Richardson
Individually, and as Executor.

DELLA P. RICHARDSON
Della P. Richardson

JOSEPH R. RICHARDSON Jr.
Joseph Raymond Richardson, Jr.

Filed July 9, 1953

Consent of Thomas J. Keating, Jr.,
one of the Executors of J. Raymond
Richardson, deceased, to passage
of decree and submitting papers for
decree
Filed July 9, 1953

CLARA S. RICHARDSON,

PLAINTIFF,

VS.

EDWARD VERNON RICHARDSON,
ET AL.,
DEFENDANTS.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. 3859

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The undersigned, one of the Executors of J. Raymond Richardson, deceased, and a party defendant in the above entitled Cause, does consent to the passage of such decree or order as may be passed in the premises and as may be right and proper in the premises and as prayed for in the Bill, and does hereby submit the papers in this Cause for a final decree forthwith, it appearing of record that the other parties defendant and those interested in the said real estate and property in said Cause referred to have heretofore filed a like consent and have submitted said the papers in this Cause for a final decree.

And as in duty bound, etc.,

THOS. J. KEATING JR.
Thomas J. Keating, Jr.,
one of the Executors of
J. Raymond Richardson,
deceased.

Filed July 9, 1953

FINAL DECREE
Filed July 9, 1953

CLARA S. RICHARDSON,

COMPLAINANT,

VS.

EDWARD VERNON RICHARDSON,
ET AL.,
DEFENDANTS.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. 3859.

D E C R E E.

This cause standing ready for hearing and being submitted on bill and answers filed, and it appearing that the parties defendant consent to the passage of a decree in this cause as prayed, the proceedings were by the Court read and considered:

IT IS THEREUPON, this 9th day of July, in the year nineteen hundred and fifty-three, ADJUDGED, ORDERED AND DECREED by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that the real estate and property referred to, mentioned and described in these proceedings is the property of the Complainant, Clara S. Richardson.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the said real estate and property and the record title thereto be transferred to the said Complainant, Clara S. Richardson; and that John Palmer Smith, of Centreville Queen Anne's County, Maryland, be, and he is hereby appointed Trustee, without bond, to transfer, grant and convey the said real estate and property and the title thereto forthwith by a deed of conveyance unto the said Clara S. Richardson, her heirs and

assigns, in fee simple.

And it is further Ordered that the complainant, Clara S. Richardson, pay the costs of this suit.

WM. R. HORNEY
Judge

Filed July 9, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-fourth day of April in the year nineteen hundred and fifty-three, the following Bill of Complaint and Certificate of Sale were brought to be filed, to wit:

C A U S E N O. 3857

WEBSTER KIMBLE, Church Hill, R.R., Maryland,

IN THE CIRCUIT COURT

VS.

FOR

The Unknown Executors, Administrators, Heirs, Personal Representatives and Assigns of WILLIAM WALTON, deceased, and all other parties having or claiming any interest in that Unimproved Lot of Land situate in the Second Election District of Queen Anne's County, Maryland, on the road leading from The Centreville-Church Hill Road to South East Creek and assessed to William Walton at \$150.00 valuation.

QUEEN ANNE'S COUNTY,

IN EQUITY.

Cause No. 3857

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

1. That on the 15th. day of May, 1951, at a public Tax Sale held in front of The Court House in Centreville, Maryland, due to default in the payment of State and County Taxes, your Orator, Webster Kimble, became the purchaser of the real estate hereinafter described, assessed to William Walton as lying on the Church Hill-South East Creek Road, in the Second Election District of Queen Anne's County, Maryland, adjoining the lands of S. Mason at an assessed value of \$150.00, as per certificate sale issued to your Orator by C.P. Arrington, Treasurer for Queen Anne's County, and as such collector of State and County Taxes for said County, which certificate of sale is attached hereto and made a part hereof.

2. That a search of the Land Records for Queen Anne's County for the last sixty years fail to disclose how William Walton acquired said real estate nor from diligent inquire can information be obtained as to how William Walton came into possession; but the said William Walton occupied said lot of land at least 20 years before his death, and died in possession of same, living in a house on said lot, which has since fallen down, and the said William Walton has been dead for at least fifteen years prior to the filing of this Bill, and the said lot has since his death not been occupied by anyone.

3. That the said lot of land lies on the South side of the said road leading from Centreville-Church Hill Road to South East Creek, adjoining the lands of Webster Kimble, your Orator, S. Mason and the lands of Charles Williamson, having a frontage on said road of 140 feet, with a depth of between 480 and 500 feet, with a width in the rear of about 90 feet.

4. That the said property has not been redeemed by any party in interest although more than a year and a day has elapsed since the day of sale; and that Twenty Three Dollars, with interest from the 15th. day of May, 1951, at six per centum per annum is the amount necessary for the redemption of said 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 property above mentioned and described.

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 Order of Publication giving notice to the Defendants, who are unknown to your Orator, of the object and substances of this Bill and warning them to be and appear in this Court, in person or by solicitor, on a day certain to be named therein, to answer this Bill or to redeem this property and abide by and perform such decree as may be passed in the premises.

And as in duty bound etc.,

RECHARD T. EARLE
Atty. for Complainant.

April 24, 1953

I, C.P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 15, 1951, I sold to Webster Kimble at public auction for the sum of Twenty-three Dollars and no Cents, of which Twenty-two and 88/100 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 lying and being in the Second Election District of Queen Anne's County, Maryland, located on Church Hill-S.E. Creek Road adjoining the lands of S. Mason. Assessed value \$150.00. Consisting of a lot and assessed to William Walton.

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 interests 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 18, 1952, 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 15th day of May, 1951.

C. P. ARRINGTON
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 15th day of May, 1951, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared C. P. Arrington, 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.

KATHERINE C. O'NEAL
Notary Public
My Commission Expires:

May 4-1953

Notary
Public
Seal.

Filed April 24, 1953

ORDER OF PUBLICATION
Filed April 29, 1953

ORDER OF PUBLICATION

WEBSTER KIMBLE, Church Hill, R.R., Maryland

IN THE CIRCUIT COURT

VS.

FOR

The Unknown Executors, Administrator, Heirs, Personal representatives and assigns of William Walton, deceased, and all other parties having or claiming any interest in that Unimproved lot of land situate in the Second Election District of Queen Anne's County, on the road leading from The Centreville-Church Hill Road to South East Creek and assessed to William Walton at \$150.00 valuation.

QUEEN ANNE'S COUNTY,

IN EQUITY.

Cause No. 3857

The object of this proceeding is to secure the foreclosure of all rights of redemption in the unimproved lot of land situate on the road leading from The Centreville-Church Hill Road to South East Creek and assessed to William Walton for \$150.00.

The Bill states that William Walton had no deed for this property, but he was living there at the time of his death and had occupied said property for more 20 years prior to his death, and that said lot has a frontage on said road of about 140 feet, with a width in the rear of about 90 feet and a length of between 480 and 500 feet.

The Bill states among other things that \$23.00 with interest thereon from May 15th., 1951, is necessary to redeem said property.

IT IS THEREUPON this 29th day of April, 1953, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that Notice be given by 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 said property to be and appear in this Court on or before the 30th day of June 1953, and redeem the property assessed to William Walton and answer the Bill 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 April 29, 1953

ORDER OF PUBLICATION
Filed July 17, 1953

Webster Kimble,
Church Hill, R.R.,
Maryland,

IN THE CIRCUIT COURT

FOR

VS.

The Unknown Executors, Administrator, Heirs, Personal representatives and assigns of William Walton, deceased, and all other parties having or claiming any interest in that Unimproved lot of Land situate in the Second Election District of Queen Anne's County on the road leading from the Centreville-Church Hill road to South East

QUEEN ANNE'S COUNTY

IN EQUITY

CAUSE NO. 3857

Creek and assessed to William Walton
at \$150.00 valuation.

The object of this proceedings is to secure the foreclosure of all rights of redemption in the unimproved lot of land situate on the road leading from the Centreville-Church Hill Road to South East Creek and assessed to William Walton for \$150.00

The Bill states that William Walton had no deed for this property, but he was living there at the time of his death and had occupied said property for more than 20 years prior to his death, and that said lot has a frontage on said road of about 140 feet, with a width in the rear of about 90 feet and a length of between 480 and 500 feet.

The Bill states among other things that \$23.00 with interest thereon from May 15th. 1951, is necessary to redeem said property.

IT IS THEREUPON this 29th day of April, 1953, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that Notice be given by 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 said property to be and appear in this Court on or before the 30th day of June, 1953, and redeem the property assessed to William Walton and answer the Bill 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.

True Copy:

Test: T. SORDEN PIPPIN,
Clerk

Filed April 29, 1953.

THE QUEENSTOWN NEWS

Queenstown, Md. July 3, 1953

THE QUEENSTOWN NEWS and George J. Steinfeld, do hereby certify that the Order of Publication in the case of Webster Kimble, Church Hill R.R. Church Hill, Md., Vs. The Unknown Executors Administrator, Etc., Cause No. 3857 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 30th day of June 1953, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 8th day of May 1953.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed July 17, 1953

FINAL DECREE
Filed July 17, 1953

WEBSTER KIMBLES, Church Hill, R. R. Maryland,
Plaintiff,

VS.

The Unknown Executors, Administrators, heirs, personal representatives and assigns of WILLIAM WALTON, deceased, and all other parties having or claiming any interest in the Unimproved Lot of Land situate in the Second Election District of Queen Anne's County, Maryland, on the road leading from The Centreville-Church Hill Road to South East Creek and assessed to William Walton at \$150.00 valuation.

Defendants.

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

Cause No. 3857.

FINAL DECREE.

It appearing that all Defendants have been duly notified to be and appear in this Court, either in person or by solicitor, on or before June 30th., 1953, in accordance with An Order of Publication, a copy of which with a certificate of publication thereof attached has been filed in this cause, and all Defendants having failed to appear, either in person or by solicitor, within fifteen days subsequent to June 15th., 1953; and this cause having been submitted; the proceedings were read and considered, IT IS THEREUPON this 17th day of July, 1953, 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 alienations and descents of property occurring prior to this date, 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 of land situate, lying and being in the Second Election District of Queen Anne's County, Maryland, on the South side of the public road leading from The Centreville-Church Hill Road to South East Creek, adjoining the lands of S. Mason, Charles Williamson and other lands of Webster Kimbles, and assessed to William Walton, is vested in Webster Kimbles.

AND IT IS FURTHER ORDERED that the Treasurer of Queen Anne's County as collector of Taxes for the State of Maryland and for Queen Anne's County, execute a deed to Webster Kimbles, in fee simple, in and to all that lot of land herein described upon the payment to said Treasurer of the balance of the purchase money, if any, together with all taxes, interest and penalties thereon accruing subsequent to the date of sale of same.

WM. R. HORNEY
Judge.

Filed July 17, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-third day of April in the year nineteen hundred and fifty-three, the following Bill of Complaint was filed for record, to wit:

C A U S E N O. 3854

ALBERT BOYLES
Sudlersville, Maryland

Plaintiff

VS.

ALONZA F. BOYLES and MARTHA JANE BOYLES, his wife, Sudlersville, Maryland; BERTHA B. SCHMIDT and GEORGE SCHMIDT, her husband; Wilmington, Delaware; LAURA B. CLARK and ALBERT CLARK, her husband, Wilmington, Delaware; DELMA V. POWELL and NORMAN POWELL, her husband, Boothwyn, Pennsylvania; HARVEY BOYLES, single, Sudlersville, Maryland; FANNIE B. PEARSON and WOODROW W. PEARSON, her husband, Millington, Queen Anne's County, Maryland; HOWARD BOYLES and CATHERINE BOYLES, his wife, Sudlersville, Maryland; EVA B. CASEY and FLETCHER CASEY, her husband; Millington, Queen Anne's County, Maryland; EMMA B. MERCHANT and OLIVER MERCHANT, her husband, Church Hill, Maryland; ELSIE B. FREEMAN and LEE FREEMAN, her husband, Dover, Delaware; PEARL B. CUMMERFORD and WILLIS J. CUMMERFORD, Millington, Kent County, Maryland; CATHERINE B. FOXX and CALVIN FOXX, Dover, Delaware; CLARA B. WOLEE and HARPER WOLFE, Lynwood, Pennsylvania; DOROTHY BOYLES, wife of ALBERT BOYLES, Sudlersville, Maryland; and STATE OF MARYLAND; AND THE UNKNOWN OWNER AND ALL PERSONS HAVING OR CLAIMING TO HAVE ANY INTEREST IN PROPERTY LYING AND BEING IN THE FIRST ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, LOCATED NEAR PETER'S CORNER ADJOINING THE LANDS OF DORA J. HART, ASSESSED VALUE \$150.00, CONSISTING OF A LOT ASSESSED TO FLETCHER J. BOYLES, HIS 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

IN THE

CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3854

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

1. That on the 15th day of May, 1951, at a public tax sale held in frong of the Court House, Centreville, Maryland, your Orator, being then and there the highest bidder, became the purchaser of the hereinafter described real estate, for which he was issued by C. Percy A rrrington, Treasurer of Queen Anne's County, who, by virtue of said office, was Collector of Taxes for the State of Maryland and the County of Queen Anne's, a Certificate of Sale, as will more fully appear by reference to the same, which is filed herewith as a part hereof and marked Plaintiff's "Exhibit A".

2. That the land so purchased is described in substantially the same form as the description appearing on the Collector's Tax Roll, as follows:

"A ll that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located near Peter's Corner, adjoining the lands of Dora J. Hart, Assessed value \$150.00, consisting of a lot assessed to Fletcher J. Boyles".

3. That on examination of the title of the herein described real estate and according to all information obtainable, the said real estate is vested in the above mentioned defendants, or they have an incohate right of dower therein, all of which is set forth in detail in an Affidavit of Title Search filed herein as a part hereof and marked Plaintiff's "Exhibit B", but because the party making the search cannot vouch for the accuracy of this information, and because there

may be persons entitled to an interest in said property who are unknown to your Orator, to make certain that all owners have been ascertained and made parties hereto, any unknown owner has been made a party defendant by such designation, as will more fully appear by the above titling.

4. That Twenty-two Dollars and Eighty-eight Cents (\$22.88) with interest at six per centum per annum from May 15, 1951, together with all other amounts specified by Chapter 761 of the Acts of 1943 and Acts Amendatory thereof, is the amount necessary for the redemption of said lot or parcel of land.

TO THE END THEREFORE:

(a) That this Honorable Court may pass a final decree foreclosing all rights of redemption of the defendants in and to the property above mentioned and described.

(b) 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 Order of Publication giving notice to the following persons who are non-residents of the State of Maryland:

Bertha B. Schmidt and George Schmidt, her husband,
Wilmington, Delaware
Laura B. Clark and Albert Clark, her husband,
Wilmington, Delaware
Delma V. Powell and Norman Powell, her husband,
Boothwyn, Pennsylvania
Elsie B. Freeman and Lee Freeman, her husband,
Dover, Delaware
Gatherine B. Foxx and Calvin Foxx, her husband,
Dover, Delaware
Clara B. Wolfe and Harper Wolfe, her husband,
Lynwood, Pennsylvania

and to the unknown owner and all persons having or claiming to have any interest in property lying and being in the First Election District of Queen Anne's County, Maryland, located near Peter's Corner, adjoining the lands of Dora J. Hart, assessed value \$150.00, consisting of a lot assessed to Fletcher J. Boyles, his heirs, devisees and personal representatives and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest, 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.

CLAYTON C. CARTER
Solicitor for Plaintiff

Filed April 23, 1953

Plaintiff's "Exhibit A"
Filed April 23, 1953

CERTIFICATE OF SALE

I, C.P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 15, 1951, I sold to Albert Boyles at public auction for the sum of Eighty-----Dollars and no Cents, of which Twenty-two and 88/100 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 lying and being in the First Election District of Queen Anne's County, Maryland, located near Peter's Corner adjoining the lands of Dora J. Hart. Assessed value \$150.00 Consistin_ of a lot assessed and assessed to Fletcher J. Boyles.

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 18, 1952, 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 15th day of May, 1951.

C. P. ARRINGTON
TREASURER AND COLLECTOR

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

I HEREBY CERTIFY, that on this 15- day of May, 1951, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared C. P. Arrington, Treasurer and Collector of Taxes for the State of Maryland and the County of Queen Anne's and acknowledge the afore-

going Certificate of Sale to be his act.

Witness my hand and notarial seal.

Notary
Public
Seal.

KATHERINE C. O'NEAL
NOTARY PUBLIC

My Commission Expires: May 4-1953

Filed April 23, 1953

Plaintiff's "Exhibit B"
Filed April 23, 1953

PLAINTIFF'S "EXHIBIT B"

AFFIDAVIT OF TITLE SEARCH

THIS IS TO CERTIFY, that I have examined the title to:

All that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located near Peter's Corner, adjoining the lands of Dora J. Hart, assessed value \$150.00, consisting of a lot assessed to Fletcher J. Boyles,

for a period of over 150 years, up to and including April 20, 1953, and that examination revealed that the only deed that could be found among the Land Records of this county affecting the title to the property in question was a deed from Louise Hill and Harry E. Hill, only heirs of Mary F. Peters, to Fletcher Boyles dated October 19, 1927 and recorded among the Land Records of Queen Anne's County in Liber B.H.T. No. 7, folio 519;

That your affiant had certain information as to who might have been the original title owners and as a result thereof, searched the indices in the Land Records back to the year 1800;

That Fletcher Boyles apparently died intestate on March 12, 1936, and administration #2118 in the Orphans' Court of Queen Anne's County revealed that he died leaving a widow, Nola Boyles to survive him, and 14 children, all of whom have been made parties to this cause, although some have married since the death of their father.

Your affiant was informed by the Plaintiff that his mother, Nola Boyles, died intestate on January 3, 1950, leaving the same children of her marriage with Fletcher Boyles to survive her as her only heirs.

Your affiant was also informed by the Plaintiff that Fletcher Boyles and Nola Boyles had another child named Myrna who married one Hickey, but who died about 1933, leaving possibly a husband and 9 children to survive her, whose names and whereabouts and marital status were unknown to the Plaintiff.

The Plaintiff informed your affiant that this property was formerly owned by Mary Peters who died about 1922, leaving one daughter to survive her by the name of Louise Hill, but no deed could ever be found to Mary Peters.

That your affiant is of the opinion that if Nola Boyles died on January 3, 1950, and owning a 1/3 interest, that lien of inheritance tax of 1% would still be subsisting at the time of the tax sale, and for that reason the State of Maryland has been made a party defendant to this cause.

That the records in the office of the Clerk of the Court reveal that certain of the heirs of Fletcher Boyles, namely Fannie Pearson, Eva Casey, Harvey Boyles, Howard Boyles, Pearl Cummerford and Albert Boyles, conveyed a strip from the land herein in question of a width of 60 feet unto the State of Maryland to the use of the State Roads Commission by deeds dated October 9, 1950, November 2, 1950, recorded respectively among the Land Records of Queen Anne's County in Liber N.B.W.No. 7, folio 496 and 530, but your affiant could find among the records in said office and the office of the Register of Wills of Queen Anne's no further proceedings or instruments affecting the title to the aforesaid property.

Given under my hand and seal this 21st day of April, 1953.

CLAYTON C. CARTER (SEAL)
Attorney at Law

Subscribed and sworn to before me this 23rd day of April, 1953.

DORIS L. DILLEHUNT
Notary Public

Notary
Public
Seal.

Filed April 23, 1953

ORDER OF PUBLICATION
Filed April 24, 1953

CLAYTON C. CARTER, SOLICITOR

ORDER OF PUBLICATION

ALBERT BOYLES, Sudlersville, Maryland
Plaintiff

VS.

ALONZA F. BOYLES and MARTHA JANE BOYLES, his wife, Sudlersville, Maryland; BERTHA B. SCHMIDT and GEORGE SCHMIDT, her husband, Wilmington, Delaware; LAURA B. CLARK and ALBERT CLARK, her husband, Wilmington, Delaware; DELMA V. POWELL and NORMAN POWELL, her husband, Boothwyn, Pennsylvania; HARVEY BOYLES, single, Sudlersville, Maryland; FANNIE B. PEARSON and WOODROW W. PEARSON, her husband, Millington, Queen Anne's County, Maryland; HOWARD BOYLES and CATHERINE BOYLES, his wife, Sudlersville, Maryland; EVA B. CASEY and FLETCHER CASEY, her husband, Millington, Queen Anne's County, Maryland; EMMA B. MERCHANT and OLIVER MERCHANT, her husband, Church Hill, Maryland; ELSIE B. FREEMAN and LEE FREEMAN, her husband, Dover, Delaware; PEARL B. CUMMERFORD and WILLIS J. CUMMERFORD, Millington, Kent County, Maryland; CATHERINE B. FOXX and CALVIN FOXX, Dover, Delaware; CLARA B. WOLFE and HARPER WOLFE, Lynwood, Pennsylvania; DOROTHY BOYLES, wife of ALBERT BOYLES, Sudlersville, Maryland; and STATE OF MARYLAND; AND THE UNKNOWN OWNER AND ALL PERSONS HAVING OR CLAIMING TO HAVE ANY INTEREST IN PROPERTY LYING AND BEING IN THE FIRST ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, LOCATED NEAR PETER'S CORNER ADJOINING THE LANDS OF DORA J. HART, ASSESSED VALUE \$150.00, CONSISTING OF A LOT ASSESSED TO FLETCHER J. BOYLES, HIS 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

Cause No. 3854

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Fletcher J. Boyles in the First Election District of Queen Anne's County, Maryland, sold by the Collector of Taxes for the State of Maryland and the County of Queen Anne's, to the Plaintiff in this proceeding:

"All that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located near Peter's Corner, adjoining the lands of Dora J. Hart, Assessed value \$150.00, consisting of a lot assessed to Fletcher J. Boyles".

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 24th day of April, 1953, 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 25th day of June, 1953, and redeem the property assessed to Fletcher J. Boyles 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

Filed April 24, 1953

SUBPOENA
Filed April 28, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Eva B. Casey and Fletcher Casey,
her husband,
Millington, 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 25, 1953 thereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, 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 March, 1953.

Issued the 24th day of April, 1953.

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 25th day of June, 1953, 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 Clayton C. Carter

Address Centreville, Maryland T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendants summoned with 25th day of April, 1953, and copy of Subpoena and Bill of Complaint left with each.

FRANK Y. WHITELEY
Frank Y. Whiteley
Sheriff of Queen Anne's County

Subpoena
Filed April 28, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Emma B. Merchant and Oliver Merchant,
her husband,
Church Hill, 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 25, 1953 hereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, 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 March, 1953.

Issued the 24th day of April, 1953.

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 25th day of June, 1953, 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 Clayton C. Carter

Address Centreville, Maryland T. SORDEN PIPPIN, Clerk

And on the back is the following endorsement, to wit:

Defendants summoned with 25th day of April, 1953, and copy of Subpoena and Bill of Complaint left with each.

FRANK Y. WHITELEY
Frank Y. Whiteley
Sheriff of Queen Anne's County.

Subpeona
Filed April 28, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Fannie B. Pearson and Woodrow W. Pearson,
her husband
Millington, 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 25th, 1953, hereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, 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 March, 1953.

Issued the 24th day of April, 1953.

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 25th day of June, 1953, or redeem the property described in said bill of complaint on or before the 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 Clayton C. CarterAddress Centreville, MarylandT. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendants summoned with 25th day of April, 1953, and copy of Subpoena and Bill of Complaint left with each.

FRANK Y. WHITELEY
Frank Y. Whiteley
Sheriff of Queen Anne's County

Subpoena
Filed April 28, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Alonza F. Boyles and Martha Jane Boyles
Sudlersville, 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 25, 1953, thereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, Maryland against you exhibited in the Circuit Court for Queen Anne's County 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 March, 1953.

Issued the 24th day of April, 1953.

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 25th day of June, 1953, 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 Clayton C. CarterAddress Centreville, MarylandT. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendants summoned this 25th day of April, 1953, and copy of Subpoena and Bill of Complaint left with each.

FRANK Y. WHITELEY
Frank Y. Whitley

Sheriff of Queen Anne's County

Subpoena
Filed April 28, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO
Dorothy Boyles
Sudlersville, 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 25, 1953, thereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, 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 March, 1953.

Issued the 24th day of April, 1953.

TO THE DEFENDANTS(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 25th day of June, 1953, 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 Clayton C. Carter

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendant summoned this 25th day of April, 1953, and copy of Subpoena and Bill of Complaint left with her.

FRANK Y. WHITELEY
Frank Y. Whiteley
Sheriff of Queen Anne's County.

Subpeona
Filed April 28, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO
State of Maryland
Centreville, 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 25, 1953 thereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, 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 March 1953.

Issued the 24th day of April, 1953.

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 25th day of June, 1953, 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 Clayton C. Carter

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendant summoned by reading Subpoena to Edward E. Coursey, Register of Wills of Queen Anne's Copy this 25th day of April, 1953, and copy of Subpoena and Bill of Complaint left with him.

FRANK Y. WHITELEY
Frank Y. Whiteley
Sheriff of Queen Anne's County

Subpoena
Filed April 28, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Howard Boyles and Catherine Boyles,
his wife,
Sudlersville, 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 25th, 1953, thereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, 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 March, 1953.

Issued the 24th day of April, 1953.

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 25th day of June, 1953, 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 Clayton C. Carter

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendants summoned this 25th day of April, 1953, and copy of Subpoena and Bill of Complaint left with each.

FRANK Y. WHITELEY
Frank Y. Whiteley
Sheriff of Queen Anne's County

Subpoena
Filed April 28, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Harvey Boyles
Sudlersville, 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 25, 1953 thereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, 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 March, 1953.

Issued the 24th day of April, 1953.

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 25th day of June, 1953, 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 Clayton C. Carter

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Non Est this 25th day of April, 1953 Lives in Kent County, Maryland

FRANK Y. WHITELEY
Frank Y. Whiteley
Sheriff of Queen Anne's County

ALBERT BOYLES

In the Circuit Court for Queen Anne's County

VS.

No. 3854 Equity

ALONZA F. BOYLES et al.

Judgment

Int. From

Costs

Credits

Recorded in Liber folio .

Mr. Pippin:

Clerk of the Circuit Court for Queen Anne's County.

You will please reissue the Subpoena for Harvey Boyles, directed to the Sheriff of Kent County, Maryland.

CLAYTON C. CARTER
Attorney for Plaintiff

Filed April 28, 1953

Subpoena
Filed May 5, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Harvey Boyles
Millington, 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 25, 1953 hereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, 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 March, 1953.

Issued the 28th day of April, 1953.

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 25th day of June, 1953, 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 Clayton C. Carter

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

This is to certify that on the 28th, day of April 1953. I served the within Summons and Bill of Complaint on Harvey Boyles, by reading and leaving a copy of each with him.

BARTUS O. VICKERS
Sheriff of Kent County

Subpoena
Filed May 5, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Pearl B. Cummerford and Willis J. Cummerford
Millington, 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 25, 1953 thereafter cause your answer or other defense to be filed to the complaint of Albert Boyles, Sudlersville, 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 March, 1953.

Issued the 24th day of April, 1953.

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 25th day of June, 1953, 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 Clayton C. Carter

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And at the back of the foregoing is the following endorsement, to wit:

This is to certify that on the 28th, day of April 1953. I served the within Summons and Bill of Complaint on Pearl B. Cummerford and Willis J. Cummerford, by reading and leaving a copy of each with each of them.

BARTUS OL VICKERS
Sheriff Kent Co.

Order of Publication
Filed July 1, 1953

CLAYTON C. CARTER, Solicitor

ORDER OF PUBLICATION

Albert Boyles, Sudlersville, Md.,
Plaintiff

vs.

Alonza F. Boyles and Martha Jane Boyles, his wife, Sudlersville, Maryland; Bertha B. Schmidt and George Schmidt, her husband, Wilmington, Delaware; Laura B. Clark and Albert Clark, her husband, Wilmington, Delaware; Delma V. Powell and Norman Powell, her husband, Boothwyn, Pennsylvania; Harvey Boyles, single, Sudlersville, Maryland; Fannie B. Pearson and Woodrow W. Pearson, her husband, Millington, Queen Anne's County, Maryland; Howard Boyles and Catherine Boyles, his wife, Sudlersville, Maryland; Eva B. Casey and Fletcher Casey, her husband, Millington, Queen Anne's County, Maryland; Emma B. Merchant and Oliver Merchant, her husband, Church Hill, Maryland; Elsie B. Freeman and Lee Freeman, her husband, Dover, Delaware; Pearl B. Cummerford and Willis J. Cummerford, Millington, Kent County, Maryland; Catherine B. Foxx and Calvin Foxx, Dover, Delaware; Clara B. Wolfe and Harper Wolfe, Lynwood, Pennsylvania; Dorothy Boyles, wife of Albert Boyles, Sudlersville, Maryland; and State of Maryland; and the Unknown owner and all persons having or claiming to have any interest in property lying and being in the First Election District of Queen Anne's County, Maryland, located near Peter's Corner adjoining the lands of Dora J. Hart, assessed value \$150.00, consisting of a lot assessed to Fletcher J. Boyles, his 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.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3854

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Fletcher J. Boyles in the First Election District of Queen Anne's County, Maryland, sold by the Collector of Taxes for the State of Maryland and the County of Queen Anne's, to the Plaintiff in this proceeding.

"All that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located near Peter's Corner, adjoining the lands of Dora J. Hart, Assessed value \$150.00, consisting of a lot assessed to Fletcher J. Boyles."

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 24th day of April, 1953, 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 25th day of June, 1953, and redeem the property assessed to Fletcher J. Boyles 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: T. SORDEN PIPPIN,
Clerk
Filed April 24, 1953

THE QUEENSTOWN NEWS

Queenstown, Md. May 23, 1953

THE QUEENSTOWN NEWS, and George J. Steinfeld, do hereby certify that the Order of Publication in the case of Albert Boyles, Sudlersville, Md. Vs. Alonza F. Boyles and Martha Jane Boyles, his wife, etc., etc., Cause No. 3854 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 June 1953, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 1st day of May 1953

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed July 1, 1953

DECREE
Filed July 13, 1953

| | | |
|--|---|----------------------|
| ALBERT BOYLES | * | IN THE CIRCUIT COURT |
| VS. | * | FOR |
| ALONZA F. BOYLES and MARTHA JANE BOYLES, his wife, et. al. | * | QUEEN ANNE'S COUNTY |
| | * | IN EQUITY |

No. 3854

* * * * *

D E C R E E

It appearing that the defendants and all persons claiming through or under them, having been duly summoned or notified by Order of Publication to appear and answer the Bill of Complaint filed in this cause on or before the 25th day of June, 1953, 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 13th day of July, 1953, 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, 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, Albert Boyles.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Treasurer of Queen Anne's County, as a collector of taxes for the State of Maryland, and said Queen Anne's County, be and he is hereby directed to execute a deed to Albert Boyles 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; said deed to be prepared by the complainant or his attorney, and all expenses incident to the preparation and execution of said deed to be paid by the complainant.

WM. R. HORNEY
Judge



QUEEN ANNE'S COUNTY, T O W I T: Be it remembered that on this Eleventh day of September in the year nineteen hundred and fifty-two, the following Bill of Complaint was filed for record, to wit:

C A U S E N O. 3819

HERMAN THOMPSON
Grasonville, Md.

COMPLAINANT

VS.

ROSALIE K. LLOYD
815 H Street, S.W.
Washington, D.C.,
and all persons having or claiming
any interest in the property
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 KENTMORE AIRPARK--ASSESSED VALUE
\$300.00--CONSISTING OF LOT #7, BLOCK
E; and the unknown owner of said
property, his 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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IN THE

CIRCUIT COURT

FOR
QUEEN ANNE'S COUNTY

IN EQUITY

NO.

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TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator Complaining says:

- 1. That on the 15th day of May, 1951, 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.
- 2. 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 lying and being in the Fourth Election District of Queen Anne's County, Maryland, located at Kentmore Airpark, assessed value - \$300.00, consisting of Lot #7, Block E and assessed to Rosalie K. Lloyd.
- 3. That an examination of the title of the hereinabove described lot or parcel of ground indicates title to be in Rosalie K. Lloyd.
- 4. 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.
- 5. That Forty-Four Dollars and Seventeen Cents (\$44.17), with interest at Six per Centum (6%) per annum from May 15, 1951, 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 defendant 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 Order of Publication giving notice to all persons having, or claiming to have any interest in the property described as follows: All that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located at Kentmore Airpark--assessed value \$300.00--consisting of Lot # 7, Block E; the unknown owner of said property, his heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest or any of them, 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 such decree as may be passed therein.

And as in duty bound, etc.

TURNER & TURNER
BY B. HACKETT TURNER, JR.
Solicitors for Complainant

EXHIBIT A
FILED Sept. 11, 1952

CERTIFICATE OF SALE

I, C.P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 15, 1951, I sold to Herman Thompson at public auction for the sum of Ninety----Dollars and no Cents of which Forty-four and 17/100 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 the Kentmore Airpark. Assessed value \$300.00. Consisting of Lot 7- Block "E". and assessed to Rosalie K. Lloyd.

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 Collection before a deed can be delivered to the purchaser. After May 18, 1952, 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 15th day of May, 1951.

C. P. ARRINGTON
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 15- day of May, 1951, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared C.P. Arrington, 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.

KATHERINE G. O'NEAL
Notary Public
My Commission Expires:
May 4-1953

Notary
Public
Seal.

Filed Sept. 11, 1952

Certificate of Title
Filed Sept. 11, 1952

THIS IS TO CERTIFY, that we have examined the title to all that lot or parcel of land situate on Kent Island, in the Fourth Election District of Queen Anne's County, State of Maryland, located at Kentmore Airpark, consisting of Lot No. 7, Block E, assessed value \$300.00.

The period of this examination has been for a period of approximately 87 years, that is to say: from the 10 day of Oct 15 to the day of , 1952. In our opinion, fee simple title, according to the Land Records of Queen Anne's County, was vested in Rosalie K. Lloyd, her heirs and assigns in fee simple, by virtue of a deed to her from Nathan Morris and Lillian Morris, his wife, dated 31st, October 1946, and recorded among the Land Records of the county aforesaid in Liber A.S.G., Jr. No.16, folio 336, etc.,

This lot is subject to the covenants and restrictions contained in instruments dated August 11, 1946 and recorded in Land Liber A.S.G., Jr. No. 14, folio 313; and in A.S.G.Jr. No. 15, folio 504, dated October 31, 1946. We do not feel that covenants contained in instrument recorded in T.S.P. No. 1, folio 373, not dated, but recorded on May 14, 1951, affect property already sold, as was Lot 7, Block E.

The following rights of ways; affect the entire tract:

1. Nathan Morris and Lillian Morris to Eastern Shore Public Service Company of Maryland, A.S.G., Jr. 14-416, February 11, 1946, for 9 poles west of the state road and 150 feet south of the runway, paralleling airstrip. We do not believe pole line can be definitely located from this description, but it appears to us as if it might be either on the south edge of the 266 foot strip reserved for a runway or perhaps in the vicinity of Bennett Avenue.

2. Same parties, ASG Jr 17-536, June 18, 1947, stated to be along a "Kenmoor Air Drive" which we do place on the plats. They might possibly mean Kentmorr Raod.

3. Same parties, NBW 4-33, January 10, 1949, on Kentmorr Road.

4. Same parties, NBW 4-32, January 10, 1949, on Bonnett Avenue in the vicinity of Block E.

5. Same parties, NBW 4-31, January 10, 1949, Lots 1 and 2, Block M, Lots 1 and 2 Block V, Lot 1 Block C.

6. Same parties, NBW 6-248, May 3, 1950, along Stevensville-Roman

coke Road.

7. Same parties, TSP 1-472, May 8, 1951, along Kentmorr Road.

8. Same parties, TSP 2-477, July 13, 1951, along Reynolds Avenue and Chesapeake Avenue.

The records of the offices of the Clerk of Court and Register of Wills for Queen Anne's County reveal no further instruments affecting the title to the hereinabove described property.

That your affiant has not learned of any claimants to the aforesaid property except as above set out.

Given under my hand and seal this day of , 1952.

Turner & Turner

By B. HACKETT TURNER JR.

Subscribed and sworn to before me this day of September, 1952.

Clerk of Circuit Court for Queen Anne's County Maryland.

Filed Sept. 11, 1952.

Order of Publication
Filed Sept. 16, 1952

TURNER & TURNER, SOLICITORS

ORDER OF PUBLICATION

HERMAN THOMPSON
Grasonville, Md.

COMPLAINANT

VS.

ROSALIE K. LLOYD
815 H Street, S.W.
Washington, D.C.,
and all persons having or claiming
any interest in the property
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 KENTMORE AIRPARK--ASSESSED VALUE
\$300.00--CONSISTING OF LOT #7, BLOCK
E: and the unknown owner of said
property, his heirs, devisees, and personal
representatives, and their or any of
their heirs, devisees, executors, adminis-
trators, grantees, assigns or successors in
right, title and interest.

DEFENDANTS

IN THE
CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY
NO. 3819

:: ::

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Rosalie K. Lloyd in the Fourth 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 complainant in this proceeding:

"All that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located at Kentmore Airpark, assessed value - \$300.00, consisting of Lot #7, Block #E, and assessed to Rosalie K. Lloyd."

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 16th day of September, 1952, 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 17th day of October, 1952, and redeem the property assessed to Rosalie K. Lloyd, 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

Filed Sept. 16, 1952

ORDER OF PUBLICATION
Filed Dec. 9, 1952

TURNER & TURNER, SOLICITORS

ORDER OF PUBLICATION

HERMAN THOMPSON
Grasonville, Md.

COMPLAINANT

VS.

ROSALIE K. LLOYD
815 H Street, S.W.,
Washington, D.C.,
and all persons having or claiming
any interest in the property
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 KENTMORE AIRPARK--ASSESSED VALUE
\$300.00--CONSISTING OF LOT #7, BLOCK
E; and the unknown owner of said
property, his 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

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
NO. 3819

: : : : : : : :

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Rosalie K. Lloyd in the Fourth Election District of Queen Anne's County, sold by the Collector of Taxes for the County of Queen Anne's County and the State of Maryland, to the complainant in this proceeding:

"All that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located at Kentmore Airpark, assessed value - \$300.00, consisting of Lot #7, Block E, and assessed to Rosalie K. Lloyd."

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 9th day of December, 1952, 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 10th day of February, 1953, and redeem the property assessed to Rosalie K. Lloyd, 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

Filed Dec. 9, 1952

Certificate of Order of Publication
Filed Feb. 17, 1953

Turner & Turner, Solicitors
ORDER OF PUBLICATION

HERMAN THOMPSON,
Grasonville, Md.

COMPLAINANT

VS.

ROSALIE K. LLOYD
815 H. Street S.W.,
Washington, D.C.,

and all persons having or claiming any interest in the property 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 KENTMORE AIRPARK--ASSESSED VALUE \$300.00 CONSISTING OF LOT NO. 7, BLOCK E: and the unknown owner of said property, his 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 THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3819

DEFENDANTS.

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Rosalie K. Lloyd in the Fourth 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 complainant in this proceeding:

"All that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located at Kentmore Airpark, assessed value - \$300.00, consisting of Lot No. 7, Block E, and assessed to Rosalie K. Lloyd

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 9th day of December, 1952, 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 10th day of February, 1953, and redeem the property assessed to Rosalie K. Lloyd, 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.

WILLIAM R. HORNEY,
Judge

True Copy:
Test: T. SORDEN PIPPIN,
Clerk

Filed Dec. 9, 1952

THE QUEENSTOWN NEWS

Queenstown, Md. Feb. 12, 1953

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 Herman Thompson, Grasonville, Md., Vs. Rosalie K. Lloyd, 815 H. Street, S.W. Washington D.C. No. 3819 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 10th day of Feb. 1953, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 12th day of Dec. 1952

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed Feb. 17, 1953

Decree
Filed Feb. 27, 1953

HERMAN THOMPSON : IN THE CIRCUIT COURT FOR
VS. : QUEEN ANNE'S COUNTY
ROSALIE K. LLOYD : IN EQUITY NO.

: : : : : : : :

DECREE

It appearing that the Defendant, and all persons claiming through or under her, having been duly summoned or notified by Order of Publication to appear and answer the Bill of Complaint filed in this cause on or before the 10th day of February, 1953, 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 27th day of February, 1953, 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 27th day of February, 1953, 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, Herman Thompson.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County in Equity, that Claude Lowery, Treasurer of Queen Anne's County and Collector of Taxes for said County, shall execute a deed to Herman Thompson, 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 Feb. 27, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty eighth day of April in the year nineteen hundred and fifty-three, the following Bill of Complaint, Certificate of Purchase, Certificate of Title and Order of Publication were filed, to wit:

C A U S E N O. 3732

| | | |
|--|-----|----------------------|
| JOHN C. COLE, Queenstown, Maryland, | " " | |
| Complainant, | " " | In The Circuit Court |
| | " " | for |
| VS. | " " | Queen Anne's County, |
| | " " | In Equity. |
| W. Harry Bishop, Queenstown, Maryland, | " " | |
| Joseph K. Berry, Queenstown, Maryland, | " " | Cause No. 3732 |
| Lillia W. Stack, Chestertown, RFD. Md., | " " | |
| John Berry, Riverdale, Prince George Co., Md., | " " | |
| Norman A. Draper, William A. Draper, Horace | " " | |
| Draper, Lola McCullum, Marion Lacey, Wm. | " " | |
| Draper, Madeline Jones, Helen Thorp, | " " | |
| Raymond Berry, Oscar Berry and Minnie | " " | |
| Abbott, all of the State of Delaware, | " " | |
| and Hulda B. Cordray of the State of | " " | |
| Massachusetts, and ALL OTHER PERSONS, | " " | |
| KNOWN OR UNKNOWN, having or claiming any | " " | |
| interest in that UNIMPROVED LOT, situate on | " " | |
| First Avenue, in Queenstown, Maryland, | " " | |
| assessed to NATHAN DRAPER at the value of | " " | |
| \$400.00 and the HEIRS, EXECUTORS, PERSONAL | " " | |
| REPRESENTATIVES, SUCCESSORS AND ASSIGNS | " " | |
| of the said NATHAN DRAPER. | " " | |

Defendants.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator complaining, says:

1. That on the seventeenth day of May, 1949, at a public tax sale held in front of the Court House in Centreville, Maryland, due to default in payment of State and County taxes, John C. Cole, the Complainant, he being then and there the highest bidder, became the purchaser for the herein described real estate, and was issued a Certificate of Sale therefor by C. P. Arrington, Treasurer for Queen Anne's County, Collector of State and County Taxes for Queen Anne's County, as per duplicate certificate of sale attached hereto and made a part hereof.
2. That the land so purchased by the Complainant was assessed to Nathan Draper, deceased, at and for the the sum of \$400.00, appearing on the Assessment books of Queen Anne's County as situate in Queenstown, adjoining Catherine Pinder, being the same land granted and conveyed by William H. Bishop and wife to the said Nathan Draper, which deed the said Nathan Draper did not record, and being a part of the same land granted and conveyed to the said William H. Bishop by deed dated September 12th. 1919, from Benjamin E. Cockey and wife, and recorded in Liber J.F.R. No. 8, folio 406, a land record book for Queen Anne's County.
3. That an examination of the title of the herein described real estate and from the best information obtainable, the title to said real estate became and is vested in the following parties, to wit:

Lillia M. Stack, Norman A. Draper, William A. Draper, Hilda B. Cordray, Edward A. Draper, the only heirs at law of William A. Draper, a brother of the deceased who predeceased, the said Nathan Draper; and Horace Draper, Lola McCullum, Marion Lacey, William Draper, and Madeline Jones, the only heirs at law of W. Warner Draper, a brother of the said Nathan Draper, who predeceased him; Helen Thorp, Raymond Berry, Oscar Berry, and Minnie Abbott, only heirs at law of Theodore Berry, a deceased half-brother of Nathan Draper, who predeceased him; John Berry and Joseph K. Berry, the only heirs at law of Addison Berry, a deceased half-brother of Nathan Draper, who predeceased the said Nathan Draper, all of which is set forth in detail in an affidavit of title search filed herewith and made a part hereof.
4. That said property has not been redeemed by any parties in interest although more than a year and a day has elapsed since the day of sale.
5. That Thirty-four Dollars and Forty-three Cents (\$34.43), with interest at six per centum per annum from May 17, 1949, 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 property above mentioned and described.
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 Order of Publication giving notice to the following persons, who are non-residents of the State of Maryland, to wit:

Norman A. Draper, William A. Draper, Horace Draper, Lula McCullum, Marion Lacey, William Draper, Madeline Jones, Helen Thorp, Raymond, Berry, Oscar Berry and Minnie Abbott residents of the State of Delaware and non-residents of the State of Maryland, and Hulda B. Cordray, a resident of the State of Massachusetts and a non-resident of the State of Maryland, and all persons having or claiming to have any interest in the unimproved lot situate on First Avenue, in Queenstown and assessed in the sum of \$400.00 to Nathan Draper, and the heirs, executors, personal representatives, successors and assigns of the said Nathan Draper, 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 a day certain to be named therein, to answer this Bill or to redeem this property and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.

HARRY C. BUTLER

Harry C. Butler, Attorney for Complainant.

Filed April 28, 1951

Duplicate of Certificate of Sale

I, C. P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 17th, 1949, I sold to John C. Cole at public auction for the sum of Two Hundred Dollars and Cents, of which Two Hundred Dollars has been paid, the property in the Fifth Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land lying and being in the Fifth Election District of Queen Anne's County, Maryland, located in Queenstown adjoining the lands of Catherine Pinder, Assessed value \$320.00 and assessed to Nathan Draper.

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 20th, 1950, 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 Seventeenth day of May, 1949.

C. P. Arrington
Treasurer and Collector.

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

I HEREBY CERTIFY, that on this 17th day of May, 1949, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County personally appeared C. P. Arrington, 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.

KATHERINE O'NEAL
notary Public

My Commission Expires: _____

Notary Public Seal: Filed April 28, 1951

I hereby certify that the within Certificate is a duplication of the one issued to John C. Cole.

C. P. ARRINGTON
C. P. Arrington, Treas.

THIS IS TO CERTIFY, that I have examined the title to all that lot of parcel of land and premises situate on First Avenue, in the town of Queenstown, Queen Anne's County, Maryland adjoining the land now or formerly owned by Catherine Pinder and assessed to Nathan Draper at \$400.00, for a period of about 40 years, and find from said examination and outside information that Nathan Draper purchased the same and had a deed for same from W. Harry Bishop, and wife, that he had the assessment books changed so as charge him with said land but that he never had said land; that Nathan Draper being so seized and possessed died in November, 1945, leaving the following heirs at law, to wit:

Lillian N. Slack, Norman A. Draper, William A. Draper, Hulda B. Cordray, and Edward A. Draper, children and only heirs at law of William A. Draper, a deceased brother:

Horace Draper, Lolua McCullum, Marions Lacey, William Draper, Madeline Jones heirs at law of W. Warner Draper, a deceased brother of the said Nathan Draper. Helen Thorp Raymond Berry, Oscar Berry, Minnie Abbott, only heirs at law of Theodore Berry, a half-brother of Nathan Draper, and who predeceased him. John Berry and Joseph K. Berry, only heirs at law of Addison Berry, a half-brother of the said Nathan Draper and who predeceased the said Nathan Draper.

That your affiant has neither learned nor knows of any other claimants to the aforesaid property.

Given under my hand and seal this day of April, 1951.

HARRY C. BUTLER
Attorney at law.

Subscribed and sworn to before me this 28th day of April, 1951

T. SORDEN PIPPIN, Clerk

Filed April 28, 1951

JOHN C. COLE, Queenstown, Maryland,
Complainant,

#

#

VS.

#

W. Harry Bishop, Queenstown, Maryland,
Joseph K. Berry, Queenstown, Maryland,
Lillia W. Stack, Chestertown, RFD, Md.,
John Berry, Riverdale, Prince George's
County, Maryland,

#

#

In the Circuit
Court for
Queen Anne's
County,

Norman A. Draper, William A. Draper,
Horace Draper, Lula McCullum, Marion
Lacey, William Draper, Madeline Jones,
Helen Thorp, Raymond Berry, Oscar Berry
and Minnie Abbott, all of the State of
Delaware, and Hulda B. Cordray of the
State of Massachusetts, and all other
persons, KNOWN OR UNKNOWN, having or
claiming any interest in that UNIMPROVED
LOT, situate on First Avenue in Queenstown
Maryland, assessed to NATHAN DRAPER, at
the value of \$400.00 and the heirs, execu-
tors, personal representatives, successors
and assigns of the said Nathan Draper,

#

#

In Equity.

#

#

Cause No. 3732

#

#

#

#

Defendants.

#

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Nathan Draper in the Town of Queenstown, Queen Anne's County, Maryland, sold by the Treasurer of Queen Anne's County, for State and County Taxes to John C. Cole, complainant, in these proceedings:

All that unimproved lot in the town of Queenstown, Maryland, situate on First Avenue in Queenstown, Maryland, and assessed to Nathan Draper at \$400.00.

The Bill states that 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 30th day of April, 1951, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that Notice be given by insertion of a copy of this Order in some newspaper having 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 30th day of June, 1951, and redeem the property assessed to Nathan Draper and answer the Bill 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 April 30, 1951

Subpoena
Filed May 31, 1951

(Equity) Subpoena)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Joseph K. Berry
Queenstown, 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 30, 1951 thereafter cause your answer or other defense to be filed to the complaint of John C. Cole, Queenstown, 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 5th. day of March, 1951.

Issued the 30th. day of April, 1951.

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 30th. day of June, 1951, 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 Complaint(s)

Name Harry C. Butler

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned by reading summons to Joseph K. Berry and Leaving copy of summons and bill of complaint with him this 2nd. day of May, 1951,

FRANK Y. WHITELEY
Sheriff

Filed May 3, 1951

Subpoena
Filed

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

W. Harry Bishop
Queenstown, 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 30, 1951 thereafter cause your answer or other defense to be filed to the complaint of John C. Cole, Queenstown, 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 5th. day of March, 1951.

Issued the 30th. day of April, 1951.

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 30th. day of June, 1951, 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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned by reading summons to Harry H. Bishop and leaving copy of summons and bill of complaint with him this 2nd. day of May, 1951.

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed May 10, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

John Berry
Riverdale, Prince George Co., 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 30, 1951 thereafter cause your answer or other defense to be filed to the complaint of John C. Cole, Queenstown, 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 5th. day of March, 1951.

Issued the 30th. day of April, 1951.

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 30th. day of June, 1951, 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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Non-Est.

Carlton G. Beall
Sheriff

John C. Cole

vs.

W. Harry Bishop et al.

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

Cause No. 3732

Recorded in Liber _____ folio _____.

Mr. Pippin

Clerk of the Circuit Court for Queen Anne's County.

You will please ^{re} issued Subpoena for John E. Berry
4510 Riverdale Road Riverdale, Md. Prince George Co. Md.

HARRY C. BUTLER
Attorney for Complainant

Filed June 20, 1951

Subpeona
Filed June 26, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Lilia W. Stack,
Chestertown, R.F.D. Md.,

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 30, 1951 thereafter cause your answer or other defense to be filed to the complaint of John C. Cole, Queens-town, 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 5th. day of March, 1951.

Issued the 30th. day of April, 1951.

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 30th. day of June, 1951, 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

T. SORDEN PIPPIN, Clerk

And at the foot of the foregoing is the following endorsement, to wit:

Non-est-6/23-51

Bartus O. Vickers
Sheriff Kent County

Subpoena
Filed July 5, 1951

(EQUITY SUBPOENA)

(TO

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

John Berry
4510 Riverdale Road
Riverdale, 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 John C. Cole, Queenstown, 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 May, 1951.

Issued the 20th. day of June, 1951.

TO THE DEFENDANT(S):

You are hereby required to file your answer to the Bill of Complaint on or before fifteen days after the first Monday of July, 1951, 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 Complaint(s)

Name Harry C. Butler

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit;

Summoned John Berry and left copy of Subpoena of Complaint with him this 30th day of June, 1951.

Carolton G. Beall
Sheriff

John C. Cole

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

vs.

No. 3732

W. Harry Bishop

Mr. T. Sorden Pippin

Clerk of the Circuit Court for Queen Anne's County.

You will please issue order to Sheriff of
Kent County, commanding him to summons Lilia W. Stack

HARRY C. BUTLER
Attorney for Plaintiff

Filed July 12, 1951

Subpoena
Filed

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Lilia W. Stack,
Chestertown, R.F.D. Md.,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of August next and ending fifteen days thereafter cause

your answer or other defense to be filed to the complaint of John C. Cole, Queenstown, 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 July, 1951.

Issued the 12th. day of July, 1951.

TO THE DEFENDANT(S):

You are hereby required to file your answer to the Bill of Complaint on or before fifteen days after the first Monday of August, 1951, 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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Non-est 8/3/51

Bartus O. Vickers
Sheriff Kent Co.

ORDER OF PUBLICATION

JOHN C. COLE, Queenstown, Md.,
Complainant,

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

Vs.

IN EQUITY

Cause No. 3732

W. Harry, Bishop, Queenstown, Maryland, Joseph K. Berry, Queenstown, Maryland, Lillia W. Stack, Chestertown, RFD, Md., John Berry, Riverdale, Prince George's County, Maryland, Norman A. Draper, William A. Draper, Horace Draper, Lula McCutlum, Marion Lacey, William Draper, Medeline Jones, Helen Thorp, Raymond Berry, Oscar Berry and Minnie Abbott, all of the State of Delaware, and Hulda B. Cordray of the State of Massachusetts, and all other persons, KNOWN OR UNKNOWN, having or claiming any interest in that UNIMPROVED LOT, situate on First Avenue in Queenstown, Maryland, assessed to NATHAN DRAPER, at the value of \$400.00 and the heirs, executors, personal representatives, successors and assigns of the said Nathan Draper.

Defendnats

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Nathan Draper in the town of Queenstown, Queen Anne's County, Maryland, sold by the Treasurer of Queen Anne's County, for State and County Taxes to John C. Cole, complainant, in these proceedings:

All that unimproved lot in the town of Queenstown, Maryland, situate on First Avenue in Queenstown, Maryland, and assessed to Nathan Draper, at \$400.00.

The Bill states that 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 30th day of April, 1951, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that Notice be given by insertion of a copy of this Order in some newspaper having 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 30th day of June, 1951, and redeem the property assessed to Nathan Draper and answer the Bill 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

True Copy:

Test:

T. SORDEN PIPPIN,
Clerk.

Filed April 30, 1951.

THE QUEENSTOWN NEWS

Queenstown, Md. May 31, 1951

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Order of Publication attached in the case of John C. Cole, Queenstown, Md., Vs. W. Harry Bishop, Queenstown, Md., Joseph K. Berry, Queenstown, Md., Etc., Cause No. 3732 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 30th day of June 1951, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS, was on the 4th day of May 1951

THE QUEENSTOWN NEWS

By GEO. J. STEINFELT

Filed Sept. 11, 1951

DECREE

Filed Sept. 11, 1951

JOHN C. COLE, Queenstown, Maryland,
Complainant

VS.

W. HARRY BISHOP, Queenstown, Maryland
et al.

In the Circuit Court for
Queen Anne's County, in Equity.
Cause No. 3732.
#

DECREE

It appearing that the defendants and all persons claiming by, through or under them or any of them, have been served either by subpoenas or by an Order of Publication to appear and answer the Bill of Complaint filed in this cause, and it further appearing that the time to answer said Bill of Complaint for all of the said defendants has expired, and that none of said defendants or any one claiming any interest in the real estate mentioned and described in these proceedings have answered said Bill of Complaint, and this cause having been submitted and the proceedings read and considered, IT IS THEREUPON this 11th day of September, 1951, 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 alienations and descents of property occurring prior to this date, 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 of land lying and being in The Fifth Election District of Queen Anne's County, Maryland, in the town of Queenstown, adjoining the lands now or formerly owned by Catherine Pinder and assessed to Nathan Draper, is vested in John C. Cole.

AND IT IS FURTHER ORDERED that the Treasurer of Queen Anne's County, as collector of Taxes for the State of Maryland and for Queen Anne's County, execute a deed to John C. Cole, in fee simple, in and to all that lot of land herein described, upon payment to the said Treasurer of the balance of the purchase money, if any, together with all taxes, interest and penalties thereon accruing subsequent to the date of sale of same.

WM. R. HORNEY
Judge

Filed Sept. 11, 1951

.....
QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this
Twenty-first day of July, in the year eighteen ninty, the following Fi Fa was filed
forrecord, to wit;

C A U S E N O.

(FI.FA.)

THESTATE OF MARYLAND,

TO THE SHERIFF OF QUEEN ANNES 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 third Monday of
July in the year of our Lord one thousand eight hundred and eighty-
nine a certain Francis Albert trading as Francis Albert & Co. by
Judgment of the same Court, recovered against a certain Henry E. P.
Bryan as well the sum of One hundred and eighty dollars & forty
seven cents, with interest from the 15th day of July 1889, and
eight dollars & ninety cents, for their costs and charges by them
about their suit laid out and expended, whereof the said Henry E.
P. Bryan is convict, as it appears of record:

THEREFORE, you are hereby commanded, that of the goods and
chattels, lands and tenements of the said Henry E. P. Bryan being
in your balliwick, you case 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 said County, on the fourth
Monday of January next, to render unto the said Francis Albert & Co.
the debt, costs, and charges aforesaid.

Hereof fail not at your peril, and have you then and there this writ.
Witness, the Honorable JOHN M. ROBINSON, Chief Judge of our said Court, the fourth
day of November in the year of our Lord eighteen hundred and eighty-nine Issued this
22 day of November 1889

WM. DEVER, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Land and tenements sold after special return

T. B. Turner, Shff.

SHERIFF'S SALE
OF
REAL ESTATE

By virtue of a Writ of fieri facias issued out of the Circuit Court for
Queen Anne's County, and to me directed at the suit of Francis Albert, trading as
Francis Albert & Company, against the goods and chattels, lands and tenements of
Henry E. B. Bryan, I have seized, levied upon and taken in execution all the right,
title, interest and claim of the said Henry E. B. Bryan in and to the following
real estate, to wit: ALL THAT TRACT OF LAND, situate in Spaniard's Neck, in the
Third Election District of Queen Anne's County, Maryland, adjoining the lands of
W. T. P. Turpin and others, and containing FOUR AGRES OF LAND, more or less, which
was conveyed to the said H. E. B. Bryan by John Mitchell, colored, by deed dated
the 9th day of February, 1889, and recorded in Liber W. D. No. 2, folios 450, etc.,
one of the Land Record Books for Queen Anne's County.

Notice is hereby given, that under and by virtue of the above writ and
authorityI will sell at public sale, to the highest bidder, for cash only, in front
of the Court House in the town of Centreville, on Tuesday, the 13th day of May, 1890,
at 3 o'clock P.M. the above property, so seized, levied upon and taken in execution
to pay and satisfy the above writ, debt, interest and cost, now due and to become
due thereon.

T. BEDFORD TURNER,
Sheriff.

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 Thirteenth day of May
1890.

ROBERTS, PRICE & ROBERTS
Publishers.

Francis Albert trading
as Francis Albert & Co.

JUDGMENT

vs.

Henry E. B. Bryan

To the Honorable Judges of theCircuit Court for Queen Annes County.

I, T. Bedford Turner, Sheriff of Queen Anne's County State of Maryland,
hereby certify and return to this Honorable Court, that in and by virtue of the
accompanying writ of Fieri Facias issued out of this, the Circuit Court for Queen
Anne's County, on the Twenty-first day of April 1890 at the suit of Francis Albert
trading as Francis Albert & Co. against the goods and chattels, lands and tenements
of Henry E. B. Bryan, and to me directed, I did seize levy upon and take in execu-
tion, All that tract of land situate in Spaniards Neck, in the Third ElectionDistrict

of Queen Annes County Maryland, adjoining the lands of W. T. P. Turpin and others, and containing four acres of land, more or less, which was conveyed to the said H. E. B. Bryan by John Mitchell, colored, by deed dated Feb. 9th, 1889, and recorded in Liber W. D. No. 2 folios 450, etc. one of the land record books for Queen Annes County aforesaid, said Real Estate seized, levied on and taken in execution as the estate and property of the said Henry E. B. Bryan, to pay and satisfy said writ debt, interest and cost. And I further more certify and return that after having given more than twenty days notice of the time, place and manner and terms of sale by advertisement in the Centreville Observer a newspaper printed and published in Queen Anne's County and by advertisement set up at the Court House Door in said County, I did in pursuance of said notices attend at Centreville in front of the Court House on Tuesday, the 13th day of May 1890 at the hour of three o'clock P.M. and then and there offered and exposed said Real Estate to public sale, to the highest bidder for cash, to pay and satisfy said writ, debt, interest and costs and then and there sold the same to William Thompson cold, he being then and there the highest bidder therefor, at and for the sum of Fifty Dollars, which is now brought into this Court to be disposed of under its direction.

T. B. TURNER Sheriff

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-seventh day of August in the year nineteen hundred and fifty-two, the following Foreclosure of Redemption, Certificate of Sale and Title Examination were brought to be recorded, to wit:

C A U S E N O. 3817

KATHERINE C. LEWIS
Centreville, Maryland

EARL J. LEWIS
Centreville, Maryland
Complainants

vs.

RAYMOND MORDERS

BETTY B. MORDERS, wife
5066 Canterbury Road
Kansas City
Kansas

AND ALL OTHER PERSONS HAVING OR CLAIMING ANY INTEREST IN THE PROPERTY LYING IN THE FOURTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, AT KENTMORR AIRPARK, BEING LOT 14, BLOCK "I", ASSESSED TO RAYMOND AND BETTY B. MORDERS FOR \$300.00, AND THE UNKNOWN OWNER OF SAID PROPERTY, HIS 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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators, complaining say:

1. That on the 15th day of May, 1951, at a Public Tax Sale held in front of the Court House, in Centreville, Maryland, your Orators, being then and there the highest bidders for the hereinafter described property, were issued a Certificate by C. Percy Arrington, Treasurer and Collector of Taxes for Queen Anne's County, Maryland, a body politic, said Certificate of Sale being filed herewith as a part hereof and marked "Complainant's Exhibit A".

2. That the lands so purchased are described as follows, to wit:

All that lot or parcel of land situate lying and being on Kent Island in the Fourth Election District of Queen Anne's County, State of Maryland, being Lot Number 14 of Block "I" of Kentmorr Airpark, by J. B. Metcalfe, Surveyor, dated the 16th day of June, 1947, and recorded among the Land Records of Queen Anne's County in Liber A. S. G. Jr. No. 17, folio 338.

3. That an examination of the title of the hereinabove described lot or parcel of land is vested in Raymond Morders and Betty B. Morders, his wife, as tenants by the entirety.

4. That said property has not been redeemed by any part in interest, although more than a year and a day have expired since said sale.

5. That Thirty Two Dollars and Eighty-Nine Cents (\$32.89), with interest at Six Percent per annum (6%) from May 15, 1951, in addition to the other sums allowable by law 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 property above described.

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

MAY IT PLEASE YOUR HONORS to grant unto your Orators an Order of Publication, giving notice to all persons having, or claiming to have, any interest in the property lying in the Fourth Election District of Queen Anne's County, State of Maryland, on Kent Island, in the Development known as "Kentmorr Airpark", being Lot 14, Block "I", therein consisting of a lot assessed to Raymond and Betty B. Morders for Three hundred dollars (\$300.00), and the unknown owner of said property, his heirs, devisees and personal representatives, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest, or any of them, 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 herein.

And as in duty bound, etc.

JOHN PALMER SMITH
John Palmer Smith

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3817

VACHEL A. DOWNES, JR.

Vachel A. Downes Jr.

Filed Aug. 27, 1952

CERTIFICATE OF SALE

I, G. P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 15, 1951, I sold to Katherine G. & Earl J. Lewis at public auction for the sum of One Hundred & forty-five Dollars and _____ Cents, of which Thirty-two & 89/100 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 Kentmore Airpark. Assessed value \$300.00. Consisting of Lot No. 14 - Block "I", and assessed to Raymond & Betty B. Morders.

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 18, 1952, 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 15th day of May, 1951.

G. P. Arrington
TREASURER AND COLLECTOR

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

I HEREBY CERTIFY, that on this 15th day of May, 1951, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared G. P. Arrington, 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.

KATHERINE G. O'NEAL
Notary Public
My Commission Expires:

May 4-1953

Filed Aug. 27, 1952

THIS IS TO CERTIFY that we have examined title to all that lot or parcel of land, situate on Kent Island, in the Fourth Election District of Queen Anne's County, State of Maryland, being Lot No. 14, Block "I", of Kentmore Airpark, all as shown on a plat prepared by J. B. Metcalfe, Registered Surveyor, dated May, 1947, and recorded among the Land Records of Queen Anne's County in Liber A.S.G. Jr., No. 17, folio 338. The period of this examination has been for an approximate period of sixty-nine years, that is to say from 1883 to the 27th day of August, 1952. In my opinion, fee simple title, according to the Land Records of Queen Anne's County, is vested in Raymond Morders and Betty B. Morders, his wife, as tenants by the entireties, by virtue to a deed to them from Nathan Morris and Lillian Morris, his wife, dated the 13th day of July, 1946, and recorded among the Land Records aforesaid in Liber A.S.G. Jr. No. 15, folio 587.

This lot is subject to the following Deeds of Covenants executed by Nathan and Lillian Morris:

1. Recorded A.S.G. Jr., No. 14, folio 313, dated August 11, 1946
2. Recorded A.S.G. Jr., No. 15, folio 504, dated October 31, 1946
3. Recorded T. S.P. No. 1, folio 373, dated May 14, 1951

The records of the office of the Clerk of Court and the Register of Wills for said County reveal no further instruments affecting title to the hereinabove described property.

Your affiants have neither learned or heard of any other claimants to the aforesaid property, except Raymond Morders and Betty B. Morders, his wife.

Given under my hand and seal this _____ day of August, 1952.

JOHN PALMER SMITH (SEAL)
John Palmer Smith

VACHEL A. DOWNES JR. (SEAL)
Vachel A. Downes Jr.

Subscribed and sworn before me this 27- day of August, 1952.

Notary

Public

Seal.

Filed Aug. 27, 1952

KATHERINE G. O'NEAL
Notary Public

ORDER OF PUBLICATION
Filed Aug. 29, 1952

KATHERINE C. LEWIS
Centreville, Maryland

EARL J. LEWIS
Centreville, Maryland
Complainants

vs.

RAYMOND MORDERS

BETTY B. MORDERS, his wife
5066 Canterbury Road
Kansas City, Kansas

AND ALL OTHER PERSONS HAVING
OR CLAIMING ANY INTEREST IN
THE PROPERTY LYING IN THE FOURTH
ELECTION DISTRICT OF QUEEN ANNE'S
COUNTY, MARYLAND, AT KENTMORR
AIRPARK, BEING LOT 14, BLOCK "I"
ASSESSED TO RAYMOND AND BETTY B.
MORDERS FOR THREE HUNDRED DOLLARS
(\$300.00) AND THE UNKNOWN OWNER OF
SAID PROPERTY, HIS 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

No. 3817

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property, assessed to Raymond and Betty B. Morders, situate in the Fourth Election District of Queen Anne's County, Maryland, and sold by G. Percy Arrington, Treasurer and Collector of Taxes for the county aforesaid, a body politic, to Katherine C. Lewis and Earl J. Lewis, her husband, complainants, which said property is more particularly described as follows, to wit:

All that lot or parcel of land situate lying and being on Kent Island in the Fourth Election District of Queen Anne's County, State of Maryland, being Lot Number 14 of Block "I" of Kentmorr Airpark, being shown on the plat of Kentmorr Airpark, by J. B. Metcalfe, Surveyor, dated the 16th day of June, 1947, and recorded among the Land Records of Queen Anne's County in Liber A.S.G.Jr. No. 17, folio 338.

The bill states, among other things, that the amounts necessary for redemption have not been paid, although more than a year and a day have expired.

It is thereupon this 29th day of August, 1952, 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 said property to be and appear in this Court by the 31st day of October, 1952, and redeem the property assessed to Raymond and Betty B. Morders, 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 complainants, a title, free and clear of all encumbrances.

WM. R. HORNEY
Judge

Filed Aug. 29, 1952.

ORDER OF PUBLICATION

KATHERINE C. LEWIS,
Centreville, Maryland
EARLE J. LEWIS,
Centreville, Maryland
Complainants

vs.

RAYMOND MORDERS
BETTY B. MORDERS, his wife
5066 Canterbury Road
Kansas City, Kansas

AND ALL OTHER PERSONS HAVING
OR CLAIMING ANY INTEREST IN
THE PROPERTY LYING IN THE
FOURTH ELECTION DISTRICT OF QUEEN
ANNE'S COUNTY, MARYLAND, AT KENTMORR
AIRPARK, BEING LOT 14, BLOCK "I" ASSESSED
TO RAYMOND AND BETTY B. MORDERS FOR THREE
HUNDRED DOLLARS (\$300.00) AND THE UNKNOWN

IN THE

CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

OWNER OF SAID PROPERTY, HIS HEIRS,
DEVISEES, AND PERSONAL REPRESENTATIVES,
THEIR OR ANY OF THEIR HEIRS, DEVISEES, EXECU-
TORS, ADMINISTRATORS, GRANTEEES, ASSIGNS,
OR SUCCESSORS IN RIGHT, TITLE AND INTEREST.

Cause No. 3817

Defendants.

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property, assessed to Raymond and Betty B. Morders, situate in the Fourth Election District of Queen Anne's County, Maryland, and sold by C. Percy Arrington, Treasurer and Collector of Taxes for the county aforesaid; a body politic, to Katherine G. Lewis and Earl J. Lewis, her husband, complainants, which said property is more particularly described as follows, to wit:

All that lot or parcel of land situate lying and being on Kent Island in the Fourth Election District of Queen Anne's County, State of Maryland, being Lot Number 14 of Block "I" of Kentmorr Airpark, being shown on the plat of Kentmorr Airpark, By J. B. Metcalfe, Surveyor, dated the 16th day of June, 1947, and recorded among the Land Records of Queen Anne's County in Liber A.S.G.Jr., No. 17, folio 338.

The Bill states, among other things that the amounts necessary for redemption have not been paid, although more than a year and a day have expired.

It is thereupon this 29th day of August, 1952, 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 week, warning all persons interested in said property to be and appear in this Court by the 31st day of October, 1952, and redeem the property assessed to Raymond and Betty B. Morders, 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 complainants, a title, free and clear of all encumbrances.

WILLIAM R. HORNEY
Judge.

True Copy:
Test: T. SORDEN PIPPIN,
Clerk.

Filed Aug. 29, 1952

THE QUEENSTOWN NEWS

Queenstown, Md. Nov. 18, 1952

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 Katherine G. Lewis, Centreville, Md, Earl J. Lewis, Centreville, Md. Complainants Vs. Raymond Morders, Betty Morders, has wife, 5066 Canterbury Road, Kansas City, Kan. No. 3817 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 Oct. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 5th day of Sept. 1952.

THE QUEENSTOWN NEWS

BY _____

PETITION FOR COUNSEL FEE
Filed Nov. 18, 1953

KATHERINE G. LEWIS
EARL J. LEWIS

VS

RAYMOND MORDERS

BETTY B. MORDERS, et. al.

IN THE
CIRCUIT COURT

FOR
QUEEN ANNE'S COUNTY

IN EQUITY

NO. 3817PETITION FOR COUNSEL FEE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of John Palmer Smith and Vachel A. Downes, Jr., Attorneys at Law, respectfully represents unto your Honors:

1. That your Petitioners are the Solicitors for the Complainants herein, and have filed in this Cause a Certificate of Title Examination as prescribed by the Laws of the State of Maryland pertaining to Tax Sales.

2. That the period for the title examination filed herein was from 1883 to the 27th day of August, 1952, or a period of about sixty-nine (69) years.

3. That said title examination was unusually difficult and complex, and extremely time consuming due to the nature of said lot, being part of a large subdivision, and your petitioners suggest a fee of Twenty-five Dollars (\$25.00) is reasonable.

WHEREFORE, your Petitioners pray this Honorable Court to allow unto said Petitioners a counsel fee commensurate with the services rendered in the examination of said title, to be and to become a part of the costs of the proceedings.

Respectfully submitted,

JOHN PALMER SMITH
PER VACHEL A. DOWNES JR.
 John Palmer Smith

VACHEL A. DOWNES JR.
 Vachel A. Downes Jr.

Filed Nov. 18, 1952

ORDER OF COURT

UPON the foregoing petition, it is this 18th day of November, 1952, ORDERED by the Circuit Court for Queen Anne's County, In Equity, that John Palmer Smith and Vachel A. Downes, Jr., Attorneys at Law, be and they are hereby allowed the sum of Twenty Five Dollars (\$25.00) for the examination of title in this cause filed, to be collected by the Clerk of this Court as a part of the costs of this proceeding and by him to be distributed unto John Palmer Smith and Vachel A. Downes, Jr.

WM. R. HORNEY
 Judge

Filed Nov. 18, 1952

Decree
 Filed Nov. 18, 1952

KATHERINE G. LEWIS

EARL J. LEWIS

vs.

RAYMOND MORDERS, et. al.

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

No. 3817

DECREE

It appearing that the defendants and all persons claiming through or under them, having been duly summoned or notified by Order of Publication to appear and answer the Bill of Complaint filed in this Cause on or before the 31st day of October, 1952, 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 18th day of November, 1952, 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 the said 18th day of November, 1952, 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, Katherine G. Lewis and Earl J. Lewis, her husband.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, In Equity, that Claude Lowery, Treasurer of Queen Anne's County, and Collector of Taxes for said county, shall execute a deed to Katherine G. Lewis and Earl J. Lewis, her husband, 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 Nov. 18, 1952



.....
QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Thirtieth day of September in the year nineteen hundred and fifty-two, the following Order to Docket Suit and Affidavit was filed for record, to wit:

C A U S E N O. 3823

HARRY C. BUTLER,
Assignee,

vs.

GEORGE L. McDONALD and
ELIZABETH G. McDONALD,
his wife,
RFD Barclay, Maryland,
Mortgagors

* IN THE CIRCUIT COURT
* FOR
* QUEEN ANNE'S COUNTY,
* IN EQUITY.
* Cause No. 3823
*
*** **

TO: T. Sorden Pippin, Clerk;

ORDER TO DOCKET SUIT

Please docket suit as per the above titling, for foreclosure of the Mortgage from George L. McDonald and Elizabeth G. McDonald, his wife, to The Sudlersville Bank of Maryland, a body corporate, bearing date the 10th day of July, 1950 and recorded in Liber N.B.W. #6, folio 505, a land record book for Queen Anne's County, default having occurred in the terms thereof by reason of non-payment of interest and the payments specified in said Mortgage upon the principal indebtedness; and you will file in said suit a certified copy of said mortgage and all assignments thereof, as well as the accompanying affidavit.

HARRY C. BUTLER
Harry C. Butler, Assignee.

Filed Sept. 30, 1952

AFFIDAVIT

I HEREBY CERTIFY that on this 30th day of September, 1952, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Maryland, personally appeared Harry C. Butler, Assignee, and made oath in due form of law that George L. McDonald and Elizabeth G. McDonald, his wife, the Mortgagors named in the mortgage referred to in the foregoing Order to Docket Suit is not now, nor have been within six months prior hereto, in the Military Service of the United States, that the said Mortgagors reside in RFD Barclay, Queen Anne's County, Maryland.

T. SORDEN PIPPIN
T. Sorden Pippin, Clerk

Filed Sept. 30, 1952

Certified Copy of Bond
Filed Sept. 30, 1952

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Thirtieth day of October, in the year nineteen hundred and fifty-two, 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, 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, are held and firmly bound unto the State of Maryland, in the full and just sum of Two Thousand (\$2000.00) 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 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 September, 1952.

WHEREAS the above bounden Harry C. Butler, by virtue of the power contained in a Mortgage from George L. McDonald and Elizabeth G. McDonald, his wife, to The Sudlersville Bank of Maryland, a body corporate, bearing date the 10th day of July, 1950 and recorded in Liber N.B.W. #6, folio 505, a land record book for Queen Anne's County, State of Maryland duly assigned unto the said Harry C. Butler, for collection by foreclosure or otherwise, the said Harry C. Butler, Assignee, is about to sell the land described in said Mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

TO CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Harry C. Butler do and shall well, 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 an Court of Equity in relation to the sale

of said mortgaged property, or the proceeds thereof, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

SIGNED, SEALED and DELIVERED in the presence of:

HARRY B. BUTLER (SEAL)
Harry B. Butler

JANE B. WRIGHT
Jane B. Wright

THE MARYLAND CASUALTY COMPANY

JANE B. WRIGHT
Jane B. Wright

BY HARRY B. BUTLER
Its Attorney-in-Fact.

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and bond Filed Sept. 30, 1952.

T. Sorden Pippin, Clerk

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

I hereby certify that the foregoing was truly taken and copied from Liber A .S.G.Jr. No. 1, folio 286, 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 Thirtieth day of September in the year nineteen hundred and fifty-two.

Clerk's Seal.

T. SORDEN PIPPIN
Clerk

Certified Copy of Mortgage
Filed Sept. 30, 1952

.....
#29,133.

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

One-One Dollar Ten Cent and One-Fifty Five Cent Recordation Tax Stamps. Endorsed HCB 7-11-50.

THIS MORTGAGE, made this 10 day of July, in the year nine teen hundred and fifty, by and between George L. McDonald and Elizabeth G. McDonald, his wife, of Queen Anne's County, State of Maryland, hereinafter called "Mortgagors" and the Sudlersville Bank of Maryland, a body corporate, duly incorporated under the laws of the State of Maryland, of Queen Anne's County, aforesaid, hereinafter called "Mortgagee";

WHEREAS, the said Mortgagors are justly indebted unto the said Mortgagee in the full sum of Fifteen Hundred (\$1500.00) Dollars for money loaned to them by the said Mortgagee for which they have passed unto the said Mortgagee their promissory note for the sum of Fifteen Hundred (\$1500.00) Dollars, signed by themselves bearing even date herewith and payable three (3) months after date to the said Mortgagee at its Banking House in Sudlersville, Queen Anne's County, Maryland, with interest at five (5%) per centum, per annum;

AND WHEREAS, it is agreed by and between the said parties to this Mortgage that the said Mortgagors shall pay the said Mortgagee at each interest bearing date, the sum of Seventy-five (\$75.00) Dollars to be applied on the principal indebtedness plus the interest due thereon at that time, interest to cease on the amount applied to the principal indebtedness as of the date of the payment of same.

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 and any and every renewal and part renewal of the said promissory note, including renewals of renewals, that may hereafter be made, so long as the said Mortgagee may consent to accept renewals or part renewals thereof, until the whole of the aforesaid indebtedness of Fifteen Hundred (\$1500.00) Dollars and all interest to accrue thereon is fully paid.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH, that for and in consideration of the premises and of the sum of One (\$1.00) Dollar, the receipt of which is hereby acknowledged, the said Mortgagors do hereby grant and convey unto the said Mortgagee, its successors and assigns, in fee simple, the following described real estate, to wit:

ALL that farm, part of a tract or parcel of land, situate, lying and being in the First Election District of Queen Anne's County, State of Maryland, known as the Samuel Emory or Busick Land lying on the south side of the public road leading from Barelay to Templeville, about one and one-half miles from the former place and adjoining the land of the heirs of Nathaniel Everett and William Holden on the East, south and west and the said public road on the North and containing Twenty (20) Acres of land, more or less;

AND BEING the said tract or parcel of land granted and conveyed unto the said George L. McDonald and Elizabeth G. McDonald, his wife by John Zurlo, his wife, by deed dated the 12th day of September, 1949 and recorded in Liber N.B.W. No. 4, folio 122.

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 anyway appertaining.

AND it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pay to the purchaser of said property.

PROVIDED, that if the said Mortgagors, 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 Sudlersville Bank of Maryland, its successors, or assigns, the aforesaid sum of Fifteen Hundred (\$1500.00) Dollars as evidenced by the aforesaid promissory note, when and as the same shall become due and payable as above set forth, and any and every renewal of said promissory note, including renewals of renewals, in whole or in part that may hereafter be made, when and as the same shall become due and payable, and all interest to accrue thereon, and so shall fully pay and discharge the whole of the aforesaid indebtedness of Fifteen Hundred (\$1500.00) Dollars, and all interest to accrue thereon as above set forth, and shall perform all the covenants, conditions and agreements herein on their part to be performed, then this mortgage shall be void; and until default be made in the premises the said Mortgagors or either of them, their or either of their heirs and assigns, shall possess said property.

AND the said Mortgagors 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 at least the insurance value thereof, in some Company or Companies approved by the said body corporate, The Sudlersville Bank of Maryland, its successors, or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies in case of loss shall be applied to the payments of this mortgage, and to deliver, upon demand, to the mortgagee, its and successors, or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value.

BUT, in case of default in payment of said debt or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable and the said body corporate, The Sudlersville Bank of Maryland, its successors, or its and their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, State of Maryland, and such other notice as the party or parties selling may deem expedient, for cash, or for cash, or for cash and credit, at the option of the person or persons making the sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser or purchasers, with security to be approved by the person or persons making the sale, and to apply the proceeds of sale to the payment, of first, all expenses incident to such sale, including compensation to the person or persons making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity; second, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not; and third, the balance to the said Mortgagors or the survivor of them 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 Sudlersville Bank of Maryland, its successors, or assigns, or the said HARRY C. BUTLER, its and their said attorney shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisements, 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 each of them, their and each of their heirs, executors, administrators and assigns, hereby covenant to pay.

WITNESS the hand and seals of said Mortgagors:

TEST: (as to Mortgagors).

JOHN F. STOKES

GEORGE L. MCDONALD (SEAL)
George L. McDonald

ELIZABETH G. MCDONALD (SEAL)

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

I HEREBY CERTIFY that on this 10th day of July, in the year nineteen hundred and fifty, before me, the subscriber, a Notary Public of the State of Maryland, in and for QUEEN ANNE'S County aforesaid, personally appeared George L. McDonald and Elizabeth G. McDonald, his wife and each acknowledged the foregoing MORTGAGE to be their respective act.

AND at the same time personally appeared Dudley G. Roe, President of the Sudlersville Bank of Maryland, a body corporate, 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 as aforesaid, that he is an officer of 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:

JOHN F. STOKES
NOTARY PUBLIC

MY COMMISSION EXPIRES: May 7th 1951

Notary
Public
Seal.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this 30th day of September, in the year nineteen hundred and fifty two, the following Assignment was brought to be recorded, to wit:-

For the purpose of foreclosure and collection The Sudlersville Bank of Maryland does transfer and assign the within and foregoing mortgage to Harry B. Butler, Attorney.

Witness the hand of Dudley G. Roe, President and the seal of the corporation this 29th. day of September in the year 1952.

Witness

The Sudlersville Bank of
Maryland

JOHN F. STOKES
(John F. Stokes) Cashier.

By DUDLEY G. ROE
Dudley G. Roe President

Corporate Seal.

QUEEN ANNE'S COUNTY

STATE OF MARYLAND, TO WIT:

I hereby certify that the foregoing was truly taken and copied from Liber N.B.W. No. 6, folio 505 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 30th. day of September, in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Report of Sale
Filed Nov. 21, 1952

HARRY B. BUTLER
Assignee

IN THE CIRCUIT COURT

vs.

FOR

GEORGE L. MCDONALD and
ELIZABETH MCDONALD,
his wife,
RFD Barclay, Maryland
Mortgagors

QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3823

REPORT OF SALE OF REAL ESTATE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Harry B. Butler, assignee, the above named party, plaintiff, and party making the sale hereinafter mentioned, hereby called and referred to as Vendor, unto your Honors respectfully sets forth:

1. That by mortgage dated the 10th day of July, 1950, George L. McDonald and Elizabeth G. McDonald, his wife, conveyed unto The Sudlersville Bank of Maryland, a body corporate, duly incorporate under the laws of the State of Maryland, to secure unto it the payment of the debt therein specified the land hereinafter described as sold and this mortgage was duly assigned on the 29th day of September, 1952 unto your Vendor, for the purpose of foreclosure and collection for failure to pay the balance due and owing on the day of sale hereinafter mentioned. Said mortgage was duly recorded among the Land Records of Queen Anne's County of the State of Maryland, in Liber N.B.W. No. 6, folio 5050, etc. and the aforesaid assignment of said mortgage has been recorded in said liber as a part of the record of said mortgage. A certified copy of said mortgage and of the assignment thereof has been filed in the proceedings of this cause.

2. That as will appear by reference to said mortgage, the same authorizes and empowers the assignee of the Mortgage thereof to sell the mortgaged property in case of default of the Mortgagor in the covenants thereof.

3. That before making sale, hereinafter mentioned, your Vendor gave more than Twenty (20) days previous notice of the time, place, manner and terms of said sale, by notice or advertisement of the sale in the Queen Anne Record Observer, a newspaper published weekly at Centreville, Queen Anne's County, Maryland, once in each of Four (4) successive weeks, before the day of sale, the first advertisement of said sale appearing in the edition of said newspaper published or issued on the 23rd day of October, 1952, a Certified Copy of said advertisement is filed with this Report as a part thereof.

4. That before the day of sale, hereinafter mentioned, your Vendor filed with the Clerk of this Court, his bond to the State of Maryland, in the penal sum of Two Thousand (\$2,000.00) Dollars with The Maryland Casualty Company, as surety thereon, containing that condition required by law in case of foreclosure of said mortgage under the power of sale, above mentioned. Said bond was accepted and approved by the Clerk of this Court and filed in his office by him.

5. That your Vendor, pursuant to said Notice of Sale, did attend in front of the Sudlersville Bank, in Sudlersville, on Wednesday, the 19th day of November, 1952, at 1:00 P.M., and did then and there proceed to sell the mortgaged property at public auction and did then and there (in execution of the power of sale contained in said mortgage and because default had occurred in the terms of said mortgage) sell the mortgaged property unto one Robert C. Davis, of Easton, Maryland, he being then and there the highest bidder thereof, at and for the sum of Eighteen Hundred (\$1800.00) Dollars.

6. The property sold is known as the Samuel Emory or Busick land, lying on the South side of the road leading from Barclay to Templeville, in the First Election District of Queen Anne's County, State of Maryland, and is fully described in the annexed advertisement of sale, made a part of this report.

7. The terms of said sale are those set forth in the Advertisement of Sale.

Respectfully submitted,

HARRY C. BUTLER
Harry C. Butler, assignee and Vendor.

The report states that the amount of sale to be \$1800.00

STATE OF MARYLAND

to wit:

QUEEN ANNE'S COUNTY

I HEREBY CERTIFY, that on this 21st day of November, in the year nineteen hundred and fifty two, before me, the Clerk of the Circuit Court for Queen Anne's County personally appeared Harry C. Butler, the party who filed the above report of sale as above set forth and he did make oath in due form of law that the matters and things set forth in the report of sale are true and correct to the best of his knowledge and belief and that the sale mentioned was fairly made.

T. SORDEN PIPPIN
T. Sorden Pippin, Clerk of the Circuit Court for Queen Anne's County, Maryland.

Filed Nov. 21, 1952

ASSIGNEE'S SALE OF REAL ESTATE
Filed Nov. 21, 1952

Under and by virtue of a Power of Sale contained in a Mortgage from George L. McDonald and Elizabeth G. McDonald, his wife, mortgagee, to the Sudlersville Bank of Maryland, a body corporate, of Sudlersville, Queen Anne's County, State of Maryland, Mortgage dated the 10th day of July, 1950, duly acknowledged and recorded among the land records of Queen Anne's County, in Liber N.B. W. No. 6, folio 505 etc., which said Mortgage was assigned to Harry C. Butler for the purpose of foreclosure and collection on the 29th day of September, 1952, default having occurred under the terms of said mortgage, the undersigned will offer at public sales in front of the Sudlersville Bank, Sudlersville, Queen Anne's County, State of Maryland, on WEDNESDAY, NOV. 19, 1952 at 1:00 P.M. the following described real estate, to-wit:

All that farm, part of a tract or parcel of land, situate, lying and being in the First Election District of Queen Anne's County, State of Maryland, known as the Samuel Emory or Busick land, lying on the south side of the public road leading from Barclay to Templeville, about one and one-half miles from the former place and adjoining the land of the heirs of Nathaniel Everett and William Holden on the East, South and West and the said public road on the North and containing Twenty (20) Acres of land, more or less.

Being the same tract or parcel of land granted and conveyed unto the said George L. McDonald and Elizabeth G. McDonald, his wife, by John Zurlo and Mary A. Zurlo, his wife, by deed dated the 12th day of September, 1949, and recorded in Liber N.B.W. No. 4, folio 122.

Improved by:

TWO-STORY FRAME DWELLING Covered with imitation brick siding with composition roof. Kitchen, dining room and living room on first floor, 3 bedrooms on second floor. Electricity.

Barn: Frame, composition roof, 18 ft. x 50 ft. suitable for storage, implements, chickens, etc. Chicken House: Frame, composition roof, covered with imitation brick siding, 10 ft x 24 ft.

TERMS OF SALE

One-third on day of sale or all cash at the option of the purchaser, deferred payment to bear interest from day of sale. Unpaid balance to be paid upon final ratification of sale by the Circuit Court for Queen Anne's County, in Equity, Taxes and insurance to be adjusted as of day of sale. Possession to be given upon payment of purchase price and passing of deed. Title search, State and Federal documentary stamp to be at purchaser's expense.

HARRY C. BUTLER, Assignee

J. Elmer Anthony, Auct.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Nov. 21, 1952

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 George L. McDonald & Elizabeth G. McDonald 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 Nov. 1952, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 23rd day of October 1952, and the last insertion on the 13th day of November 1952.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By WANDA J. CLARK

Filed Nov. 21, 1952

Order Nisi
Filed Nov. 21, 1952

N I S I

Harry C. Butler,
Assignee

VS.

George L. McDonald and Elizabeth
G. McDonald, his wife,
R.F.D. Barclay, Maryland
Mortgagors.

) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) CHANCERY NO. 3823
)

ORDERED: This 21st day of November A.D., 1952, that the sale of Real Estate made and reported in this cause by Harry C. Butler, Assignee and Vendor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 29th 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 27th day of January next.

The Report states the amount of sales to be \$1800.00.

T. SORDEN PIPPIN Clerk

Filed November 21, 1952

Statement of Mortgage Debt
Filed Dec. 5, 1952

Harry C. Butler, Assignee

vs.

George L. McDonald and
Elizabeth G. McDonald, his wife

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3823

STATEMENT OF MORTGAGE DEBT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Harry C. Butler, assignee and Holder of the mortgage at the time of the sale of the mortgaged property hereinafter mentioned has on November 19, 1952, herewith submits unto the Court a statement of the mortgage indebtedness as of the day of the sale.

The amount of the principal mortgage debt due November 19, 1952, under the Mortgage from George L. McDonald and Elizabeth G. McDonald his wife to the Sudlersville Bank of Maryland dated the 10th day of July, nineteen hundred and fifty, and recorded in the Land Records of Queen Anne's County aforesaid in Liber N.B.W. No. 6, folio 505, is the full mortgage debt due as of the day of sale and secured by said mortgage, to wit: \$ 1350.00

And interest on \$1350.00 from April 10, 1951 (to which date interest on said Mortgage indebtedness had been paid by the Mortgagors) to November 19, 1952 102.85

Principal and interest due on November 19, 1952 1452.85

To this add 5% commissions of collection due to Harry C. Butler, attorney at law, in whose hands said mortgage indebtedness was placed for collection 72.64

To this add the cost of insurance against the loss by fire paid by Sudlersville Bank of Maryland to Joseph M. George in amount of 13.25
Total \$ 1538.74

The assignee, Harry C. Butler, hereby states that proper to November 19, 1952, default occurred in Mortgage by reason of non-payment of interest thereon mentioned above and by reason of other defaults in the said Mortgage.

666 Harry C. Butler
Harry C. Butler
Assignee of Mortgage

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

I HEREBY CERTIFY that on this 5th day of December, 1952, before me, the Subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Harry C. Butler, Assignee of the Mortgage mentioned in the foregoing Mortgage debt for collection thereof and made oath in due form of law and stated to the best of his knowledge and belief that the statements contained herein are true and correct.

T. SORDEN PIPPIN
Clerk of the Circuit Court

Filed Dec. 5, 1952

NRISI
Filed Feb. 6, 1953

Harry C. Butler, Assignee

vs.

George L. McDonald and Elizabeth G. McDonald, his wife
R.F.D. Barclay, Maryland,
Mortgagee

In the Circuit Court For
Queen Anne's County In Equity
Chancery No. 3823

ORDERED, This 21st day of November A.D., 1952, that the sale of real estate made and reported in said cause by Harry C. Butler, assignee and vendor be

ratified and confirmed, unless cause to the contrary thereof be shown on or before the 29th 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 27th day of January, next.

The Report states the amount of sales to be \$1800.00

T. SORDEN PIPPIN, Clerk

True Copy

Test:

T. SORDEN PIPPIN, Clerk

Filed Nov. 21, 1952

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. February 6, 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of George L. McDonald & Elizabeth G. McDonald 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 January 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 27th day of November 1952, and the last insertion on the 18th day of December 1952

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By WANDA J. CLARK

Filed Feb. 6, 1953

Order Nisi

Filed Feb. 6, 1953

N I S I

Harry C. Butler,
Assignee

Vs.

George L. McDonald and Elizabeth
G. McDonald, his wife,
R.F.D. Barclay, Maryland
Mortgagors.

) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY.
)
) CHANCERY NO. 3823
)

ORDERED, This 6th day of February A.D. 1953, that the sale of Real Estate made and reported in this cause by Harry C. Butler, Assignee and Vendor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 14th 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 14th day of March next.

The Report states the amount of sales to be \$1800.00

T. SORDEN PIPPIN Clerk

Filed February 6, 1953

NISI

Harry C. Butler, Assignee

vs.

George L. McDonald and Elizabeth
G. McDonald, his wife.
R.F.D. Barclay, Maryland
Mortgagors

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY
Chancery No. 3823

ORDERED, This 6th day of February A.D. 1953, that the sale of real estate made and reported in this cause by Harry C. Butler, Assignee and Vendor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 14th 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 14th day of March, next.

The Report states the amount of sales to be \$1800.00

T. SORDEN PIPPIN, Clerk.

True Copy

Test:

T. SORDEN PIPPIN, Clerk

Filed Feb. 6, 1953.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. April 17, 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of George L. McDonald & Elizabeth G. McDonald 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 March 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 12th day of Feb. 1953, and the last insertion on the 5th day of March 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

BY MYRTLE FAULKNER

Filed April 17, 1953

Final Order of Ratification
Filed April 17, 1953

HARRY C. BUTLER,
Assignee

vs.

GEORGE L. McDONALD and
ELIZABETH G. McDONALD
R.F.D. Barclay, Maryland
Mortgagors

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3823

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Queen Anne's County, In Equity, this 17th day of April, 1953, that the sale made and reported by the Trustee aforesaid be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause; and that the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

WM. R. HORNEY
Judge

Filed April 17, 1953

AUDIT
Filed April 21, 1953

Harry C. Butler, Assignee

vs.

George L. McDonald, and
Elizabeth McDonald, his wife.

In The Circuit Court For
Queen Anne's County In
Equity Cause #3823

To The Honorable, The Judges of Said Court:

The Report of J. Thomas Clark, your Auditor, unto your Honors, respectfully shows:

1. That this account is stated at the request of Harry C. Butler, Assignee of the mortgage foreclosed in this cause for the purpose of collection and vendor in these proceedings; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest, insurance premiums and attorney's fee amounting under the mortgage to the total sum of \$1,538.74 as of the date of sale, per statement of mortgage indebtedness filed herein, that such deficiency amounts to the sum of \$85.91, and that such deficiency is due The Sudlersville Bank of Maryland, Mortgagee of the mortgage herein foreclosed, from the Mortgagors, with interest thereon from October 23, 1952.

2. That, in thw within account said Assignee is charged with the gross proceeds of the sale made by him, per report of sale filed as well as interest on the unpaid balance of the purchase price in the sum of \$13.40; and he is then allowed thereout for his commissions in accordance with the terms of the mortgage, for the following amounts due, per bills exhibited; the Court costs of this cause, the cost of the premium on said Assignee's corporate surety bond, for the cost of the order nisi to be passed as to this Audit and the auditor's fee, and for the following payment previously made, the fee of the auctioneer who cried the sale, advertising costs paid for advertising the sale and the costs of an order nisi and a corrected order nisi filed in this cause on said sale, and for monies paid for state and county taxes and a ditch tax on said realty foreclosed, and, finally, the net proceeds of sale, in the sum of \$1,452.83 on account of the aforesaid tems making

up the total mortgage debt, per statement thereof filed.

Respectfully submitted,

J. THOMAS CLARK
Auditor

April 21, 1953

Cause No. 3823

The proceeds of the sale of land reported in this cause in account with Harry C. Butler, assignee of the mortgage and vendor of said land foreclosed in these proceedings.

Cr.

| | | |
|---------|---|-------------------|
| 1952 | | |
| Oct. 23 | By gross proceeds of the sale of said land per report of said vendor, to wit:..... | \$1,800.00 |
| Oct. 23 | By interest at 6% per annum on the deferred portion of said proceeds (\$1200.00) from the day of sale to the 30th day of Dec., 1952, to wit:..... | 13.40 |
| | | <u>\$1,813.40</u> |

Dr.

| | | | |
|---------|---|------------------|-------------------|
| Oct. 23 | To Harry C. Butler, assignee (and vendor) for his commissions for making the sale, per terms of the mortgage..... | \$113.17 | |
| | To do., for court costs of this cause per statement of clerk, as follows: | | |
| | Costs of T. Sorden Pippin, Clerk..... | 18.75 | |
| | Appearance fee of Harry C. Butler | 10.00 | |
| | To do., for an amount paid J. Elmer Anthony, auctioneer, for crying sale, per his receipt for same exhibited..... | 25.00 | |
| | To do., for an amount due Harry C. Butler (Agent), for the premium on corporate surety bond of vendor, per statement for same exhibited..... | 20.00 | |
| | To do., for an amount paid the Queen Anne's Record-Observer, per his receipts for same exhibited, as follows: | | |
| | To costs of advertising sale..... | \$51.75 | |
| | To costs of publishing nisi on sale..... | 15.00 | 66.75 |
| | To do., for sums paid Claude Lowery, Treasurer, per receipts exhibited: | | |
| | 1952 State and County taxes..... | 15.15 | |
| | Dixon Tavern Ditch taxes for years 1951 and 1952..... | 73.26 | 88.40 |
| | To do., for costs of advertising the order nisi to be passed as to this audit in Queen Anne's Record-Observer..... | | 5.00 |
| | To J. Thomas Clark, auditor, for stating this audit..... | | 13.50 |
| | To Harry C. Butler, Assignee of Mortgage for collection, the net proceeds of this sale (on account of the total mortgage indebtedness, under the mortgage foreclosed in this cause, of \$1538.74, per statement thereof filed), to wit: | | |
| | | <u>\$1452.83</u> | |
| | | <u>\$1813.40</u> | <u>\$1,813.40</u> |

J. THOMAS CLARK
Auditor

April 21, 1953.

Filed April 21, 1953

Nisi Ratification of Audit
Filed April 21, 1953

NISI RATIFICATION OF AUDIT

Harry C. Butler, Assignee

vs.

George L. McDonald and Elizabeth McDonald, his wife;

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

) IN EQUITY

) Cause No. 3823

ORDERED, This 21st. day of April in the year nineteen hundred and fifty three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 15th. day of May, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 8th. day of May, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed April 21, 1953

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Oct. 23, 1953

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 George L. McDonald and Elizabeth McDonald, his wife a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 2 successive weeks before the 8th day of May, 1953 and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 23th day of April 1953, and the last insertion on the 30th day of April 1953

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Oct. 23, 1953

Final Order of Ratification on Auditor's Account
Filed Oct. 30, 1953

Harry C. Butler, Assignee

vs.

George L. McDonald, and
Elizabeth McDonald, his wife.

In the Circuit Court for

Queen Anne's County In

Equity. Cause #3823

Final Order of Ratification on Auditor's Account

Ordered this 30th day of October, 1953, by the Circuit Court for Queen Anne's County in Equity that the foregoing report and account of the auditor be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, and that the trustee apply the proceeds accordingly, with a due proportion of interest, as the same has been or may be received.

WM. R. HORNEY
Judge

Filed Oct. 30, 1953



QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty-second day of March, in the year nineteen hundred and forty-nine, the following Order to Docket Suit and Military Affidavit, was brought to be recorded, to wit:

C A U S E N O. 3614

JOHN PALMER SMITH,
ASSIGNEE,

Centreville, Maryland.

VS.

HOWARD T. HALLIDAY and
ANNE R. HALLIDAY, his wife,
Newark, New Jersey

HOWARD T. HALLIDAY, T/A
Cin-crete Products Company,
Newark, New Jersey

MORTGAGORS.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. 3614

To: Mrs. Nellie B. Whiteley, Clerk of the Court:

Docket suit forthwith on the Chancery Docket of this Court in accordance with the above titling for the foreclosure of the mortgages and chattel mortgages hereinafter described, and file in the papers of this suit certified copies of the following mortgages and chattel mortgages and the respective assignments thereon, to wit:

1. Mortgage from Howard T. Halliday and Anne R. Halliday, his wife, to The Peoples Bank of Chestertown, Maryland, dated February 14th, 1947, and recorded among the land records of Queen Anne's County in Liber A. S. G. Jr., No. 16, folio 382, and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure or otherwise; and
2. Mortgage from Howard T. Halliday and Anne R. Halliday, his wife, to Irvin O. Drummer, dated October 1st, 1948, and recorded among the land records of Queen Anne's County in Liber N.B.W. No. 2, folio 31, and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise; and
3. Chattel Mortgage from Howard T. Halliday and Anne R. Halliday, his wife, to The Stevensville Bank of Maryland, dated February 14th, 1947, and recorded among the Chattel Record Books of Queen Anne's County in Liber A. S. G. No. 1, folio 338; and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise; and
4. Chattel Mortgage from Howard T. Halliday, T/A Cin-crete Products Company dated Oct. 1st, 1948, and recorded among the chattel record books of Queen Anne's County in Liber A. S. G. No. 1, folio 553, and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise.

This suit, to be docketed as aforesaid, is for the foreclosure of the above respectively described mortgages and chattel mortgages under the powers of sale contained in the said respective mortgages and chattel mortgages, default having occurred in the terms, conditions and covenants of the said mortgages and chattel mortgages by reason of the non-payment of the interest due on the principal mortgage and chattel mortgage indebtednesses therein covenanted to be paid by the terms of the said respective mortgages and chattel mortgages at the times therein provided for the payment thereof.

JOHN PALMER SMITH
John Palmer Smith,
ASSIGNEE.

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

This is to certify, that on this 22nd day of March, 1949, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, Assignee, of Centreville, Maryland, and made oath in due form of law that Howard T. Halliday and Anne R. Halliday, his wife, the mortgagors mentioned in the mortgages and chattel mortgages referred to in the foregoing Order to Docket Suit, reside in the State of New Jersey, in the City of Newark, their address being

Howard T. Halliday and Anne R. Halliday
Newark, New Jersey.

that the said Howard T. Halliday was formerly a manufacturer of concrete products in Queen Anne's County, Maryland and is of the approximate age of 38 years, and that Anne R. Halliday is the wife of the said Howard T. Halliday, that she is a house-wife, and is of the approximate age of 35, and that the said Howard T.

Halliday and Anne R. Halliday are not now, nor have they been within three months prior hereto, in the military service of the United States of America as defined in The Soldiers and Sailors Relief Act of 1940, to the best of his knowledge and belief.

NELLIE B. WHITELEY
Clerk.

Filed Mar. 22, 1949

Certified Copy of Bond
Filed March 22, 1949

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Twenty Second 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, John Palmer Smith, of Centreville, Queen Anne's County, State of Maryland, as Principal, and GLENS FALLS INDEMNITY COMPANY, a body corporate of the State of New York and duly authorized to transact business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Six Thousand Dollars (\$6,000.00) current money, to be paid to the said State or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents, sealed with our seals, and dated this twenty- second day of March, in the year nineteen hundred and forty-nine.

WHEREAS, by virtue of the several powers of sale contained in the mortgages and chattel mortgages, to wit:

1. Mortgage from Howard T. Halliday and Anne R. Halliday, his wife, to The Peoples Bank of Chestertown, Maryland, dated Feb. 14, 1947, and recorded in Liber A.S.G. Jr., No. 16, folio 382, a land record book for Queen Anne's County, and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise; and
2. Mortgage from Howard T. Halliday and Anne R. Halliday, his wife, to Irvin O. Drummer, dated Oct. 1, 1948, and recorded in Liber N.B.W. No. 2, folio 31, a land record book for Queen Anne's County, and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise; and
3. Chattel Mortgage from Howard T. Halliday and Anne R. Halliday, his wife, to The Stevensville Bank of Maryland, dated Feb. 14, 1947, and recorded in Chattel Record A.S.G.Jr., No. 1, folio 338, and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise; and
4. Chattel Mortgage from Howard T. Halliday, T/A Cin-Crete Products Company, dated Oct. 1st, 1948, and recorded in Chattel Record A. S. G. No. 1, folio 553, and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise,

the said John Palmer Smith is authorized and empowered to make sale of the property described in said mortgages and in said chattel mortgages, in case of default should be made in the payment of the principal debt secured by said mortgages and chattel mortgages, 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 John Palmer Smith, by duly recorded assignments from the said Mortgagees, has been assigned the respective mortgages and chattel mortgages for the purpose of foreclosure, and the said Principal is about to execute the said respective powers of sale and make sale of the property described as aforesaid in the said respective mortgages and chattel Mortgages.

NOW, THE CONDITION OF THE ABOVE OBLIGATIONS IS SUCH, that if the above bounden John Palmer Smith, do and shall well and faithfully abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the said 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:-as to BARBARA L. BINDBRINK

JOHN PALMER SMITH (SEAL)
John Palmer Smith

ATTEST:

BARBARA L. BINEBRINK

GLENS FALLS INDEMNITY COMPANY,

BY: L. HERMAN MEREDITH
L. Herman Meredith
Its Attorney in Fact.
Corporate Seal Place.

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

Security approved and Bond filed March 22, 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 91, 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 Twenty Second day of March, in the year nineteen hundred and forty nine.

NELLIE B. WHITELEY
Clerk

Certified Copy of Mortgage
and Assignments
Filed March 24, 1949

#25,288. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fifteenth day of February, 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
H.T.H. 2-15-47

THIS MORTGAGE, Made this 14th day of February in the year nineteen hundred and forty-seven by and between Howard T. Halliday, and Anne R. Halliday, his wife, Mortgagors, of Queen Anne's County State of Maryland, of the one part and The Peoples Bank of Chestertown, Maryland, a duly incorporated body, Mortgagee, of said Kent County, State aforesaid, of the other part.

WHEREAS, the said Mortgagors are justly indebted unto said Mortgagee in the full sum of One Thousand five hundred (\$1500.00) dollars (being money loaned and advanced by said Mortgagee to said Mortgagors) for which said sum and the interest thereon the said Mortgagors have passed to said Mortgagee their promissory note bearing even date herewith, for said sum of One thousand five hundred (\$1500.00) dollars payable 3 months after date with interest at 4% per annum payable at the Banking House of The Peoples Bank of Chestertown, Maryland, aforesaid, in Chestertown, Maryland, and which note provides. . . and I or we, whether makers or endorsers, agree to waive protest and notice of non-payment, and pay ten per cent (10%) on the first five hundred dollars of the amount due, and five per cent (5) on the balance thereof, for collection, and authorize any attorney of record to appear in any Court of before any Justice of the Peace, and confess judgment hereon after maturity, and forthwith issue execution for the amount thereof, with interest and costs with all exemptions waived.

AND WHEREAS, this mortgage is made to secure the payment of said debt, and the interest thereon, in the manner and at the times limited in the aforesaid promissory note, or renewals thereof, and all public taxes which may be levied or assessed thereon, and the performance of all the covenants hereinafter mentioned - the execution hereof being a condition precedent to the making of said loan.

NOW THIS MORTGAGE WITNESSETH, that in consideration of the premises, and the sum of One Dollar the said Howard T. Halliday and Anne B. Halliday, his wife, do grant unto The Peoples Bank of Chestertown, Maryland, aforesaid, or its successors and assigns in fee simple.

all that piece or parcel of ground situate, lying and being in the Sixth Election District of Queen Anne's County in the State of Maryland at or near Carville Station and lying on the left side of the public road leading from the Centerville-Hope Road to Haden Station, bounded by the lands formerly of the late Earl R. Bishop known as the Shall cross farm, by the land of John Albert Smith, Jr., and by the aforementioned Public road, and more particularly described as follows:

BEGINNING for the same at the edge of the said public road where the property hereby conveyed corners with the said Bishop property known as the Shallcross farm, at a stone boundary marker and running from thence; by and with the edge of said public road in a southern direction toward the Centerville-Hope Stone Road, a distance of 290 ft. more or less, to an iron post driven in the ground; thence in a westerly direction a distance of 227 ft., more or less, to a large walnut tree; thence in a northerly direction and parallel with said public road a distance of 173 ft., more or less; to the line of said Bishop land; thence in an easterly direction by and with the said Bishop land to the place of beginning, containing 1.2 acres of land, more or less.

Being the same land granted and conveyed to Howard T. Halliday, by deed bearing date the 30th day of January, 1947, by John Albert Smith, Jr. and to be recorded among the Land Record Books for Queen Anne County, just prior to the recording of this Mortgage.

Reference to the above deed and to the deed or deeds therein mentioned is to be made for a further description of the herein mortgaged lands and premises and for title.

It is mutually understood by the parties hereto that the within Mortgage does not cover any of the machinery used in operating said plant.

TOGETHER with the buildings and improvements thereupon; and the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

AND it is hereby agreed that in the event of sale of the above described property under the power of sale hereinafter expressed, all annual crops, planted or growing upon said property at the time of sale, shall pass to the purchaser of said property.

TO HAVE AND TO HOLD, the aforesaid lot or parcel of ground and premises unto and to the proper use and benefit of The Peoples Bank of Chestertown, Maryland, its successors and assigns forever.

PROVIDED, that if the said Howard T. Halliday and Anne R. Halliday, his wife, their heirs, executors, administrators or assigns, shall pay each of said notes at the times and in the manner limited in each of them respectively including five per cent. commission for collecting any of said notes which may not be paid at maturity, 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 said Howard T. Halliday and Anne R. Halliday, his wife, shall possess the aforesaid property upon paying in the meantime, all insurance premiums, taxes and assessments, public dues and charges of every kind, levied or assessed on said hereby mortgaged property; which insurance premiums, taxes, assessments, public dues, charges, mortgage debt and interest due, the said Mortgagors for themselves and for themselves and for their heirs, executors administrators and assigns, do hereby covenant to pay when legally demandable. But if default be made in payment of said money or the interest thereon to accrue, or any part of either one of them, at the time limited for payment of the same, or in any agreement, covenant or condition of this Mortgage, then the entire Mortgage debt shall be deemed due and demandable; and these presents are hereby declared to be made in trust, and The Peoples Bank of Chestertown, Maryland, aforesaid, its successors or assigns, or R. Hynson Rogers of Chestertown, Maryland, its Attorney or Agent, is hereby authorized and empowered at any time after such default, to sell the property hereby mortgaged or so much thereof as may be necessary to satisfy and pay 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 made in 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, Maryland, and such other notice as the party making said sale shall deem proper, which said sale may be at public auction (or that failing) at private sale to the highest bidder, and for cash or credit, at the option of the party making the sale, and in the event of a sale of said property under the powers hereby granted, the proceeds arising from such sale, to apply first to the payment of all expenses incident to such sale, including all counsel or attorney's fees, and the actual cost of such bond as may be secured by the party or parties making the sale in some approved Surety Company, and a commission to the party making sale of said property, equal to the commission allowed trustees for making sale of property by virtue of a decree of a Court having equity jurisdiction in the State of Maryland; Secondly, to the payment of all claims of the said Mortgagee 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 Mortgagor, personal representatives or assigns, or to whoever may be entitled to the same. But in case said Mortgage debt interest, and costs are paid after default, (and also, after filing of the bond required by law in foreclosure proceedings by the party undertaking to make sale of said property) by any one entitled to pay the same, or said sale is withdrawn at the request of said Mortgagors or any of them, then the said Mortgagors, for themselves and for their heirs, personal representatives and assigns, do hereby further covenant to and with the said Mortgagee its successors and assigns to pay to the party undertaking to make sale of said property under the powers herein before granted, a commission on the said Mortgage debt and accrued interest thereon, equal to one-half of the commission allowed Trustees for making sale of property by virtue of a decree of the Court having equity jurisdiction in the State of Maryland, together with all costs incurred, including a counsel or attorney's fee of thirty dollars.

AND the said Mortgagors, for themselves and for their heirs, executors, administrators and assigns, do further covenant to insure, and pending this existence of this Mortgage to keep insured the improvements on the hereby mortgaged land to the amount of at least their full insurable value, and to cause the policy to be effected thereon to be so framed or indorsed, as in case of fire, to insure to the benefit of the said Mortgagee its successors or its assigns to the extent of their lien or claim hereunder.

AND the said Mortgagors, for themselves and for their heirs, executors, administrators and assigns do further covenant to pay unto the said Mortgagee or its successors and assigns hereunder any insurance premiums or charges on any property covered by this Mortgage paid by the said Mortgagee or its successors or assigns hereunder.

AND the said Mortgagors do further covenant that they will neither do, nor suffer to be done, pending the existence of this Mortgage, any act or thing whereby the said premises and land may be depreciated or lessened in value.

WITNESS, our hands and seals:

TEST:

MARY A. PENNINGTON
Mary A. Pennington

HOWARD T. HALLIDAY (SEAL)
Howard T. Halliday

ANNE R. HALLIDAY (SEAL)
Anne R. Halliday

STATE OF MARYLAND, KENT COUNTY TO WIT:

I HEREBY CERTIFY, that on this 14th. day of February, in the year nineteen hundred and forty-seven before the subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Howard

T. Holliday and Anne R. Halliday, his wife, and each acknowledged the foregoing Mortgage to be his/her act.

Notary
Public
Seal.

MARY A. PENNINGTON
Notary Public
Mary A. Pennington

STATE OF MARYLAND, KENT COUNTY TO WIT:

I HEREBY CERTIFY, that on this 14th. day of February in the year nineteen hundred and Forty-seven before the subscriber, a Notary Public for the State of Maryland, in and for Kent County aforesaid, personally appeared Don T. Falls, cashier of the said, The Peoples Bank of Chestertown, Maryland, the within named Mortgagee and made oath in due form of law, that the consideration set forth in the foregoing Mortgage is true and bona fide, as therein set forth, and that he is the agent of the said The Peoples Bank of Chestertown, Maryland, duly authorized to make this affidavit.

Notary
Public
Seal.

MARY A. PENNINGTON
Notary Public
Mary A. Pennington

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Thirteenth day of January, in the year nineteen hundred and forty nine, the following ASSIGNMENT was brought to be recorded, to wit:

For value received The Peoples Bank of Chestertown, Md., hereby assigns the within and foregoing mortgage to Joseph W. A. Evans and Marian E. Evans, his wife, without recourse over.

Witness the hand of the President and the seal of the said The Peoples Bank of Chestertown, Md., this 13th day of January 1949.

Witness:

DON T. FALLS
Cashier

CHARLES F. WHEATLEY
Charles F. Wheatley, President
The Peoples Bank of Chestertown, Md.

Corporate Seal Place.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Second day of March, 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 John Palmer Smith for collection by foreclosure, or otherwise.

As witness our hands and seals this 3rd day of February, 1949.

WITNESS:

SHIRLEY B. TUTTLE

JOSEPH W. A. EVANS (SEAL)

MARION E. EVANS (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. 16, folios 382, etc., a Land Record Book for Queen Anne's County.

Notary
Public
Seal.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 24th day of March in the year nineteen hundred forty nine.

NELLIE B. WHITELEY
Clerk.

Certified Copy of Purchase Money
Mortgage & Assignments
Filed March 24, 1949

#27,075. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eighth day of October, in the year nineteen hundred and forty eight, the following Mortgage and Assignment was brought to be recorded, to wit:

THIS PURCHASE MONEY Mortgage, Made this first day of October in the year nineteen hundred and forty-eight by and between Howard T. Halliday and Anne R. Halliday, his wife, (Anne R. Halliday joining herein for the sole purpose of releasing her (dower rights in the property hereinafter described) of Queen Anne's County, in the State of Maryland, parties of the first part, "Mortgagors", and Irvin O. Drummer, of Queen Anne's County and State of Maryland, party of the second part, "Mortgagee".

WHEREAS, the said Howard T. Halliday is this day justly and bona fide indebted unto the said Irvin O. Drummer in the full and just sum of Three Thousand Seven Hundred Dollars (\$3,700.00) for money this day due and owing, which said Howard T. Halliday agrees to pay unto the said Irvin O. Drummer with interest thereon at the rate of five per cent per annum, the said principal indebtedness of Three Thousand Seven Hundred Dollars (\$3,700.00) to be paid by the said

Howard T. Halliday to the said Irvin O. Drummer in twelve (12) equal consecutive monthly installments of Three Hundred Eight Dollars and Thirty Seven Cents (\$308.37), each with interest at the rate of five per cent per annum on unpaid balances of principal, on the first day of each month hereafter until paid principal indebtedness and all interest thereon is fully paid, the first of said monthly installment payments to be paid on the first day of November, 1948 and continuing consecutively monthly until the whole of said principal sum has been paid together with all interest at the rate of five per cent annum payable monthly on the balances of said principal sum then due and owing by the said Howard T. Halliday, and upon default in payment of any one of the monthly installments of Three Hundred Eight Dollars and Thirty Seven Cents (\$308.37) as aforesaid on said principal sum together with interest then due on the unpaid balance due and owing upon said principal sum by the said Howard T. Halliday, then this mortgage shall be deemed and taken to be in default and the property hereinafter described liable to foreclosure and sale as hereinafter provided.

AND WHEREAS, it is understood and agreed that the said Howard T. Halliday, his heirs and assigns, may anticipate payment in whole or in part on the principal of said mortgage at any time provided said mortgage is not in default.

NOW THEREFORE THIS MORTGAGE WITNESSETH: That in consideration of the premises and the sum of One Dollar, (\$1.00) the said Howard T. Halliday and Anne R. Halliday, his wife, do hereby grant and convey unto Irvin O. Drummer, his heirs and assigns, in fee simple, the following described real estate, to wit:

PARCEL NUMBER ONE:

ALL that piece or parcel of ground, situate, lying and being in the Sixth Election District of Queen Anne's County of Maryland, at or near Carville Station and lying on the left side of the public road leading from the Centreville-Hope Stone Road to Hayden Station, bounded by the lands formerly of the late Earl R. Bishop, known as the Shallcross farm, by the land of John Albert Smith, Jr., and by the aforementioned public road and more particularly described as follows:

Beginning for the same at the edge of the said public road where the property hereby conveyed corners with the said Bishop property known as the Shall cross farm, at a stone boundary marker and running from thence; by and with the edge of said public road in a southern direction toward the Centreville-Hope Stone Road, a distance of 290 feet more or less, to an iron post driven into the ground; thence in a westerly direction a distance of 227 feet, more or less, to a large walnut tree; thence in a northerly direction and parallel with said public road a distance of 173 feet, more or less; to the line of said Bishop land; thence in an easterly direction by and with the said Bishop land to the place of beginning containing 1.2 acres of land, more or less.

PARCEL NUMBER TWO:

All that lot or tract of land situate, lying and being in the Sixth Election District of Queen Anne's County, State of Maryland, on the left side of the Public Road from Carville's Station to Hayden's Station and more particularly described as follows, to wit:

BEGINNING for the same at an ironpost planted in the Southeast Corner of other lands of the said Grantors, and on the said public road, from thence in a southerly direction for a distance of 85 feet, more or less to a Gum Tree; thence with other lands of the said Grantors and at right angles to said first line, in a westerly direction a distance of 130 feet, more or less; thence at right angles to the last mentioned line in a northerly direction, a distance of 85 feet, more or less, along the easterly boundary of other lands of the said Grantors; thence at right angles to the last mentioned line and in an easterly direction a distance of 130 feet, more or less, to the point of beginning.

BEING the same two tracts of land conveyed unto Howard T. Halliday by Howard T. Halliday and Irvin O. Drummer, trading as Cin-Crete Products Company, by deed dated the thirtieth day of September, 1948, and intended to be recorded preceding this MORTGAGE.

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 Howard T. Halliday, his heirs, executors, administrators or assigns, shall well and truly pay to the said Irvin O. Drummer, his executors, administrators or assigns, the aforesaid sum of Three Thousand Seven Hundred Dollars (\$3700.00), in 12 equal consecutive monthly installments of \$308.37, each with interest at the rate of 5% per annum on unpaid balances of principal, when and as the same shall become due and payable, as above set forth, and shall perform all the covenants, conditions and agreements thereon on his or their part to be performed, then this mortgage shall be void; and until default be made in the premises and the said Howard T. Halliday, his heirs and assigns shall possess said property.

AND the said Howard T. Halliday, for himself and for 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, assess-

ments, 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 Irvin O. Drummer, 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, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value.

BUT, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable and the said Mortgagee, his executors, administrators or assigns, or JOHN PALMER SMITH their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and 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 note or notes of the purchaser, with security to be approved by the person making the sale, and to apply the proceeds of sale to the payment of, first, all expenses incident to such sale, including compensation to the persons making 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 Mortgagor, 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 and the said Mortgagee, his executors, administrators, or assigns, or JOHN PALMER SMITH, their said attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of 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 for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said Howard T. Halliday, for himself and for his heirs, executors, administrators and assigns, hereby covenants to pay.

WITNESS the hands and Seals of the MORTGAGORS:

TEST: as to both MORTGAGORS:

HOWARD T. HALLIDAY (SEAL)
HOWARD T. HALLIDAY

DELHA DANCY ROLPH
Delha Dancy Rolph

ANNE R. HALLIDAY (SEAL)
ANNE R. HALLIDAY.

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

I HEREBY CERTIFY that on this 7th day of October in the year nineteen hundred and forty eight, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, personally appeared Howard T. Halliday and Anne R. Halliday, his wife, the above named Mortgagors, and they did each acknowledge the foregoing MORTGAGE to be their respective act, and at the same time, before me, the subscriber, also personally appeared Irvin O. Drummer, above named Mortgagee, and he did make 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:

Notary
Public
Seal.

DELHA DANCY ROLPH
Delha Dancy Rolph
NOTARY PUBLIC

FOR VALUE RECEIVED, I hereby transfer and assign the within and foregoing Mortgage and Mortgage Debt unto Joseph W. A. Evans Marion E. Evans his wife, as tenants by the entireties, or the survivor, and guarantee the same.

Witness my hand and seal this first day of October, 1948.

JOHN PALMER SMITH
John Palmer Smith

IRVIN O. DRUMMER (SEAL)
Irvin O. Drummer

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Second day of March, 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 John Palmer Smith for collection by foreclosure, or otherwise.

As witness our hands and seals this third day of February, 1949.

WITNESS:

JOSEPH W. A. EVANS (SEAL)

SHIRLEY B. TUTTLE

MARION E. EVANS (SEAL)QUEEN ANNE'S COUNTY,
STATE OF MARYLAND, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber N.B.W. No. 2, folios 31, 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 24th day of March in the year nineteen hundred forty nine.

NELLIE B. WHITELEY
Clerk

Certified Copy of Chattel Mortgage
and Assignments
Filed March 24, 1949

#1416 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 Chattel Mortgage was brought to be recorded, to wit:

THIS CHATTEL MORTGAGE made this 14th day of February in the year nineteen hundred and forty seven, by Howard T. Halliday and Anne R. Halliday, his wife, of Queen Anne's County, State of Maryland, WITNESSETH:

WHEREAS, the said Howard T. Halliday and Anne R. Halliday, his wife, are indebted unto The Stevensville Bank of Maryland, a body corporate, in the full and just sum of TWENTY FIVE HUNDRED DOLLARS (\$2,500.00) for money this day loaned as evidenced by their promissory note bearing even date herewith, payable to the said body corporate, six months after date with interest thereon in the meantime at the rate of 5% per annum:

AND WHEREAS, it was a condition precedent to the making of sale loan and the acceptance of said promissory note that this Chattel Mortgage should be given to more effectually assure and secure the prompt payment of said promissory note, and any and all renewals thereof, whether in whole or in part, and any and all renewals of renewals, either in whole or in part, until the aforesaid promissory note, together with all interest thereon, is fully paid and satisfied, provided however that the said body corporate shall have the right to receive or reject any and all renewals, either in whole or in part or renewals, either in whole or in part:

Now therefore in consideration of the premises and the sum of one dollar the said Howard T. Halliday and Anne R. Halliday, his wife, do hereby bargain and sell unto The Stevensville Bank of Maryland, a body corporate, its successor, successors or assigns, the following personal property, to wit: One Model B. Syn-tro Pac block machine equipped to make (2) 7-3/4 X 7-3/4 oval cored block at each operation, air cylinder, f__strike off, pressure head and block ejector, including storage hopper, offbearer and necessary motors, one attachment complete with pressure heads and stripping fingers to make (4) 7-3/4 X 3-3/4 X 15-3/4 block at each operation, using ZONAL pressed steel pallets, One Belt Conveyor for elevation mixed materials, equipped with power unit and motor, 2,000 7-3/4 X 15-3/4 pressed steel pallets, 45% A.S. (BABA), 200 7-3/4 X 15-3/4 steel sash and corner pallets, one 5 Hp 2-stage, 3 phase air compressor, one 10 hp. 3 phase, 220 volt motor, 3000 3-3/4 X 15-3/4 ZONAL pressed steel pallets, all of above personal property now being placed in house used by the bargainors at Carville Station where the said T. Howard Halliday is engaged in the manufactur__ of cinder blocks.

Provided that if the said Mortgagors shall well and truly pay the aforesaid loan and all interest thereon to accrue and keep and perform all covenants and conditions in this Chattel Mortgage then the same shall be null and void and until default the said Howard T. Halliday shall have and possess the said property hereby mortgaged.

The said Howard T. Halliday and Anne R. Halliday, his wife, do hereby covenant to pay all taxes and asements of whatever nature that may be levied against said property and to keep insured to the full insurable value the aforesaid property, loss, if any, payable to the said body corporate as its interest may appear and to turn over said policy or policies to the said body corporate pending this mortgage.

But should default occur in the payment of said mortgage indebtedness or interest or any part of either, or in any other condition or agreement of this chattel mortgage, then the said body corporate, its successor, successors, or assigns, or Richard T. Earle, their attorney for the Purpose, shall have the right to sell said mortgage property upon given ten days previous notice of the time, place, manner and terms of sale in some Newspaper printed and published in Queen Anne's County and such other notice as the party selling may deem expedient, for cash or for cash and credit at the option of the party making the same, and to apply the proceeds of sale first to all expenses incurred in making said sale including a commission of 10% to the party making sale, then all money due and owing hereunder or secured hereby whether the same be then due or not, thirdly, the balance, if any, to the said Howard T. Hallida and/or Anne R. Halliday, his wife, or whoever may be entitled.

In witness whereof we have hereunto subscribed our names and affixed our seals.

Test as Mortgagors:

HOWARD T. HALLIDAY (SEAL)
Howard T. Halliday

BARNES LEGG
Barnes Legg

ANNE R. HALLIDAY (SEAL)
Anne R. Halliday

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

I hereby certify that on this 14th day of February, 1947, before me, a Notary public of the State of Maryland in and for Queen Anne's County, personally appeared Howard T. Halliday and Anne R. Halliday, his wife, and each acknowledged the within and foregoing Chattel Mortgage to be their respective act; and at the same time personally appeared F. Whitefield Coleman, the President of the said body corporate, The Stevensville Bank of Maryland, and made oath in due form of law that the consideration as set forth in the within and foregoing Chattel Mortgage is true and bona fide as therein stated.

In witnesswhereof I have hereunto subscribed my name and affixed my Notarial Seal.

Notary
Public
Seal.

BARNES LEGG
Barnes Legg
Notary Public

ASSIGNMENT filed September 28, 1948.

FOR VALUE RECEIVED, The Stevensville Bank of Maryland, a body corporate, does hereby transfer and assign the within and foregoing Chattel Mortgage and the debt thereby secured unto The Queenstown Bank of Maryland, a body corporate, without recourse.

IN TESTIMONY WHEREOF, the said body corporate, The Stevensville Bank of Maryland, has caused its name to be hereunto signed by F. Whitefield Coleman, its President, and its corporate seal to be affixed by Barnes Legg, its Cashier, this 28th day of September, 1948.

ATTEST:

THE STEVENSVILLE BANK OF MARYLAND,

BARNES LEGG
Barnes Legg
Its Cashier.

by F. W. COLEMAN
F. Whitefield Coleman
Its President.

Corporate Seal's Place

ASSIGNMENT recorded in this Liber on folio 582.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Second day of March, in the year nineteen hundred and forty nine, the following Assignments were brought to be recorded, to wit:-

FOR VALUE RECEIVED, The Queenstown Bank of Maryland, a body corporate, does hereby transfer and assign the within and foregoing Chattel Mortgage and the debt thereby secured unto Joseph W. A. Evans, without recourse.

IN TESTIMONY WHEREOF, the said body corporate, The Queenstown Bank of Maryland, has caused its name to be here unto signed by W. S. Cross, its Vice President, and its corporate seal to be affixed by W. I. Tuttle, its Cashier, this 2nd, day of February, 1949.

Attest

The Queenstown Bank of Maryland

W. I. TUTTLE
W. I. TUTTLE, its Cashier

W. S. CROSS
W. S. Cross
Its Vice President

Corporate Seal.

The within and foregoing Chattel Mortgage is hereby transferred and assigned unto John Palmer Smith for collection by foreclosure, or otherwise.

WITNESS:

As witness my hand and seal this third day of February, 1949.

SHIRLEY B. TUTTLE

JOSEPH W. A. EVANS (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. 1, folios 338, etc., a Chattel 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 24th day of March in the year nineteen hundred and forty nine.

NELLIE B. WHITELEY
Clerk.

Certified Copy of Chattel Mortgage
and Assignments.
Filed March 24, 1949

#1601 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eighth day of October, in the year nineteen hundred and forty eight, the following CHATTEL MORTGAGE and Assignment was brought to be recorded, to wit:

THIS CHATTEL MORTGAGE, made this First day of October, in the year nineteen hundred and forty-eight, by Howard T. Halliday, of Queen Anne's County, Maryland, who trades as Cin-Crete Products Company.

WHEREAS, the said Howard T. Halliday is indebted unto Irvin O. Drummer of said County and State, in the sum of Three Thousand Seven Hundred Dollars (\$3,700.00), has, with Anne R. Halliday joining therein to release her dower rights, executed unto the said Irvin O. Drummer a Mortgage on certain real estate to secure the payment of said Three Thousand Seven Dollars (\$3,700.00), and now desires to give additional security for said \$3,700.00 by executing this Chattel Mortgage of personal property.

NOW, THEREFORE, THIS CHATTEL MORTGAGE WITNESSETH: That, in consideration of the premises and of the sum of One Dollar, the said Howard T. Halliday does hereby bargain and sell unto the said Irvin O. Drummer, his personal representatives and assigns, the following described personal property, to wit: CHATTELS, FIXTURES, MACHINERY AND EQUIPMENT:

1 model B. Symtro Pac Block Machine equipped to make (2) 7-3/4 x 7-3/4 x 15-3/4 oval cored blocks at each operation, air cylinder, F-strike off, pressure head and block ejector, including storage hopper, offbearer and necessary motors, one attachment complete with pressure heads and stripping fingers to make (4) 7-3/4 x 3-3/4 x 15-3/4 blocks at each operation, using zonal pressed steel pallets, one belt conveyor for elevating mixed materials, equipped with power unit and motor 2,000 - 7-3/4 15-3/4 pressed steel pallets, 45% A.S. (Baba), 200- 7-3/4 x 15-3/4 steel sash and corner pallets, one 5 H.P. 2 stage, 3-1/2 hose air compressor, one 10 H.P. 3 phase, 220 volt motor, 3000 3-3/4 X 15-3/4 zonal pressed steel pallets; 1-12 cu. ft. Stearns Mixer; 1 lift Truck; 2 4 cu. feet wheelbarrows; 1 gas engine 250 gal. water tank, steel shafting, pulleys, belts, tools, mods, etc.; 30 steel racks, and all other personal property, fixtures and equipment used in connection with the said Cin-Crete Products business, all located on the property of Howard T. Halliday at or near Carville Station in the Sixth Election District of Queen Anne's County, Maryland, adjoining the Schallcross Farm of the Earle R. Bishop heirs, and the property of others.

PROVIDED, that if the said Howard T. Halliday shall well and truly pay to the said Irvin O. Drummer, his personal representatives or assigns, the said sum of Three Thousand Seven Dollars (\$3,700.00) in twelve equal consecutive monthly installments of Three Hundred and Eight Dollars and thirty-seven cents (\$308.37) each with interest at the rate of five per cent per annum on unpaid balances of principal on the first day of each month hereafter until fully paid, then these presents shall cease and be void, otherwise to remain in full force and effect, and until default be made in the premises, said Howard T. Halliday shall possess said property.

But in case and event of a default in the payment of said debt, interest and charges or installments, or any of them according to the terms thereof or of default in any other covenant or condition of this Chattel Mortgage, or of default in payment of taxes and fire insurance premiums, then the entire amount remaining unpaid shall become immediately due and payable, and the said Mortgagee, his personal representatives or assigns, shall be entitled to possession and have the right of possession of the aforesaid property, and are hereby authorized and empowered to sell said property after giving at least ten days previous notice of the time, place, manner and terms of the sale by advertisement inserted in a newspaper printed and published in the County where said property is located (if public Sale) or by hand bills, in the discretion of the Mortgagee, his personal representatives or assigns, and to apply the proceeds of sale, first, to the payment of the costs and ten per cent commissions incident to the sale; and second, to the payment of all moneys secured hereby; and third, the balance to the Mortgagor or whoever may be entitled thereto.

Witness the hand and seal of the Mortgagor.

TEST:-

HOWARD T. HALLIDAY (SEAL)
Howard T. Halliday.

DELHA DANCY ROLPH
Delha Dancy Rolph

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of October, in the year nineteen hundred and forty-eight, before the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Howard T. Halliday, Mortgagor, and acknowledged the foregoing Chattel Mortgage to be his act.

AND at the same time also before me personally appeared Irvin O. Drummer, 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.

Witness my hand and Notarial Seal.

Notary
Public
Seal.

DELHA DANCY ROLPH
Delha Dancy Rolph
Notary Public.

FOR VALUE RECEIVED, I hereby Transfer and assign the within and foregoing Chattel Mortgage unto Joseph W. A. Evans and Marion E. Evans, his wife, as tenants by the entireties, and to the survivor, and guarantee the same.

Witness my hand and seal this 1st day of October, 1948.

Witness:-

IRVIN O. DRUMMER (SEAL)
Irvin O. Drummer

JOHN PALMER SMITH
John Palmer Smith.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Second day of March, in the year nineteen hundred and forty nine, the following Assignment was brought to be recorded, to wit:

The within and foregoing Chattel Mortgage is hereby transferred and assigned unto John Palmer Smith for collection by foreclosure, or otherwise.

As witness our hands and seals this third day of February, 1949.

WITNESS:

JOSEPH W. A. EVANS (SEAL)

SHIRLEY B. TUTTLE

MARION E. EVANS (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. 1, Folios 553, etc., a Chattel 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 24th day of March in the year nineteen hundred forty nine.

NELLIE B. WHITELEY
Clerk.

Report of Sale
Filed May 2, 1949

John Palmer Smith,
Assignee,

Versus

Howard T. Halliday and
Anne R. Halliday, his wife,
Mortgagors.
Howard T. Halliday, T/A
Cin-Crete Products Company.

X
X
X
X
X
X
X
X
X

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY, IN EQUITY

CHANCERY CAUSE NUMBER 3614.

* * * * *

To the Honorable, the Judges of said Court;

The report of John Palmer Smith, Assignee of the following named mortgages and chattel mortgages, to wit:

1. Mortgage from Howard T. Halliday and Anne R. Halliday, his wife, to The Peoples Bank of Chestertown, Maryland, dated February 14th, 1947, and recorded among the land records of Queen Anne's County in Liber A.S.G.Jr., No. 16, folio 382, and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure or otherwise; and
2. Mortgage from Howard T. Halliday and Anne R. Halliday, his wife, to Irvin O. Drummer, dated October 1st, 1948, and recorded among the land records of Queen Anne's County in Liber N.B.W. No. 2, folio 31, and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise; and
3. Chattel Mortgage from Howard T. Halliday and Anne R. Halliday, his wife, to The Stevensville Bank of Maryland, dated February 14th, 1947, and recorded among the Chattel Record Books of Queen Anne's County in Liber A.S. G. No. 1, folio 338; and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise; and
4. Chattel Mortgage from Howard T. Halliday, T/A Cin-Crete Products Company dated Oct. 1st., 1948, and recorded among the chattel record books of Queen Anne's County in Liber A.S.G. No. 1, folio 553; and by mesne assignments thereof assigned to John Palmer Smith for collection by foreclosure, or otherwise.

That said mortgages and chattel-mortgages were duly assigned by mesne assignments unto the said John Palmer Smith for the purpose of fore-closure and collection by assignments dated February 3, 1949 and recorded among the land records and chattel records at the foot of the respective mortgages and chattel mortgages;

That default was made by the Mortgagors by reason of the non-payment of the interest covenanted to be paid by the terms of said respective mortgages and chattel mortgages 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, condition to abide by their full-fulfillment of any order and 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 Court House door in the town of Centreville, Queen Anne's County, Maryland, on Tuesday, April 19, 1949, beginning at the hour of one-thirty o'clock P.M. Eastern Standard Time and then and there by virtue and in execution of the powers of sale contained in said respective mortgages and chattel mortgages, to be exercised in case of default in the terms thereof, proceed to sell the mortgaged property, real estate and personal property hereinafter described in manner following, that is to say:

Said Assignee first read the entire advertisement of sale and then announced that he would offer the property for sale, as follows:

That he would offer Parcel No. 1 of the real estate; that he would then offer Parcel No. 2 of the real estate; that he would next offer the building known as the "Cinder Block Building", being a frame building located on Parcel No. 1; that he would then offer all the block manufacturing equipment and personal property as set forth in the advertisement as a whole; and then the Assignee announced that he would then offer the entire real estate, buildings and machinery as a unit;

That your Assignee had the auctioneer to offer first Parcel No. 1 of the real estate for which he received no bid; the auctioneer then offered Parcel No. 2 of the real estate of which there was no bid; the auctioneer next offered the building located on Parcel No. 1 for which he received a bid of One Hundred Dollars; the auctioneer then offered all the Block manufacturing machinery and equipment and personal property for which he received no bid; and then the auctioneer offered Parcel No. 1 of the real estate, Parcel No. 2 of the real estate, the building on Parcel No. 1 and all of the block manufacturing machinery and equipment and personal property in its entirety and assacomplete Cinder Block and Products Manufacturing Plant, land, buildings and machinery as an entire unit and the said Assignee sold said property unto Joseph W. A. Evans and Marian E. Evans, his wife, as tenants by the entireties; whose address is Graisonville, Queen Anne's County, Maryland, at and for the sum of Four Thousand Dollars, they being at that sum the highest bidders therefor. The said purchasers have complied with the terms of sale of the real estate described as follows, to wit:

REAL ESTATE:

Parcel no. 1. All that lot and parcel of land, situate in the Sixth Election District of Queen Anne's County, Maryland, at or near Carville Station and lying on the left or west side of the public road leading from the Centreville-Hope Stone Rd. to Hayden Station, bounded by the lands formerly of the late Earl R. Bishop known as the Shallcross Farm, by the lands of John Albert Smith, Jr., and by the aforementioned public road, and more particularly described as follows:

Beginning for the same at the edge of the said public road where this property corners with the Bishop property known as the Shallcross farm, at a stone boundary marker, and running from thence by and with the edge of said public road in a southern direction toward the Centreville-Hope Stone Road a distance of 290 feet, more or less, to an iron post driven in the ground; thence in a westerly direction a distance of 227 feet, more or less, to a large walnut tree; thence in a northerly direction and parallel with said public road a distance of 173 feet, more or less, to the line of said Bishop land; thence in an easterly direction by and with the said Bishop land to the place of beginning, containing 1.2 acres of land, more or less, and being the same property conveyed unto Howard T. Halliday by deed dated Jan. 30, 1947, adjoining the above known as Parcel No. 2. All that lot or tract of land lying in the Sixth Election District of Queen Anne's County, Maryland, on the left or western side of the Public Road from Carville Station to Hayden's Station and more particularly described as follows:

Beginning for this lot at an iron post planted in the southeast corner of Parcel No. 1 above described and on the said public road, from thence in a southerly direction a distance of 85 feet, to a Gum tree; thence at right angles to said first line in a westerly direction a distance of 130 feet; thence at right angles to last mentioned line in a northerly direction a distance of 85 feet along the easterly line of the John Albert Smith, Jr. lands, and thence at right angles to the third line of this lot in an easterly direction a distance of 130 feet to the beginning, and being the same property conveyed unto Halliday and Drummer by deed from John Albert Smith, Jr., dated June 30th, 1948, and recorded in Liber N.B.W. No. 1, folio 161.

The above Parcel No. 1 being improved by a frame building used as a Cinder Block Plant containing cinder block manufacturing machinery, and having a concrete foundation.

MACHINERY, EQUIPMENT AND PERSONAL PROPERTY:

used in connection with the Cinder Block Manufacture.

1 Model B Syntro Pac block machine equipped to make (2) 7-3/4X7-3/4X15-3/4 oval cored blocks at each operation, air cylinder, F strike off, pressure head and block ejector, including storage hopper, off bearer and necessary motors, one attachment complete with pressure heads and stripping fingers to make (4) 7-3/4X3-3/4X15-3/4 blocks at each operation, using zonal pressed steel pallets, one belt conveyor for elevating mixed materials equipped with power unit and motor, one portable iron conveyor with gasoline motor attached, 2000-6-3/4 X15-3/4 pressed steel pallets, 45% A.S. (Baba), 200-7-3/4X15-3/4 steel sash and corner pallets, one 5 H.P. 2 stage, 3/2 hose air compressor, one 10 H.P. 3 phase, 220 volt motor, 3000-3-3/4 X 15-3/4 zonal pressed steel pallets; 1-12 cu. ft. Stearns Mixer, 1 lift truck, 3-4 cu. ft. wheel barrows; 1 gas engine, 250 gal. water tank, steel shafting, pulleys, belts, tools, molds, 30 steel racks, and all other personal property, fixtures and equipment used in connection with the Cin-Crete Products Company, all located at Carville Station in the Sixth Election District of Queen Anne's County, Maryland, adjoining the Shallcross Farm of Earle R. Bishop heirs, and located on the above described real estate; being the same personal property, machinery, equipment and fixtures described and conveyed in the two chattel mortgages above mentioned.

Respectfully submitted,

JOHN PALMER SMITH

JOHN PALMER SMITH, ASSIGNEE.

Filed May 2, 1949

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT: I HEREBY CERTIFY that on this 2nd day of May, 1949, before the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, Assignee, 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 was fairly made; and the said John Palmer Smith, Assignee, 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 22nd day of March, 1949, 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

THE CLERK OF THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY.

Filed May 2, 1949

ASSIGNEE'S FORECLOSURE SALE
OF VALUABLE CINDER BLOCK & PRODUCTS
MANUFACTURING PLANT LAND, BUILDINGS
AND MACHINERY
NEAR CENTREVILLE, MD.

Default having occurred in the terms, covenants and conditions of the following mortgages and chattel mortgages, to wit:

1. Mortgage from Howard T. and Anne R. Halliday to The Peoples Bank of Chestertown, Md., dated Feb., 14, 1947, recorded in Liber A.S.G. Jr., No. 16, folio 382, a land record book for Queen Anne's County; and
2. Mortgage from Howard T. and Anne R. Halliday to Irvin O. Drummer, dated Oct. 1, 1948, recorded in Liber N.B.W. No. 2, folio 31, a land record book for Queen Anne's County; and
3. Chattel Mortgage from Howard T. and Anne R. Halliday to The Stevensville Bank of Maryland, dated Feb. 14, 1947, recorded in Queen Anne's County Chattel Record Liber A.S.G. Jr., No. 1, folio 338; and
4. Chattel Mortgage from Howard T. Halliday, T/A Cin-Crete Products Company, to Irvin O. Drummer, dated Oct. 1, 1948, recorded in Queen Anne's County Chattel Record Liber A.S.G. Jr., No. 1, folio 553, and all duly assigned by mesne assignments to John Palmer Smith for the purpose of collection by foreclosure or otherwise, said assignments being dated Feb. 3rd, 1949 and recorded at the foot of the respective mortgages and chattel mortgages, the Undersigned, Assignee of said respective mortgages and chattel mortgages as aforesaid, by virtue of the powers of sale contained in said respective mortgages and chattel mortgages, 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, APRIL 19th, 1949, beginning at the hour of 1:30 P.M. the following described real estate, and personal property, machinery and equipment conveyed by said mortgages and chattel mortgages, and described as follows, to wit:

REAL ESTATE

Parcel No. 1. All that lot and parcel of land, situate in the Sixth Election district of Queen Anne's County, Maryland, at or near Carville Station and lying on the left or west side of the public road leading from the Centreville-Hope Stone Rd. to Hayden Station, bounded by the lands form__ bounded by the lands formerly of the late Earl R. Bishop known as the Shallcross Farm, by the lands of John Albert Smith, Jr., and by the aforementioned public road, and more particularly described as follows: BEGINNING for the same at the edge of the said public road where this property corners with the Bishop property known as the Shallcross farm, at a stone boundary marker, and running from thence by and with the edge of said public road in a southerly direction toward the Centreville-Hope Stone Road a distance of 290 feet, more or less, to an iron post driven in the ground; thence

in a westerly direction a distance of 227 feet, more or less, to a large walnut tree; thence in a northerly direction and parallel with said public road a distance of 173 feet, more or less, to the line of said Bishop land; thence in an easterly direction by and with the said Bishop land to the place of beginning, containing 1.2 acres of land, more or less, and being the same property conveyed unto Howard T. Halliday by deed dated Jan. 30, 1947, corded in Liber A.S.G.No. 16, folio 390, and also the lot of land adjoining the above known as Parcel No. 2. All that lot or tract of land lying in the Sixth Election District of Queen Anne's County, Maryland, on the left or western side of the public Road from Carville Station to Hayden's Station and more particularly described as follows: BEGINNING for this lot at an iron post planted in the southeast corner of Parcel No. 1 above described and on the said public road, from thence in a southerly direction a distance of 85 feet, to a Gum tree; thence at right angles to said first line in a westerly direction a distance of 130 feet; thence at right angles to last mentioned line in a northerly direction a distance of 85 feet along the easterly line of the John Albert Smith, Jr. lands, and thence at right angles to the third line of this lot in an easterly direction a distance of 130 feet to the beginning and being the same property conveyed unto Halliday and Drummer by deed from John Albert Smith, Jr., dated June 30th. 1948, and recorded in Liber N.B.W. No. 1, folio 161.

The above Parcel No. 1 being improved by a frame building used as a Cinder Block Plant containing cinder block manufacturing machinery, and having a concrete foundation.

MACHINERY, EQUIPMENT and PERSONAL PROPERTY
used in connection with the Cinder Block Manufacture.

1 Model B. Syntro Pac Block machine equipped to make (2) 7-3/4 x 7-3/4 x 15-3/4 ovalcored blocks at each operation, air cylinder, F strike Off, pressure head and block ejector, including storage hopper, off bearer and necessary motors, one attachment complete with pressure heads and stripping fingers to make (4) 7-3/4 x 3-3/4 x 15-3/4 blocks at each operation, using zonal pressed steel pallets, one belt conveyor for elevating mixed materials equipped with power unit and motor, one portable iron conveyor with gasoline moto rattached, 2000-7-3/4 x 15-3/4 pressed steel pallets, 45% A.S. (Baba) 200-7-3/4 x 15 3/4 steel sash and corner pallets, one 5 H.P. 2 stage, 3 1/2 hose air compressor, one 10 H.P. 3 phase, 220 volt motor, 3000-3-3/4 x 15-3/4 zonal pressed steel pallets; 1-12 cu. ft. Stearns Mixer; 1 lift truck, 3-4 cu. ft. wheelbarrows; 1 gas engine, 250 gal. water tank, steel shaftings, pulleys, belts, tools, molds, 30 steel racks, and all other personal property, fixtures, and equipment used in connection with the Cin-Crete Products Company, all located at Carville Station in the Sixth Election District of Queen Anne's County, Maryland, adjoining the Shallcross Farm of Earle R. Bishop heirs, and located on the above described real estate; being the same personal property, machinery, equipment and fixtures described and conveyed in the two chattel mortgages above mentioned.

Any person interested in going into business will find that this Cinder Block Plant and its equipment is of modern design and equipped to turn out a large quantity of cinder and concrete blocks of high quality, and in an area where the demand for buildingblocks is very good.

Plant ready to go into immediate operation.

Anyone desiring to inspect the Plant, buildings, land and machinery is welcome to do so before the day of sale and may inquire of the undersigned Assignee.

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 to bear interest from date of sale until paid. Cost of title papers, revenue stamps and recordation to be paid by purchaser. All taxes and fire insurance premiums to be adjusted as of day of sale, Possession day of sale.

JOHN PALMER SMITH.
Assignee

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. April 27 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Assignee's Foreclosure Sale in the case.estate of Howard T. and Anne R. Halliday 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 CHARLOTTE M. MEARS

Filed May 2, 1949.

ASSIGNEE'S FORECLOSURE SALE
OF VALUABLE CINDER BLOCK & PRODUCTS MANUFACTURING PLANT
LAND, BUILDINGS AND MACHINERY
NEAR CENTREVILLE, MD.

Default having occurred in the terms, covenants and conditions of the following mortgages and chattel mortgages, to wit:

1. Mortgage from Howard T. and Anne R. Halliday to The Peoples Bank of Chestertown, Md., dated Feb. 14, 1947, recorded in Liber A.S.G.Jr., No. 16, folio 382, a land record book for Queen Anne's County; and
2. Mortgage from Howard T. and Anne R. Halliday to Irvin O. Drummer, dated Oct. 1, 1948, recorded in Liber N.B.W. No. 2, folio 31, a land record for Queen Anne's County; and
3. Chattel Mortgage from Howard T. and Anne R. Halliday to The Stevensville Bank of Maryland, dated Feb. 14, 1947, recorded in Queen Anne's County Chattel Record Liber A.S.G. Jr., No. 1, fol. 338; and
4. Chattel Mortgage from Howard T. Halliday, T.A. Cin-crete Products Company, to Irvin O. Drummer, dated Oct. 1, 1948, recorded in Queen Anne's County Chattel Record Liber A.S.G. Jr., No. 1, fol. 553. and all duly assigned by mesne assignments to John Palmer Smith for the purpose of collection by foreclosure, or otherwise, said assignments being dated Feb. 3rd, 1949, and recorded at the foot of the respective mortgages and chattel mortgages, the Undersigned, Assignee of said respective mortgages and chattel mortgages as aforesaid, by virtue of the powers of sale contained in said respective mortgages and chattel mortgages, 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, APRIL 19th, 1949, beginning at the hour of 1:30 P.M. the following described real estate, and personal property, machinery and equipment conveyed by said mortgages and chattel mortgages, and described as follows, to wit:

REAL ESTATE

Parcel No. 1. All that lot and parcel of land, situate in the Sixth Election District of Queen Anne's County, Maryland, at or near Carville Station and lying on the left or west side of the public road leading from the Centreville-Hope Stone Rd. to Hayden Station, bounded by the lands formerly of the late Earl R. Bishop known as the Shallcross Farm, by the lands of John Albert Smith, Jr., and by the aforementioned public road, and more particularly described as follows: BEGINNING for the same at the edge of the said public road where this property corners with the Bishop property known as the Shallcross farm, at a stone boundary marker, and running from thence by and with the edge of said public road in a southern direction toward the Centreville-Hope stone Road a distance of 290 feet, more or less, to an iron post driven in the ground; thence in a westerly direction a distance of 227 feet, more or less, to a large walnut tree; thence in a northerly direction and parallel with said public road a distance of 173 feet, more or less, to the line of said Bishop land; thence in an easterly direction by and with the said Bishop land to the place of beginning, containing 1.2 acres of land, more or less, and being the same property conveyed unto Howard T. Halliday by deed dated Jan. 30, 1947, corded in Liber A.S.G. No. 16, folio 300, and also the lot of land adjoining the above known as Parcel No. 2. All that lot or tract of land lying in the Sixth Election District of Queen Anne's County, Maryland, on the left or western side of the Public Road from Carville Station to Hayden's Station and more particularly described as follows: BEGINNING for this lot at an iron post planted in the southeast corner of Parcel No. 1 above described and on the said public road, from thence in a southerly direction a distance of 85 feet, to a Gum tree; thence at right angles to said first line in a westerly direction a distance of 130 feet; thence at right angles to last mentioned line in a northerly direction a distance of 85 feet along the easterly line of the John Albert Smith, Jr. lands, and thence at right angles to the third line of this lot in an easterly direction a distance of 130 feet to the beginning, and being the same property conveyed unto Halliday and Drummer by deed from John Albert Smith, Jr., dated June 30th, 1948, and recorded in Liber N.B.W. No. 1, folio 161.

The above Parcel No. 1, being improved by a frame building used as a Cinder Block Plant containing cinder block manufacturing machinery, and having a concrete foundation.

MACHINERY, EQUIPMENT AND PERSONAL PROPERTY USED IN CONNECTION WITH THE CINDER BLOCK MANUFACTURE.

1 Model B Syntro Pac block machine equipped to make (2) 7-3/4 x 7-3/4 x 15-3/4 ovalcored blocks at each operation, air cylinder, F strike off, pressure head and block ejector, including storage hopper, off bearer and necessary motors, one attachment complete with pressure heads and tripping fingers to make (4) 7-3/4 x 3-3/4 x 15-3/4 blocks at each operation, using zonal pressed steel pallets, one belt conveyor for elevating mixed materials equipped with power unit and motor, one portable iron conveyor with gasoline motor attached, 2000 -7-3/4 x 15-3/4 pressed steel pallets, 45% A.S. (Baba), 200-7-3/4 x 15-3/4 steel sash and corner pallets, one 5 H.P. 2 stage, 3-1/2 hose air compressor, one 10 H.P. 3 phase, 220 volt motor, 3000-3-3/4 x 15-3/4 zonal pressed steel pallets; 1-12 cu. ft. Stearns Mixer 1 lift truck, 3-4 cu. ft. wheelbarrows; 1 gas engine, 250 gal. water tank, steel shafting, pulleys, belts, tools, molds, 30 steel racks, and all other personal property, fixtures and equipment used in connection with the Cin-Crete Products Company, all located at Carville Station in the Sixth Election District of Queen Anne's County, Maryland, adjoining the Shallcross Farm of Earle R. Bishop heirs, and located on the above described real estate; being the same personal property, machinery, equipment and fixtures described and conveyed in the two chattel mortgages above mentioned.

Any person interested in going into business will find that this Cinder Block Plant and its equipment is of modern design and equipped to turn out a large quantity of cinder and concrete blocks of high quality, and in an area where the demand for building blocks is very good.

Plant ready to go into immediate operation.

Anyone desiring to inspect the Plant, buildings, land and machinery is welcome to do so before the day of sale and may inquire of the undersigned Assignee.

TERMS OF SALE--

One third of purchase money on day of sale, balance with 60 days from day of sale, or all cash, at option of purchaser, any unpaid balance to bear interest from date of sale until paid. Cost of title papers, revenue stamps and recordation to be paid by purchaser. All taxes and fire insurance premiums to be adjusted as of day of sale. Possession day of sale.

JOHN PALMER SMITH,
Assignee.

J. Elmer Anthony, Auctioneer.

Centreville, Maryland.

April 29th, 1949.

I HEREBY CERTIFY, that on Tuesday, April 29th, 1949, as auctioneer, I sold the land and premises, machinery and personal property described in the attached advertisement of sale, in front of the Court House Door in the Town of Centreville, Queen Anne's County, Maryland, beginning at the hour of 1:30 P.M. on said date of April 19th, 1949, and Joseph W. A. Evans and Marion E. Evans were the highest bidders therefor at and for the price of Four Thousand Dollars (\$4,000.00).

I further certify, that the sale was properly conducted by the reading of the advertisement by the Assignee, and that the property was duly offered for sale to the highest bidders, and that the sale in all respects was fairly made.

J. ELMER ANTHONY
Auctioneer.

Filed May 2, 1949.

ORDER NISI
Filed May 2, 1949.

N I S I

John Palmer Smith,
Assignee

vs.

Howard T. Halliday and
Anne R. Halliday, his wife.
Mortgagors.
Howard T. Halliday, T.A
Concrete Products Company.

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY

IN EQUITY.

Chancery No. 3614.

ORDERED, This 2nd. day of May A.D., 1949, that the sale real estate, machinery, equipment and personal property 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 6th day of July next; provided a copy of this order be insured in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 6th. day of June next.

The Report states the amount of sales to be \$4,000.00

NELLIE B. WHITELEY Clerk.

Filed May 2, 1949

Order of Publication of Order
nisi Filed July 12, 1949

NISI

John Palmer Smith, Assignee

Vs.

Howard T. Halliday and Anne R.
Halliday, his wife,
Mortgagors
Howard T. Halliday, T.A
Cin-Crete Products Company.

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY

IN EQUITY

Chancery No. 3614

ORDERED, This 2nd day of May A.D., 1949, that the sale real estate, machinery, equipment and personal property 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 6th 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 6th day of June next.

The Report states the amount of sales to be \$4,000.00.

NELLIE B. WHITELEY
Clerk.

True Copy
Test: NELLIE B. WHITELEY
Clerk.
Filed May 2, 1949.

THE QUEENSTOWN NEWS

Queenstown, Md. July 11th, 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 John Palmer Smith, Assignee, vs. Howard T. Halliday and Anne R. Haliday, his wife, etc., Mortgagors, Chancery No. 3614. 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 6th day of June 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 6th day of May, 1949.

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed July 12, 1949

Statement of Mortgage Debt.
Filed July 16, 1949

JOHN PALMER SMITH,
ASSIGNEE,

VS.

HOWARD T. HALLIDAY, ET AL.,
ETC.,

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. 3614.

STATEMENT OF MORTGAGE DEBT.

Statement of Mortgage debts due and owing as of April 29, 1949, the day of sale by Howard T. Halliday and Anna R. Halliday, his wife to Joseph W. A. Evans and Marion E. Evans, his wife, on mortgages of real estate and on chattel mortgages, as per statement below:

1. Renewal mortgage note (original note secured by mortgage of real estate dated Feb. 14, 1947, recorded in Liber A. S. G. Jr., No. 16, folio 382) dated November 13th, 1948, to The Peoples Bank of Chestertown, Maryland, payable Feb. 13, 1949, assigned to Joseph W. A. Evans and Marion E. Evans, his wife, On Jan. 13, 1949, and by them assigned to John Palmer Smith, with mortgage, on Feb 3, 1949, in the sum of \$935.23
Interest at 6% thereon from Nove. 13th, 1948 to April 29, 1949 25.85
2. Note secured by Purchase Money Mortgage of real estate dated Oct. 1, 1948, recorded in Liber N.B.W. #2, folio 31, by Howard T. and Anne R. Halliday to Irvin O. Drummer for \$3700.00, and Chattel Mortgage as additional security therefor, with interest at 5% per annum-instalments payments by the month of \$308.00 each \$3700.00
Less credit payment-Nov. 1st, 1948 308.00
\$3392.00
Interest on \$3700.00 from Oct. 1, 1948, to Nov. 1, 1948 15.42
Interest on \$3392.00 from Nov. 1st, 1948 to Apr. 29, 1949 83.90
3. Renewal mortgage note (original note secured by chattel mortgage from Howard T. and Anne R. Halliday to The Stevensville Bank of Maryland, dated Feb. 14, 1947, recorded in Chattel Record Book A.S.G. 1, folio 338) from Howard T. Halliday and Anne R. Halliday To The Queenstown Bank of Maryland, said note being dated Sept. 28, 1948, payable 3 months after date at 6% per annum 1200.00
Interest at 6% per annum from Sept. 28, 1948, to Apr. 29, 1949 42.20
\$5,694.60

TOTAL DEBT.....

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

I HEREBY CERTIFY, that on this 16th day of July, 1949, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Joseph W. A. Evans, one of the holders of the debts above described, and made oath in due form of law that the foregoing Statement of Mortgage Debt is true to the best of his knowledge and belief.

Witness my hand and notarial Seal.

Notary
 Public
 Seal.

J. WEST THOMPSON JR.
 J. West Thompson Jr.
 Notary Public.

Filed July 16, 1949

FINAL RATIFICATION OF SALE.
 Filed July 18, 1949

JOHN PALMER SMITH,
 Assignee,

VS.

HOWARD T. HALLIDAY
 AND
 ANNE R. HALLIDAY, HIS WIFE
 HOWARD T. HALLIDAY T/A
 CIN-CRETE PRODUCTS COMPANY,

MORTGAGORS.

IN THE CIRCUIT COURT
 FOR
 QUEEN ANNE'S COUNTY,
 IN EQUITY.
 Chancery No. 3614.

 FINAL RATIFICATION OF SALE.

Ordered by the Circuit Court for Queen Anne's County, in Equity, this 18th day of July, 1949, that the sale of the real estate, machinery, equipment, and personal property 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 thereon; and 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, the papers to be sent to the Auditor for the purpose of stating an audit in this Cause.

WM. R. HORNEY
 Judge.

Filed July 18, 1949

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-third day of June, in the year nineteen hundred and fifty-two, the following Foreclosure of Redemption was filed for record, to wit:

C A U S E N O. 3803

SARAH LIVELY
Church Hill, Maryland
Complainant

vs.

JOHN F. DODD, SR.
MILLIE DODD, wife
Church Hill, Maryland

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3802

AND ALL OTHER PERSONS
HAVING OR CLAIMING ANY
INTEREST IN THE PROPERTY
LYING IN THE SECOND ELECT-
ION DISTRICT OF QUEEN ANNE'S
COUNTY, MARYLAND, IN NEW-
TOWN, ADJOINING THE LANDS
OF, OR FORMERLY OF, WILLIAM
DANIELS, ASSESSED TO JOHN F.
DODD, SR., FOR ONE HUNDRED AND
FIFTY DOLLARS (\$150.00) AND
THE UNKNOWN OWNER OF SAID
PROPERTY, HIS HEIRS, DEVISEES,
AND PERSONAL REPRESENTATIVES,
AND THEIR OR ANY OF THEIR HEIRS,
DEVISEES, EXECUTORS, ADMINIS-
TRATORS, GRANTEEES, ASSIGNS, OR
SUCCESSORS IN RIGHT, TITLE AND
INTEREST.

Defendants

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining says:

1.- That on the 15th day of May, 1951, at a public tax sale held in front of the Court House, in Centreville, Maryland, your Orator, being then and there the highest bidder for the hereinafter described property, was issued by C. Percy Arrington, Treasurer and Collector of Taxes for Queen Anne's County, Maryland, a body politic, the same being filed herewith as a part hereof and marked, "Complainant's Exhibit A."

2.- That the lands so purchased is described as follows, to wit:

All that lot or parcel of land lying and being in the Second Election District of Queen Anne's County, Maryland, located in or near the village of Church Hill, in that section known as Newtown, adjoining the land of William Daniels, on School House Lane, and having a frontage of 53 feet on said public road and a depth 150 feet, more or less, to the Mill Branch.

3.- That an examination of the title of the hereinabove described lot or parcel, and according to the best information obtainable, is vested in John Dodd, subject to a dower interest of his wife, Millie Dodd.

4.- That said property has not been redeemed by any party in interest although more than a year and a day have expired since said sale.

5.- That Thirty-two Dollars and eighty-seven cents (\$32.87) with interest at six percent per annum, from May 15, 1951, is the amount necessary for the redemption of said lot or parcel of land.

TO THE END THEREFORE:

(1) That the Honorable Court may pass a final decree foreclosing all rights of redemption of the defendants in and to the property above described.

(2) That your Orator may have such other and further relief as his cause may require.

MAY IT PLEASE YOUR HONORS to grant unto your Orator a Writ of Subpoena, giving notice to John Dodd and Millie Dodd, his wife, 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.

MAY IT FURTHER PLEASE YOUR HONORS to grant unto your Orator an Order of Publication, giving notice to all persons having or claiming to have, any interest in property lying in the Second Election District of Queen Anne's County, Maryland, in that section known as Newton, on Schoöl House Land, adjoining the lands of or formerly of, William Daniels, consisting of a lot assessed to John F. Dodd, Sr., for One Hundred Fifty Dollars (\$150.00), and the unknown owner of said property, his heirs, devisees, executors, administrators, grantees, assigns, or successors

in right, title and interest, or any of them, 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.

JOHN PALMER SMITH
John Palmer Smith

VACHEL A. DOWNES JR.
Vachel A. Downes Jr.
Solicitors for Complainant

Filed June 23, 1952

CERTIFICATE OF SALE

I, C. P. Arrington, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 15, 1951, I sold to Sarah C. Lively at public auction for the sum of Thirty-Five----- Dollars and no Cents, of which Thirty-two and 87/100 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 lying and being in the Second Election District of Queen Anne's County, Maryland, located in Newton adjoining the land of William Daniels. Assessed Value \$150.00. Consisting of a lot and assessed to John F. Dodd, Sr.

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 18, 1952, 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 15th day of May, 1951.

C. P. ARRINGTON
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 15th day of May, 1951, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared C. P. Arrington, 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.

KATHERINE C. O'NEAL
Notary Public

Notary
Public
Seal.

My Commission Expires:

Filed June 23, 1952

May 4-1953.

Certificate of Title
Filed June 23, 1952

THIS IS TO CERTIFY that I have examined title to all that lot or parcel of land situate in the Second Election District of Queen Anne's County, State of Maryland, in or near the village of Church Hill, in that section thereof known as Newtown, on a public road known as School House Lane, assessed to John F. Dodd, Sr. for \$150.00, which said lot is bounded on the north by the lands of Elwood Fenwick, on the east by said public road, on the south by the lands of Rachael Bordley and on the west by the Mill Branch, and having a frontage on said public road of 53 feet, more or less, and a depth of 150 feet, more or less. The period of this examination has been about forty-four years, that is to say from the first day of January, 1908, to the 10th day of June, 1952. From the best information obtainable, being statements of John F. Dodd, Sr., fee simple title to the same is vested in John F. Dodd, Sr., subject to the dower of his wife, Millie Dodd, by virtue of the operation of the doctrine of adverse possession for a period of more than 20 years.

John Dodd states that he purchased said lot, the boundaries clearly existing on the ground, from William Daniels about 1922 and has used and occupied the whole of said lot for a garden and for other purposes, from that time. The tax records of Queen Anne's County indicate that this lot has been assessed to John F. Dodd for a period of over 20 years, and according to his statements, he paid the taxes on the same from 1922, or there about, until 1947. Both John F. Dodd and Millie Dodd, his wife, still reside in Church Hill. John F. Dodd, Sr., never received a deed for this property, and a search of the records on the office of the Clerk of the Court fails to reveal any further instruments affecting this title.

Your affiants have neither learned or heard of any other claimants to the aforesaid property other than John F. Dodd, Sr., and Millie Dodd, his wife.

Given under my hand and seal this 23 day of June, 1952.

JOHN PALMER SMITH
John Palmer Smith

VACHEL A. DOWNES JR.
Vachel A. Downes, Jr.

Subscribed and sworn before me this 23 day of June, 1952.

T. SORDEN PIPPIN
Clerk

Filed June 23, 1952

STATEMENT OF JOHN F. DODD, SR.

My name, John F. Dodd, Sr., and I reside in or near Church Hill, Maryland. I have been a resident of Queen Anne's County all of my life. I am now 74 years old.

As concerns the lot or parcel of land situate on School House Lane in the Second Election District of said county, bounded on the north by Elwood Fenwick, on the east by said public road, on the south by Rachael Bordley and on the west by the Mill Branch, and assessed to me for \$150.00, which said lot was sold to Sarah Lively at a tax sale on May 15, 1951, I purchased this lot from Williams Daniels in 1924, and have used and occupied the same as my own adverse to the interests of all other persons since that time. In addition, I have paid the taxes on this lot from 1922 to 1947. Further, I never received a deed for this lot or parcel from William Daniels.

Witness my hand and seal this 19th day of June, 1952.

Witness:

To his mark

DOROTHY P. MASSEY

his
JOHN X F. DODD, SR. (SEAL)
mark
John F. Dodd, Sr.

STATE OF MARYLAND

to wit:

QUEEN ANNE'S COUNTY

I HEREBY CERTIFY that on this 19th day of June, 1952, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, appeared John F. Dodd, Sr., personally known to me, and took oath in due form of law that the above statement is his act, and that it is true and correct.

Notary
Public
Seal.

DOROTHY P. MASSEY
Notary Public

Order of Publication
Filed June 24, 1952

SARAH LIVELY
Church Hill, Maryland
Complainant

vs.

JOHN F. DODD, SR.
MILLIE DODD, wife
Church Hill, Maryland

AND ALL OTHER PERSONS
HAVING OR CLAIMING ANY
INTEREST IN THE PROPERTY
LYING IN THE SECOND ELECT-
ION DISTRICT OF QUEEN ANNE'S
COUNTY, MARYLAND, IN NEW-
TOWN; ADJOINING THE LANDS
OF, OR FORMERLY OF, WILLIAM
DANIELS, ASSESSED TO JOHN F.
DODD, SR., FOR ONE HUNDRED AND
FIFTY DOLLARS (\$150.00) AND
THE UNKNOWN OWNER OF SAID
PROPERTY, HIS HEIRS, DEVISEES,
AND PERSONAL REPRESENTATIVES,
AND THEIR OR ANY OF THEIR HEIRS,
DEVISEES, EXECUTORS, ADMINISTRAT-
ORS, GRANTEES, ASSIGNS, OR SUCCESSORS,
IN RIGHT, TITLE AND INTEREST.

IN THE
CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY

IN EQUITY

No. 3803

Defendants

*** **

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property, assessed to John F. Dodd, Sr., situate in the following property, assessed to John F. Dodd, Sr., situate in the Second Election District of Queen Anne's County, Maryland, and sold by C. Percy Arrington, Treasurer and Collector of Taxes for the county aforesaid, a body politic, to Sarah Lively, complainant, which said property is more particularly described as follows, to wit:

All that lot or parcel of land, situate, lying and being in the Second Election District of Queen Anne's County, Maryland, located in Newtown, on School House Lane, adjoining the land of William Daniels, consisting of a lot assessed to John F. Dodd, Sr., for One Hundred and Fifty Dollars (\$150.00).

The Bill states, among other things, that the amounts necessary for redemption have not been paid, although more than a year and a day have expired.

It is thereupon this 24th day of June, 1952, 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 said property to be and appear in this court by the 25th day of August, 1952, and redeem the property assessed to John F. Dodd, Sr., 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, free and clear of all encumbrances.

WM. R. HORNEY
Judge

Filed June 24, 1952

Subpoena
Filed June 28, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

John F. Dodd, Sr. and Millie Dodd, his wife,

Church Hill, 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 August 25, 1952 there after cause your answer or other defense to be filed to the complaint of Sarah Lively, Church Hill, 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 5th. day of May, 1952.

Issued the 24th day of June, 1952.

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 25th. day of August, 1952, 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 John Palmer Smith
Vachel A. Downes Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendants summoned by reading subpoena to them, and leaving copy of subpoena and bill of complaint with each of them this 27th day of June, 1952.

FRANK Y. WHITELEY
Sheriff

Order of Publication

SARAH LIVELY
Church Hill, Maryland
Complainant

Vs.

JOHN F. DODD, SR. MILLIE
DODD, wife, Church Hill, Maryland

AND ALL OTHER PERSONS HAVING OR CLAIMING ANY INTEREST IN THE SECOND ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, IN NEWTOWN, ADJOINING THE LANDS OF, OR FORMERLY OF, WILLIAM DANIELS, ASSESSED TO JOHN F. DODD, SR., FOR ONE HUNDRED AND FIFTY DOLLARS (\$150.00) AND THE UNKNOWN OWNER OF SAID PROPERTY, HIS HEIRS, DEVISEES, AND PERSONAL REPRESENTATIVES, AND THEIR OR ANY OF THEIR HEIRS, DEVISEES, EXECUTORS, ADMINISTRATORS, GRANTEEES, ASSIGNS, OR SUCCESSORS IN RIGHT, TITLE AND INTEREST.

IN THE
CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3803

Defendants

The object of the proceeding is to secure the foreclosure of all rights of redemption in the following property, assessed to John F. Dodd, Sr., situate in the Second Election District of Queen Anne's County, Maryland, and sold by C. Percy Arrington, Treasurer and Collector of Taxes for the county aforesaid, a body politic, to Sarah Lively, complainant, which said property is more particularly described as follows, to wit:

All that lot or parcel of land, situate, lying and being in the Second Election District of Queen Anne's County, Maryland, located in Newtown, on School House Lane, adjoining the land of William Daniels, consisting of a lot assessed to John F. Dodd, Sr., for One Hundred and Fifty Dollars (\$150.00).

The Bill states, among other things, that the amounts necessary for redemption have not been paid, although more than a year and a day have expired.

It is thereupon this 24th day of June, 1952, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that notice by 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 week, warning all persons interested in said property to be and appear in this court by the 25th day of August, 1952, and redeem the property assessed to John F. Dodd, Sr., 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, free and clear of all encumbrances.

WILLIAM R. HORNEY
Judge.

True Copy:
Test: T. SORDEN PIPPIN,
Clerk
Filed June 24, 1952.

THE QUEENSTOWN NEWS

Queenstown, Md. Aug. 12, 1952

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 Sarah Lively, Church Hill, Md., Complainant, Vs. John F. Dodd, Sr., Millie Dodd, his wife, Church Hill, Maryland, etc., No. 3803 a true copy of which is annexed hereto, was published in THE QUEENSTOWN NEWS, a weekly newspaper printed and published at Queens-town, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 25th day of Aug. 1952, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 27th day of June 1952.

THE QUEENSTOWN NEWS
BY GEORGE J. STEINFELT

Filed Aug. 13, 1952

DECREE
Filed Sept. 19, 1952

SARAH LIVELY
vs.
JOHN F. DODD, SR., et.al.

IN THE
CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3803

DECREE

It appearing that the defendants and all persons claiming through or under them, having been duly summoned or notified by Order of Publication to appear and answer the Bill of Complaint filed in this Cause on or before the 25th day of August, 1952, and it further appearing that no such person has appeared and answered and this cause having been submitted and the proceeding herein having been read and considered, IT IS THEREUPON this 19th day of September, 1952, 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 the said 19th day of September, 1952, 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, Sarah Lively.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, In Equity, that Claude Lowery, Treasurer of Queen Anne's County, and collector of taxes for said county shall execute a deed to Sarah Lively, 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 Sept. 19, 1952

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Second day of October in the year nineteen hundred and fifty-two, the following Bill of Complaint was filed for record, to wit:

C A U S E N O. 3825

JOHN TYLER WASHINGTON
ALBERTA L. WASHINGTON, his wife
J. ALFRED WASHINGTON
EDIT WASHINGTON, his wife
SARAH C. LYNCH
OLIVER LYNCH, her husband
COMPLAINANTS

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3825

vs.

MARILYN WASHINGTON, infant
Grasonville, Maryland
Defendant

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators, complaining, say:

1. That Simuel Washington, also known as Samuel Washington, late of Queen Anne's County, departed this life on or about the 10th day of March, 1949, intestate, seized and possessed of the following described real estate, to wit:

All that lot or parcel of land situate, lying and being in the 5th Election District of Queen Anne's County, State of Maryland, being more particularly described as follows:

Bounded on North by property of or formerly of Carey Jewell.
Bounded on East by property of or formerly of Sarah Washington heirs.
Bounded on South by land of or formerly of Walter Jewell.
Bounded on West by land of or formerly of Elizabeth Collier heirs.
Containing 1½ acres, more or less.

BEING the same property conveyed unto the said Simuel Washington by deed from John H. Scott, et. al., dated the 20th day of November, 1925, and recorded among the Land Records of Queen Anne's County in Liber BHT No. 3, folio 276, a certified copy of said deed being attached hereto, marked "Complainant's Exhibit No. One", and prayed to be made a part hereof.

2. That Henrietta Washington, late of Queen Anne's County, departed this life on or about the 27th day of June, 1952, seized and possessed of the following described real estate, to wit:

Parcel One: All that lot or parcel of land containing 1 acre be the same, more or less, improved by a frame dwelling house known as the Quillen Property", and also known as "The Simuel Washington Home Property", situate, lying and being in the village of Grasonville, Queen Anne's County, Maryland, on the left side of the road or lane branching from Queenstown-Kent Island Public Road and leading by the side of the White school house to the land of or formerly of George Miller and others, bounded on the north and east by the land of or formerly of Carey Jewell, on the south by the land of or formerly of George Griffin and on the west by the road or lane first above-mentioned.

BEING the same property conveyed unto Simuel Washington and Henrietta Washington, his wife, as tenants by the entireties, by deed from Norman Pierson and wife, dated the 8th day of July, 1929, recorded among the Land Records aforesaid in Liber B.H.T. No. 11, folio 3, the said Simuel Washington predeceasing his said wife, Henrietta Washington, as above set forth, vesting fee simple title in the said Henrietta Washington, a certified copy of said deed being attached hereto, marked "Complainants" Exhibit No. Two", and prayed to be made a part hereof.

Parcel Two: All that lot or parcel of land situated, lying and being in the Fifth Election District of Queen Anne's County, Maryland and more particularly described as follows, to wit:

Bounded on the north by the property of or formerly of Thomas Embert; on the east by the land of or formerly of Carey Saddler; on the south by the property of or formerly of the William J. Price heirs; and on the west by the property of or formerly of Nathan Johnson; containing ten acres, more or less.

BEING the same property conveyed unto Simuel Washington and

Henrietta Washington, his wife, as tenants by the entireties, by deed from T. J. Melvin and wife, dated the 16th day of October, 1931, recorded among the Land Records aforesaid in Liber BHT No. 14, folio 30, the said Simuel Washington predeceasing his said wife, Henrietta Washington, as above set forth, vesting fee simple title in the said Henrietta Washington, a certified copy of said deed being attached hereto, marked, "Complainants' Exhibit No. Three", and prayed to be made a part hereof.

Parcel Three: All that tract or part of a tract or lot of land situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, described as follows, to wit: The land hereby conveyed is bounded on the east by land now or formerly owned by Carey Saddler; on the west by other lands now or formerly owned by Walter Jewell; on the north by lands now or formerly owned by Carrie R. Goodhand; on the south by lands now or formerly owned by Carey Saddler, containing 16 acres of land, more or less.

BEING the same property conveyed unto Simuel Washington and Henrietta Washington, his wife, as tenants by the entireties, by deed from Walter Jewell and wife, dated the 13th day of November, 1943, recorded among the Land Records aforesaid in Liber A.S.G. Jr. No. 8, folio 500, the said Simuel Washington predeceasing his said wife, Henrietta Washington, as above set forth, vesting fee simple title in the said Henrietta Washington, a certified copy of said deed being attached hereto, marked, "Complainants' Exhibit No. Four", and prayed to be made a part hereof.

3. That the said Simuel Washington, also known as Samuel Washington departed this life, intestate, as aforesaid, leaving surviving him as his only heirs at law, Henrietta Washington, his wife, John Tyler Washington, a son, J. Alfred Washington, a son, Sarah C. Lynch, formerly Sarah C. Washington, a daughter and Marilyn Washington, a grand-daughter, the only child of Eugene Levi Washington, a deceased son, late of Queen Anne's County, who predeceased his said father, departing this life on or about the 19th day of September, 1948.

4. That the said Henrietta Washington departed this life, intestate, as aforesaid, leaving surviving her as her only heirs at law, John Tyler Washington, as son, J. Alfred Washington, as son, Sarah C. Lynch, formerly Sarah C. Washington, a daughter, and Marilyn Washington, a grand daughter, the only child of Eugene Levi Washington, a deceased son, late of Queen Anne's County, who predeceased his said mother, departing this life on or about the 19th day of September, 1948, and that upon the death of the said Henrietta Washington, her one-third undivided interest in the lot or parcel of land firstly above described, descended unto her heirs at law as above set forth as well as the fee simple real property of the said Henrietta Washington, as above set forth.

5. That the said John Tyler Washington and Alberta L. Washington, his wife, are adults residing in Grasonville, Queen Anne's County, Maryland; that J. Alfred Washington and Edith Washington, his wife, are adults residing in Grasonville, Queen Anne's County, State of Maryland; that Sarah C. Lynch and Oliver Lynch, her husband, are adults residing in Grasonville, Queen Anne's County, State of Maryland; and that Marilyn Washington is an infant and resides in Grasonville, Queen Anne's County, State of Maryland.

6. That your Orators, John Tyler Washington, J. Alfred Washington and Sarah C. Lynch are each entitled to a one-fourth interest in the four parcels of land above described, and the defendant, Marilyn Washington, infant, is entitled to a one-fourth interest in the four parcels of land above described.

7. That said four tracts or parcels of land, hereinbefore described, cannot be divided without loss or injury to the parties interested 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 of costs of sale and of these proceedings.

TO THE END THEREFORE:

(a) That a decree may be passed for the sale of said real estate.
 (b) That the proceeds of sale may be distributed between your Orators and the Defendant according to their respective rights and interests.
 (c) That your Orators may have such other and further relief as their cause may require.

MAY IT PLEASE YOUR HONORS to grant unto your Orators a writ of Subpoena directed to the said Marilyn Washington, infant, residing in Grasonville, Queen Anne's County, Maryland, commanding her to be and appear in this Court at some certain day, to be named therein, and answer the premises, and abide by and perform such decree or decrees as may be passed therein.

AND AS IN DUTY BOUND, etc.

JOHN PALMER SMITH
 John Palmer Smith
 Solicitor for Complainants

Filed Oct. 2, 1952

Subpoena
 Filed Oct. 4, 1952

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO
Marilyn Washington, infant,
Grasonville, 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 John Tyler Washington, and Alberta L. Washington, his wife, J. Alfred Washington and Edith Washington, his wife, Sarah C. Lynch and Oliver Lynch, her husband, Grasonville, 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 1st. day of September, 1952.

Issued the 2nd. day of October, 1952.

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(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 John Palmer Smith

Address Centreville, Maryland T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendant summoned by reading subpoena to her and leaving copy of subpoena and bill of complaint with her & copy of Subpoena and Bill of Complaint left with Winifred Washington, mother of infant this 3rd. day of Oct., 1952.

FRANK Y. WHITELEY
Sheriff

PETITION FOR APPOINTMENT OF
GUARDIAN AD LITEM FOR INFANT
DEFENDANT
Filed Oct. 14, 1952

| | | |
|---------------------------------|---|----------------------|
| JOHN TYLER WASHINGTON | : | IN THE CIRCUIT COURT |
| ALBERTA L. WASHINGTON, his wife | : | |
| J. ALFRED WASHINGTON | : | FOR |
| EDITH WASHINGTON, his wife | : | |
| SARAH C. LYNCH | : | QUEEN ANNE'S COUNTY |
| OLIVER LYNCH, her husband | : | |
| COMPLAINANTS | : | IN EQUITY |
| | : | No. 3825 |
| VS. | : | |
| MARILYN WASHINGTON, Infant | : | |
| Grasonville, Maryland | : | |
| DEFENDANT | : | |

TO THE HONORABLE; The Judges of said Court:

THE PETITION of Winifred Washington, mother and next friend of Marilyn Washington, infant Defendant, by Thomas J. Keating, Jr., her attorney, respectfully shows unto your Honors:

(1) THAT the infant Defendant, Marilyn Washington, not being sui juris is unable to answer or defend this suit in her own name and can neither admit nor deny the allegations of the Bill of Complaint.

WHEREFORE your Petition prays your Honors to appoint a guardian ad litem to answer and defend the suit for the said infant.

Respectfully submitted,

THOS. J. KEATING JR.
Attorney for Petitioner

Filed Oct. 14, 1952

ORDER OF COURT

UPON THE AFOREGOING PETITION, it is, by the Circuit Court for Queen Anne's County, ORDERED, this 17th day of October, 1952, that Thomas J. Keating, Jr., be appointed the guardian ad litem for Marilyn Washington infant Defendant, in order to answer and defend this suit for said infant defendant.

WM. R. HORNEY
Judge

THIS IS TO CERTIFY that I served a copy of the foregoing Petition upon John Palmer Smith, by leaving same at his office in Centreville, Maryland, on the 13th day of October 1952.

THOS. J. KEATING JR.
Attorney for Petitioner

Filed Oct. 17, 1952

JOHN TYLER WASHINGTON
ALBERTA L. WASHINGTON, his wife,
J. ALFRED WASHINGTON
EDITH WASHINGTON, his wife,
SARAH C. LYNCH
OLIVER LYNCH, her husband
COMPLAINANTS

vs.

MARILYN WASHINGTON, Infant
Grasonville, Maryland.
DEFENDANT

:
: IN THE CIRCUIT COURT
:
: FOR
:
: QUEEN ANNE'S COUNTY
:
: IN EQUITY
:
: No. 3825
:
:

TO THE HONORABLE, the Judges of said Court:

Marilyn Washington by Thomas J. Keating, Jr., her guardian ad litem answering the Bill of Complaint filed against her in this cause, respectfully shows unto your Honors:

THAT your Respondent, being an infant, can neither admit nor deny the allegations of the Bill of Complaint but submits rights hereunder to the protection of this Honorable Court.

AND AS IN DUTY BOUND, etc.

THOS. J. KEATING JR.
Guardian ad litem

THIS IS TO CERTIFY that I served a copy of the foregoing Answer upon Vachel A. Downes, Jr., by delivering same to him in Centreville, Maryland, on December 9, 1952.

THOS. J. KEATING JR.
Attorney for Defendant

Filed Dec. 9, 1952

Exhibit No. 1.
Filed Dec. 9, 1952

.....

#11, 173. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty eighth day of March, in the year nineteen hundred and twenty five, the following Deed was brought yo be recorded, to wit:-

THIS DEED, made this 20 day of November in the year nineteen hundred and twenty four by John H. Scott and Sarah Scott, his wife, Martha Johnson and Nathan Johnson, her husband, George Scott, James Scott, and Anita Scott, his wife, Irene Gibbs and James Gibbs, her husband, heirs at law of Martha A. Anderson, deasesed, all of Queen Anne's County, in the State of Maryland.

WITNESSETH that for and in consideration of the sum of one hundred dollars, the receipt of which is hereby acknowledge, the said named John H. Scott and Sarah Scott, hiswife, Martha Johnson and Nathan Johnson, her husband, George Scott, James Scott, and Anita Scott, his wife, Irene Gibbs and James Gibbs, her husband, heir at law of Martha A. Anderson, deceased, do hereby grant and convey unto Simuel Washington, in fee simple, all that lot or parcel of land situate, lying and being in 5th election dist. of Queen Anne's Co. being more particularly described as follows:

On north by property of Carey Jewell.
" east " " Sarah Washington heirs.
On the south by land of Walter Jewell
" " West " " Elizabeth Collier heirs, containing 1½ acres more or less.

And the said John H. Scott and Sarah Scbtt, his wife, Martha Johnson and Nathan Johnson her husband, George Scott, James Scott and Anita Scott, his wife, Irene Gibbs and James Gibbs, her husband, heirs at law of Martha A. Anderson deceased, warrant specially the title to property hereby conveyed, and they will execute such further assurances of the title as may be requisite or necessary.

Together with the buildings thereon and all rights, roads, ways, waters, appertaining or belonging to said land.

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

Test the names:

Chas. O. Coursey

John H. Scott. (SEAL)
 her
 Sarah xScott. (SEAL)
 mark
 Martha Johnson. (SEAL)
 Nathan Johnson. (SEAL)
 George Scott. (SEAL)
 James Scott. (SEAL)
 Anita Scbtt. (SEAL)
 Irene Gibbs. (SEAL)
 James Gibbs. (SEAL)

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

This is to certify that before me, a Justice of the Peace of the State of Maryland, in and for Queen Anne's Co, personally appeared John H. Scott and Sarah Scott, his wife, Martha Johnson and Nathan Johnson, her husband, George Scott, James Scott and Anita Scott, his wife, Irene Gibbs and James Gibbs, her husband, heirs at law of Martha A. Anderson, deceased and did each acknowledge the foregoing deed to be their respective act. This 20 day of Nov. 1924.

Chas. O. Coursey, J.P.

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

I hereby certify that the foregoing is truly taken and copied from Liber B.H.T. No. 3, folios 276, etc. a Land Record Book 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 Twenty-second day of September in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Exhibit No. 2
Filed Dec. 9, 1952

.....
#14,167. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the 26th. day of March, in the year nineteen hundred and thirty the following Deed was brought to be recorded, to wit:-

This Deed, made this Eight day of July, in the year Nineteen Hundred & Twenty Nine, by Norman Pierson & Alyce C. Pierson, his wife, parties of the first part, and Simuel Washington and Heneratta Washington, his wife, all of Queen Anne Co. Md.

Witnesseth that for and in consideration of the sum of Five Hundred Dollars, the receipt of which is hereby acknowledge, the said Norman Pierson & Alyce C. Pierson, his wife, do grant and convey unto the said Simuel Washington & Heneratta Washington, his wife, their heirs and assigns, in fee simple, all that lot or parcel of land containing 1 acre be the same more or less, improved by a frame dwelling house known as the "Quillen Property", situate, lying & being in the village of Grasonville, Queen Annes Co., Maryland, on the left side of the road or lane branching from Queenstown-Kent Island Public Road and leading by the side of the White school house to the land of Geo. Miller and others, bounded on the North & East by the land of Carey Jewell, on the south by the land Geo. Griffin and on the west by the road or lane first above mentioned, being the same property described in a deed from Walter Jewell & Myrtle Jewell, his wife, to Norman Pierson & Alyce C. Pierson his wife, and recorded in Liber B.H.T. 4th, Vol. 462 a land record book for Queen Anne Co.

Together with the buildings and improvements thereon, and the roads rights, ways, water priviledges, advantages and appurtenances thereunto belonging or in any way appertaining.

And the said Norman Pierson and Alyce C. Pierson, his wife, covenant that he will warrant specially the property hereby conveyed and that he will execute such further assurances of the said land as may be requisite.

In witness whereof the said parties of the first part do hereto affix their names and seals the day & year first above written.

Test: Chas. O. Coursey.

Norman Pierson (SEAL)
Alice C. Pierson (SEAL)

State of Maryland, Queen Annes County, to-wit: I hereby certify that on this 8 day of July, in the year nineteen hundred & twenty nine, before me, a Justice of the Peace of the State of Maryland in and for Queen Annes County, personally appeared Norman Pierson & Alyce C. Pierson, his wife, and did each acknowledge the foregoing deed to be their respective act.

In Witness whereof I hereunto subscribe my name the date & day above written.

Chas. O Coursey, J.P.

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

I hereby certify that the foregoing is truly taken and copied from Liber B.H.T. No. 11, folios 3 etc., a Land Record Book 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 Twenty-second day of September in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Exhibit No. 3
Filed Dec. 9, 1952

.....
#15,317. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this thirty first day of December in the year nineteen hundred and thirty one, the following Deed was brought to be recorded, to wit:

This Deed made this sixteenth day of October in the year Nineteen Hundred and Thirty-one by T. J. Melvin and Grace Melvin, his wife of Queen Anne's County Maryland

Witnesseth, that for and in consideration of the sum of Two Hundred and Fifty Dollars, the receipt of which is hereby acknowledged the said T. J. Melvin and Grace Melvin, his wife, do grant and convey unto Simuel Washington and Henreitta Washington, his wife, all that lot or parcel of land situated, lying and being in the Fifth Election District of Queen Anne's County, Maryland and more particularly described as follows, by these boundaries,

On the north by the property of Thomas Embert; on the east by the land of Carey Saddler; on the south by the property of the William J. Price heirs; and on the west by the property of Nathan Johnson, containing ten acres more or less.

Together withall improvements thereon, all rights, roads, waters, privileges pertaining or in anywise appertaining.

And the said Thomas J. Melvin and Grace Melvin, his wife, warrant specially and generally the title to this property, and they will execute such further assurance to the title as may be requisite or necessary.

Witness the hands and seals the day and date above written.

Test:-

THOS. J. MELVIN (SEAL)

GUY H. COURSEY

GRACE MELVIN (SEAL)

State of Maryland, Queen Anne's County To Wit,

This is to certify that before me, the subscriber, a Justice of the Peace of the state of Maryland, in and for Queen Anne's County, personally appeared Thomas J. Melvin and Grace Melvin, his wife, and did each acknowledge the foregoing deed to be his respective act.

GUY HL COURSEY J.P.

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

I hereby certify that the foregoing is truly taken and copied from Liber B.H.T. No. 14, folios 30etc., a land record book 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 Twenty-second day of September in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Exhibit No. 4
Filed Dec. 9, 1952

.....
#22,163. QUEEN ANNE'S COUNTY, TO WIT:
Be it remembered that on the Twenty Second day of November, in the year nineteen hundred and forty three, the following Deed was brought to be recorded, to wit:-

One-Fifty Cent and One-Five Cent
Int. Rev. Stamps. Endorsed S W
11/22/43

Two-Twenty Cent Recordation Tax
Stamps.
Endorsed S. W. 11/22/43

THIS DEED made this 13 day of November in the year nineteen hundred and forty three by Walter Jewell and Myrtle B. Jewell, his wife, of Queen Anne's County, State of Maryland, WITNESSETH:

That for and in consideration of the sum of FOUR HUNDRED DOLLARS (\$400.00) the receipt of which is hereby acknowledged, the said Walter Jewell and Myrtle B. Jewell, his wife, hereby grants and conveys unto Simuel Washington and Henrietta Washington, his wife, as tenants by the entireties, their heirs and assigns and the heirs and assigns of the survivor of them, in fee simple,

All that part of part of a tract or lot of land situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, described as follows, to wit: The land hereby conveyed is bounded on the East by land now or formerly owned by Carey Saddler; on the West by other lands now or formerly owned by Walter Jewell; on the North by lands now or formerly owned by Carrie R. Goodhand; on the South by lands now or formerly owned by Carey Saddler, containing sixteen acres of land, more or less, being the same land and all the land granted and conveyed unto Walter Jewell, by Jas. B. Rhodes and Mamie L. Rhodes, his wife, by deed dated the 28th. day of October., 1918, and recorded in Liber J.F.R. No. 1, folio 310 etc., a Land Record Book for Queen Anne's County, to which deed reference is hereby made for a fuller description.

TOGETHER wothall buildings and improvements thereon erected, made or being and all roads, ways, waters, alleys, privileges and advantages thereto attached or appertaining to the same.

TO HAVE AND TO HOLD the above described property, privileges, appertainances, and advantages unto and to the proper use of the said Simuel Washington and Henrietta Washington, his wife, as tenants by the entireties, their heirs and assigns and the heirs and assigns of the survivor of them forever.

AND the said Walter Jewell hereby warrants specially the title to the land hereby granted and conveyed or attempted to be so granted and conveyed and covenants to execute such other and further assurances of title to the same as may be necessary or shall hereafter become requisite or necessary.

In witness whereof we have hereunto subscribed our names and affixed our seals.

Test: LEOLA CLEVINGER WALTER JEWELL (SEAL)
Leola Clevenger Walter Jewell
MYRTLE B. JEWELL (SEAL)
Myrtle B. Jewell

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

I hereby certify that on this 13 day of November, 1943, personally appeared before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, Walter Jewell and Myrtle B. Jewell, his wife, and each acknowledged the within and foregoing deed to be their respective act and deed.

In witness whereof I have hereunto subscribed my name and affixed my Notarial Seal.

Notary LEOLA CLEVINGER
Public Leola Clevenger, Notary public
Seal.

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

I hereby certify that the foregoing is truly taken and copied from Liber A. S. G. Jr. No. 8, folios 500 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-second day of September in the year nineteen hundred and fifty-two.

Clerk's Seal.

T. SORDEN PIPPIN
Clerk

JOHN TYLER WASHINGTON, et. al.

vs.

MARILYN WASHINGTON, infant

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3825

* * * * *

Mr. Clerk:

Please enter the appearance of Vachel A. Downes, Jr., as a Solicitor for the plaintiff.

JOHN PALMER SMITH
John Palmer Smith
Attorney for Plaintiff

Filed Dec. 12, 1952

Depositions
Filed Jan. 9, 1953

JOHN TYLER WASHINGTON,
et. al.

vs.

MARILYN WASHINGTON, infant

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3825

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The subscriber, one of the regular examiners for this Honorable Court, having been notified by John P. Smith, Solicitor for the plaintiffs, of his desire to take testimony in this cause, did meet in the office of John Palmer Smith, on Thursday, December 11th, 1952, at 7:30 o'clock p.m. for the purpose of taking testimony; written notice of the same having been waived by Thomas J. Keating, Jr., Guardian Ad Litem for said infant defendant, and I did then and there proceed after administering the oath to the witnesses, take the following testimony, to wit:

Respectfully submitted,

HARRY C. BUTLER
Harry C. Butler, Examiner

Filed Jan. 9, 1953

Walter Jewell, of lawful age, being sworn and examined, did depose and say:

Q. 1. State your name, age, residence, and occupation.

A. Walter W. Jewell, Grasonville, Maryland, age 69, and retired.

Q. 2. Do you know all of the parties to this cause, and if so how long have you known them, and what relation are they to each other?

A. I know them all except Alfred Washington's wife, and I have known Simuel Washington and his wife and family for about forty years. Alfred, Tyler, and Eugene Levi Washington were all sons of Simuel and Henrietta Washington. Sarah C. Lynch is a daughter. They were the only children that I know of. Eugene Levi Washington died in 1948 and left one child, Marilyn Washington, who is five or six years old.

Q. Are you familiar with the four parcels of land described in these proceedings?

A. Yes, I've known all these properties for many years.

Q. Are you the owner of any real estate in this county, have you ever been called upon to appraise real estate in and around the town of Grasonville, and are you familiar with real estate values in and around that vicinity?

A. Yes, I own real estate near the properties involved in this suit. I have appraised property, in and around Grasonville, and pretty well know land values in that area.

Q. What is your considered opinion of the present fair market value of these parcels of real estate, giving a value to each parcel individually.

A. As for the piece Simuel got from John Scott, it is worth about One Hundred (\$100.00 Dollars. The parcel that Simuel and Henrietta Washington bought from Norman Pierson has the house on it and is worth about Two Thousand Five Hundred (\$2500.00), The Ten acres purchased from T. J. Melvin is just cut-off woodland and is worth about about \$15.00 per acre, or One Hundred Fifty Dollars (\$150.00). As for the piece purchased from me in 1943, it is worth about worth about Three Hundred (\$300.00) as there is no cuttable timber on it.

Q. 6. In your opinion, are the lands described and set out in these proceedings capable of being equally divided among the parties to this suit, and if not, give your reasons therefor.

A. No. I don't see how they could be equally divided since most of the value is in the home property.

Q. 7. In your opinion, would it be to the interest and advantage of the infant, Marilyn Washington, to have her interest in the above mentioned property sold and the proceeds invested in some productive fund under the protection of a Court of competent jurisdiction, and if so, give your reasons therefor.

A. Yes.

EXAMINER'S SPECIAL:

No.

WALTER JEWELL
Walter Jewell

John Tyler Washington, one of the complainant's in this cause, being of lawful age, being duly sworn and examined, did depose and say:

Q. 1. State your name, age, residence, and occupation.

A. John Tyler Washington, age 39, occupation carpenter and waterman, and I live at Grasonville, Maryland

Q. 2. Do you know the parties to this cause, and if so state your relationship to them?

A. Alfred is my only living brother. Sarah Catherine Lynch is my only sister. My brother Eugene Levi Washington died in 1948, leaving one child, Marilyn Washington. Eugene predeceased both my father and my mother.

Q. 3. Are you the son of Simuel Washington (also known as Samuel Washington) and Henrietta Washington, his wife?

A. Yes.

Q. 4. Are both Simuel Washington and Henrietta Washington dead, and if so, state the dates of their respective deaths?

A. My father, Simuel Washington, died in Queen Anne's County on March 10th 1949. My mother, Henrietta Washington, died June 27th, 1952, in Queen Anne's County.

Q. 5. Did Simuel Washington own any real estate when he died? Did he leave any personal property.

A. He had real estate but not personal estate.

Q. 6. I hand you now Complainant's Exhibit No. 1, a certified copy of the deed from John Scott, et. al., to Simuel Washington. Are you familiar with this property, can you describe it, and did Simuel Washington own this property on the date of his death?

A. Yes. It adjoins Sally Washington heirs, Walter Jewell, and formerly of Carey Jewell. He owned this property at the time of his death.

Q. 7. Did Simuel Washington leave a will when he died, and if not, who were his heirs at law surviving him?

A. He did not leave a will. He was survived by his wife, Henrietta Washington, three children, Alfred Washington, Sarah C. Lynch and myself, and a granddaughter, Marilyn Washington, the child of my deceased brother, Eugene Washington.

Q. 8. During his life time, did Simuel Washington own any property with his wife, Henrietta Washington, your mother, as tenants by the entireties?

A. Yes.

Q. 9. I hand you now Complainant's Exhibits No. 2, No. 3 and No. 4, they being certified copies of deeds to Simuel Washington and Henrietta Washington, his wife respectively from Norman Pierson and wife, T. J. Melvin and wife, and Walter Jewell and wife. Are you familiar with these properties, and did Henrietta Washington own them at the time of her death?

A. I am familiar with all of these properties. They are all in Grasonville. My mother got title to them on the death of my father, and she owned them when she died.

Q. 10. Did Henrietta Washington die leaving a will?

A. No.

Q. 11. Who were the heirs at law of Henrietta Washington at the time of her death?

A. Three children, James Alfred Washington, Sarah C. Lynch, and myself. Also, a grandchild, Marilyn Washington.

Q. 12. Who was Eugene Levi Washington, and when did he die?

A. Eugene Levi Washington was my brother and he died on September 19, 1948.

Q. 13. Did he die leaving an will and if not, who were his heirs at law surviving him at the time of this death?

A. He left no will, and he was survived by his wife, Winifred Washington, who lives in Grasonville, and one child, Marilyn Washington.

Q. 14. How old is Marilyn Washington, and is she married?

A. She is only seven or eight years old.

Q. 15. Is the real estate of which Simuel Washington and Henrietta Washington died seized and possessed at the dates of their respective deaths capable of being divided among the parties to this suit equally, and if not, state your reasons.

A. No, because the Home Property is the only one that is at all valuable. All four properties together are only worth about \$2500.00, and of this the Home Place is worth about \$2000.00.

Q. 16. In your opinion, would it be to the interest and advantage of the infant, Marilyn Washington, to have her 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, there is no revenue from these lands, and even the Home Place is vacant. If the property were sold, and her share of the proceeds invested, she would get a higher income each year. And the house needs a lot of work on it.

EXAMINER'S SPECIAL: No.

JOHN TYLER WASHINGTON

John Tyler Washington

There being nor further witnesses to be examined, the examiner herewith makes his return to the depositions of the respective witnesses, and the costs chargeable to the plaintiffs, as follows, to wit:

H. C. Butler, Examiner 10.00
Walter Jewell, Witness

Respectfully submitted,

HARRY C. BUTLER

Harry C. Butler, Examiner

Filed Jan. 9, 1953

AGREEMENT AND STIPULATION

It is hereby stipulated and agreed that Thomas J. Keating, Jr., Guardian Ad Litem for Marilyn Washington, infant, defendant in a chancery cause pending before the Circuit Court for Queen Anne's County, In Equity, entitled "J. Tyler Washington, et. al. vs. Marilyn Washington", being Chancery No. 3825, does hereby waive his right to any and all formal written notice of the taking of testimony or depositions by the plaintiff and other witness under the General Rules of Practice and Procedure.

THOS. J. KEATING JR.

Thomas J. Keating, Jr.
Guardian Ad Litem for
Marilyn Washington, infant

Filed Jan. 9, 1953

DECREE

Filed Feb. 27, 1953

JOHN TYLER WASHINGTON, et. al.

vs.

MARILYN WASHINGTON, infant

IN THE

CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

No. 3825

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 27th day of February, 1953, by the Circuit Court for Queen Anne's County, In Equity, ADJUDGED, ORDERED and DECREED that the real estate mentioned and described in these proceedings be sold, it appearing that said parcels cannot be divided without loss or injury to the parties interested therein and that John Palmer Smith and Vachel A. Downes, Jr., of Queen Anne's County, State of Maryland, be and they are hereby appointed trustees to make said sale.

And it is further ADJUDGED, ORDERED and DECREED as follows:

That before proceeding to make any sale hereunder, said Trustees shall first file with the Clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland, to be executed by themselves, with surety or sureties thereon to be approved by this Court, or the Clerk thereof, in the penalty of Three Thousand Dollars (\$3,000.00), if corporate surety be given, and in double that amount if personal surety be given, conditional for 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 said Trustees shall advertise the time, place, manner and terms of sale in some 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 (1/3) of the purchase price in cash and two-thirds (2/3) upon final ratification of said sale by this Court, the deferred payments to bear interest from day of sale and be secured to the Trustees' satisfaction.

That they 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 they shall report a full account of said sale to this Court with an affidavit of the truth and fairness thereof.

That, upon final ratification of said sale, and upon full payment of the purchase money, and not before, they 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 to be free, clear and discharged of all claims of the parties to this cause and the other creditors of Simuel Washington (Also known as Samuel Washington), Henrietta Washington and Eugene Levi Washington, deceased, or of those claiming by, through or under them or any of them.

That said Trustees 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 the said Trustees as a Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

And that, at the time of the first insertion or publication of the advertisement of sale, above required, they shall publish in the same newspaper a Notice to the Creditors of Simuel Washington (also known as Samuel Washington), Henrietta Washington and Eugene Levi Washington, deceased, requiring them to file their claims against said deceased with the Clerk of this Court within ninety (90) days of the date of the said first insertion or be excluded from participating in the proceeds of said sale.

WM. R. HORNEY
Judge

Filed Feb. 27, 1953

Certified Copy of Bond
Filed May 20, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twentieth day of May in the year nineteen hundred and fifty-three the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, John Palmer Smith and Vachel A. Downes, Jr., of Centreville, Queen Anne's County, State of Maryland, as Principals, and GLENS FALLS INDEMNITY COMPANY, a body corporate of the State of New York, and duly authorized to transact business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland in the full and just sum of Three Thousand Dollars (\$3,000.00) current money, to be paid unto 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 successors, jointly and severally, firmly by these presents, sealed with our seals, and dated this 20th day of May, in the year nineteen hundred and fifty-three.

WHEREAS, the above bounden John Palmer Smith and Vachel A. Downes, Jr., have been appointed Trustees, by virtue of a decree of the Circuit Court for Queen Anne's County, In Equity, to sell the property mentioned in the proceedings in the case of John Tyler Washington, et. al. vs. Marilyn Washington, being Chancery Cause No. 3825, now pending in said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden, John Palmer Smith and Vachel A. Downes, Jr., do and shall well and faithfully perform the trust reposed in them by said decree, or that may be reposed in them by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

KATHERINE LEWIS

JOHN PALMER SMITH (SEAL)
John Palmer Smith

KATHERINE LEWIS

VACHEL A. DOWNES, JR. (SEAL)
Vachel A. Downes, Jr.

ATTEST:

GLENS FALLS INDEMNITY COMPANY

KATHERINE LEWIS

By: L. HERMAN MEREDITH
L. Herman Meredith
Attorney
Corporate Seal.

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

I hereby certify that the foregoing was truly taken and copied from Liber A.S.G.Jr. No. 1, folio 330, a Bond Record Book 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 Twentieth day of May in the year nineteen hundred and fifty three.

T. SORDEN PIPPIN
Clerk

Report of Sale
Filed June 10, 1953

JOHN TYLER WASHINGTON, et. al.

IN THE CIRCUIT COURT

vs.

FOR

MARILYN WASHINGTON, infant

QUEEN ANNE'S COUNTY

IN EQUITY

No. 3825

* * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of the real estate made in this cause by John Palmer Smith and Vachel A. Downes, Jr., trustees appointed to make such sale, unto your Honors, respectfully represents:

1. That pursuant to a decree of this Honorable Court passed on the 27th day of February, 1953, your trustees 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 trustees advertised the time, place, manner and terms of sale in Queen Anne's Record-Observer, a newspaper printed and published in Queen Anne's County, State of Maryland for more than three (3) successive weeks prior to the 2nd day of June, 1953, as will appear by reference to a Certificate of Advertisement of Sale attached hereto and made a part hereof.

3. That pursuant to said decree and said advertisement, your trustees proceeded to sell the real estate described in said advertisement in front of the Court House in the Town of Centreville, Queen Anne's County, Maryland, at 2:00 p.m. (daylight saving time) on Tuesday, June 2, 1953, and sold the same as follows, to wit;

PARCEL NO. ONE, containing one and one-half acres, more or less, being the same land conveyed unto Simuel Washington by John H. Scott, et. al., by deed dated November 20, 1924, recorded among the Land Records of Queen Anne's County in Liber B.H.T. No. 3, folio 276, and sold the same unto Edward Earl Coursey and Katherine L. Coursey, his wife, at and for the sum of One Hundred Dollars (\$100.00), they being then and there the highest bidders therefor, and said purchasers have paid the full purchase price unto your trustees.

PARCEL NO. TWO, containing ten acres of land, more or less, and being the same land conveyed unto Simuel Washington and Henrietta Washington, his wife, by deed from T. J. Melvin and wife, dated October 16, 1931, and recorded among the Land Records aforesaid in Liber B.H. T. No. 14, folio 30, and sold the same unto Edward L. Coursey and Katherine L. Coursey, his wife, and they being then and there

the highest bidders therefor, at and for the sum of One Hundred Dollars (\$100.00), and said purchasers have paid the full purchase price unto your trustees.

PARCEL NO. FOUR, containing one acre of land, more or less, and being the same land conveyed unto Simuel Washington and Henrietta Washington, his wife, by deed from Norman Pierson and wife, dated July 8, 1929, and recorded among the Land Records aforesaid in Liber B.H.T. No. 11, folio 3, was then and there offered for sale by your trustees, the highest bid therefor being Five Hundred Dollars (\$500.00) your trustees then withdrawing said parcel no. four from public sale, and did on the 5th day of June, 1953, sell the same at private sale, after diligent efforts, to secure a higher price therefor, unto Irvin O. Drummer and Irene E. Drummer, his wife, at and for the sum of One Thousand Dollars (\$1,000.00), they making the best offer therefor, and said purchasers have paid unto your trustees the sum of Three Hundred Thirty-three Dollars and thirty-three cents (\$333.33) as provided by the terms of said sale in the advertisement of sale aforesaid.

4. That, at the time of the first insertion of said advertisement of sale in said newspaper, and each subsequent advertisement of sale, your trustees published in the same newspaper a Notice to the Creditors of Simuel Washington (also known as Samuel Washington), Henrietta Washington and Eugene Levi Washington, all deceased, requiring them to file their claims against said deceased persons with the Clerk of this Court within ninety (90) days from the 7th day of May, 1953, or be excluded from participating in the proceeds of sale of the real estate left by said deceased persons, as will appear by reference to the Certificate of Publication of said Notice to Creditors, hereto attached and made a part hereof.

Respectfully submitted,

JOHN PALMER SMITH
John Palmer Smith

VACHEL A. DOWNES JR.
Vachel A. Dowes, Jr.
Trustees.

STATE OF MARYLAND

to wit:

QUEEN ANNE'S COUNTY

I HEREBY CERTIFY, that on this 10th day of June, 1953, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith and Vachel A. Downes, Jr., trustees in Chancery No. 3825, 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 them, as trustees, and herein reported, was fairly made.

WITNESS my hand and seal.

T. SORDEN PIPPIN
Clerk

Filed June 10, 1953

TRUSTEES SALE OF VALUABLE
REAL ESTATE Near Grasonville
Maryland

By virtue of the power and authority contained in a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 27th day of February, 1953, in Chancery Cause No. 3825, entitled "John Tyler Washington, et. al. vs. Marilyn Washington," the undersigned Trustees named therein will offer at public auction to the highest bidder in front of the Court House Door, in the town of Centerville, Queen Anne's County, Maryland, on TUESDAY, JUNE 2, 1953 at two o'clock p.m., (Daylight Saving Time), the following property, to wit:

PARCEL NO. 1. All that lot or parcel of land situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, near Grasonville, said lot or parcel being bounded on the north by the lands now or formerly of Carey Jewell, on the east by the lands now or formerly of the Sarah Washington heirs, on the south by the lands now or formerly of Walter Jewell, and on the west by the lands now or formerly of the Elizabeth Collier heirs, containing 1½ acres of land, more or less, and BEING the same property conveyed unto Simuel Washington by John H. Scott et al., by deed dated the 20th day of November, 1924 recorded among the Land Records of Queen Anne's County in Liber B.H.T., No. 3, folio 276.

PARCEL NO. 2. All that lot or parcel of land situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, near Grasonville, said lot or parcel being bounded on the north by the lands now or formerly of Thomas Embert, on the east by the lands now or formerly of Carey Saddler, on the south by the lands now or formerly of the William J. Price, heirs, and on the west by the lands now or formerly of Nathan Johnson, containing ten acres of land, more or less, and BEING the same property conveyed unto Simuel Washington and Henrietta Washington, his wife, by deed from T. J. Melvin and Grace Melvin, his wife, dated the 16th day of October, 1931, and recorded among the Land Records aforesaid in Liber B.H.T., No. 14, folio 30.

Parcel No. 3. All that lot or parcel of land situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, near Grasonville said lot or parcel being bounded on the east by the lands now or formerly of Carey Saddler, on the west by the lands now or formerly of Walter Jewell, on the north by the lands now or formerly of Carrie Goodhand, and on the south by the lands now or formerly of Carey Saddler, containing 16 acres of land, more or less and BEING the same property conveyed unto Simuel Washington and Henrietta Washington, his wife, by deed from Walter Jewell and Myrtle B. Jewell, his wife, dated the 13th

day of November, 1943, and recorded among the Land Records aforesaid in Liber A.S.G. Jr., No. 8, folio 500.

Parcel No. 4. All that lot or parcel of land, situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, in the village of Grasonville, improved by a frame dwelling house, called or known as "The Quillen Property" or the "Simuel Washington Home Property", on the left side of the road or land branching from the Queenstown-Kent Island Public Road and leading by the side of the White School House to the land now or formerly of George Miller and others, bounded on the north and east by the lands now or formerly of Carey Jewell, on the south by the lands now or formerly of George Griffin and on the west by the road or land first above mentioned, containing one acre of land, more or less, and BEING the same property conveyed unto Simuel Washington and Henrietta Washington, his wife by deed from Norman Pierson and Alyce C. Pierson, his wife, dated the 8th day of July, 1929, and recorded among the Land Records aforesaid in Liber B.H.T. No. 11, folio 3.

TERMS OF SALE

Immediate possession; whole price may be paid in cash on day of sale, or one-third of purchase money may be paid in cash on day of sale, the balance on final ratification of sale, said balance to bear interest from day of sale, and to be secured to Trustee's satisfaction; title papers and costs of recording deeds to be at purchasers' expense. Taxes will be prorated as of day of sale.

JOHN PALMER SMITH
VACHEL A. DOWNES, JR.
Trustees.

NOTICE TO CREDITORS

All creditors of SIMUEL WASHINGTON (Also known as Samuel Washington), HENRIETTA WASHINGTON, and EUGENE LEVI WASHINGTON, all deceased, are hereby notified that they must file their claims against said deceased persons with the Clerk of the Circuit Court for Queen Anne's County, in Equity, within ninety days from the 7th day of May, 1953, or be excluded from participating in the proceeds of sale of the real estate left by said deceased persons.

JOHN PALMER SMITH
VACHEL A. DOWNES, JR.
Trustees in Chancery Cause No. 3825

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. June 10, 1953

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 John Tyler Washington, et al vs. Marilyn Washington 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 2nd day of June 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 4th day of May 1953, and the last insertion on the 28th day of June 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE FAULKNER

Filed June 10, 1953

NISI
Filed June 10, 1953

N I S I

John Tyler Washington, et al
VS.
Marilyn Washington, infant.

) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) CHANCERY NO. 3825

ORDERED, This 10th. day of June A.D. 1953, that the sale of real estate made and reported in this cause by John Palmer Smith and Vachel A. Downes, Jr., trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th. 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 11th. day of July next.

The Report states the amount of sales to be \$1400.00.

T. Sorden Pippin Clerk.

Filed June 10, 1953

True Copy
Test: T. SORDEN PIPPIN Clerk

NISI

John Tyler Washington, et. al.

In the Circuit Court for

vs.

Queen Anne's County

Marilyn Washington, infant.

In Equity.

Chancery No. 3825

ORDERED, This 10th day of June, A.D., 1953, that the sale of real estate made and reported in this cause by John Palmer Smith and Vachel A. Downes, Jr. trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th 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 11th day of July, next.

The Report states the amount of sales to be \$1400.00.

T. SORDEN PIPPIN, Clerk

True Copy
Test: T. SORDEN PIPPIN, Clerk
Filed: June 10, 1953

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Aug. 12, 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case. estate of John Tyler Washington 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 11th day of July 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 11th day of June 1953, and the last insertion on the 2nd day of July 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Aug. 12, 1953

FINAL ORDER OF RATIFICATION

ORDERED, this 12th day of August, 1953, 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 and Vachel A. Downes, Jr., trustees, 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 preceeding Order Nisi, heretofore filed in this cause, and the trustees are allowed the usual commissions and all expenses incident to the making of said sale, not personal, for which they shall produce vouchers therefor to the Auditor.

WM. R. HORNEY
Judge

Filed Aug. 12, 1953

AUDIT
Filed Sept. 9, 1953

John Tyler Washington, et al

In The Circuit Court For

vs.

Queen Anne's County In

Marilyn Washington, infant

Equity Chy #3825

To the Honorable, The Judges of said Court:

The report of J. Thomas Clark, auditor, unto your honors respectfully shows:

1. That this account is stated at the request of John Palmer Smith and Vachel A. Downes, Jr., Trustees, who were duly appointed to make the sale of this real estate and disburse the funds received from the same, pursuant to the order of this Court on February 27th, 1953.
2. That included in this audit is the sole creditor's claim filed in this cause on the claim docket.
3. In the within account, John Palmer Smith and Vachel A. Downes, Jr., Trustees, are charged with the proceeds of both private and public sale of several parcels of real estate which either Simuel Washington or Henrietta Washington, the wife of Simuel Washington, died seized and possessed, after a bill for partition and notice to creditors of Simuel Washington, Henrietta Washington and Eugene Levi Washington, deceased, had been filed and published, per order of court, and order of this Court authorizing sale of these parcels. The sale was more than sufficient to satisfy the costs of suit and creditor's claim, wherein a balance was left for dis-

tribution to the heirs at law of the said Simuel Washington and Henrietta Washington, deceased. The interest on the unpaid balance of parcel number four, in the sum of \$666.67 is not accounted for in this audit.

4. In the distribution to the heirs at law of Simuel Washington and Henrietta Washington (husband and wife) deceased, parcel number one which Simuel Washington died seized and possessed, went at that time under the intestate laws as follows: a one third of the same to Henrietta Washington, now deceased, and the remaining two thirds to their children and the descendants of their deceased children. That in view of the fact that this parcel never was appraised at the time of the death of the said Simuel Washington, deceased, and in these proceedings the same sold for the sum of \$100.00, and the eventual heirs at law are the four distributees named in this audit, this account is not broken down, and the same is shown in the distribution of the total proceeds of the sale after deduction of all proper expenses shown herein.

5. In accordance with the testimony the deceased left as their only heirs at law (upon the death of both the said Simuel Washington and Henrietta Washington, his wife), three children and a child of a child who predeceased them. After deducting payment of the State of Maryland Inheritance Tax of one per cent, the balance was directed to be distributed in four equal shares.

Respectfully submitted,

J. THOMAS CLARK
Auditor

September 9, 1953.

Filed Sept. 9, 1953

Cause No. 3825

The proceeds of the sale of land reported in this cause, in account with John Palmer Smith and Vachel A. Downes, Jr., Trustees, appointed by this honorable court to make the sale in these proceedings (and vendor of said land)

| Cr. | |
|--------|---|
| 1953 | |
| June 2 | By gross proceeds of the sale of said land at public sale per report of said vendor, to wit:..... \$400.00 |
| June 5 | By gross proceeds of the sale of a part of said land at private sale per report of said vendor, to wit:... <u>1,000.00</u> |
| | Total proceeds of sale of land per report of said vendor, to wit:..... \$1,400.00 |
| Dr. | |
| June 5 | To John Palmer Smith and Vachel A. Downes, Jr., Trustees (and vendor) for their commissions for making the sale per order of court..... \$91.50 |
| June 5 | To do., for court costs of this cause per clerk's receipt for the same exhibited as follows: Costs of T. Sorden Pippin, Clerk....\$45.75 Costs of Frank Y. Whiteley, Sheriff .95 Appearance fee of John Palmer Smith and Vachel A. Downes, Jr..... 10.00 Appearance fee of Thomas J. Keating, Jr..... 10.00 Fee of Thomas J. Keating, Jr., as guardian ad litem..... <u>4.50</u> 71.20 |
| | To do., for an amount paid Harry C. Butler Examiner, for the taking of testimony in this cause, per receipt exhibited..... 10.00 |
| | To do., for an amount paid J. Elmer Anthony, auctioneer, for crying said sale, per his receipt for the same exhibited..... 25.00 |
| | To do., for an amount paid L. Herman Meredith (Agent), for the premium on the surety bond filed by said trustees in this cause, per receipt exhibited..... 12.00 |
| | To do., for an amount paid Queen Anne's Record-Observer, for advertising this sale, for advertising the notice to creditors, for advertising the order nisi passed as to said sale, per receipt for same exhibited... 97.50 |
| | To do., for the costs 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 paid Claude Lowery,
 Treasurer of Queen Anne's County for taxes
 levied on property sold hereby for year
 1953, per receipts exhibited, less payments
 by the purchasers for 6 months taxes amount-
 to sum of \$8.42..... 8.42

J. THOMAS CLARK
 Auditor

September 9, 1953.

Filed Sept. 9, 1953

To J. Thomas Clark, Auditor, for stating
 this audit..... 18.00

To balance for distribution prior to
 allowance of creditor's claim filed, to wit: 1061.38
\$1400.00 \$1,400.00

Cr.

By above balance.....\$1,061.38

Dr.

To Edward E. Coursey, in full of his claim
 filed under oath of Edward E. Coursey, on
 account against estate of Samuel Washington,
 the sum of..... 16.19

To balance for distribution after allowance
 of said creditor's claim, to wit:.....\$1045.19
\$1061.38 \$1,061.38

J. THOMAS CLARK
 Auditor

September 9, 1953

Filed Sept. 9, 1953

Cr.

By last above balance..... \$1,045.19

Dr.

To Edward E. Coursey, Register of Wills
 for Queen Anne's County, in payment of
 State of Maryland Inheritance Tax on
 above sum which is to be distributed
 to deceased's lineal descendents at
 rate of 1%..... \$10.45

To John Tyler Washington, son of deceased,
 a 1/4 share..... 258.68

To J. Alfred Washington, a son of deceased,
 a 1/4 share..... 258.68

To Sarah C. Lynch, a daughter of deceased,
 a 1/4 share..... 258.69

To Marilyn Washington, infant, child of
 Eugene Levi Washington, a deceased son
 of deceased, a 1/4 share..... 258.69

\$1045.19 \$1,045.19

J. THOMAS CLARK
 Auditor

September 9, 1953

Filed Sept. 9, 1953

Nisi Ratification of Audit
 Filed Sept. 9, 1953

NISI RATIFICATION OF AUDIT

| | | |
|-------------------------------|---|-------------------------|
| John Tyler Washington, et al. |) | In the Circuit Court |
| |) | |
| Vs. |) | for Queen Anne's County |
| |) | |
| Marilyn Washington, infant. |) | in Equity |
| |) | Cause No. 3825 |

ORDERED, This 9th. day of September in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 9th. day of October, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 2nd. day of October, 1953, in some newspaper printed and published in Queen Anne's County.

Clerk

Filed September 9, 1953

NISI RATIFICATION OF AUDIT

John Tyler Washington, et al.

vs.

Marilyn Washington, infant.

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 3825

ORDERED, This 9th day of September, in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 9th day of October, 1953; provided a copy of this order be published once a week in each of two successive weeks, before the 2nd day of October, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy

Test: T. SORDEN PIPPIN, Clerk

Filed: Sept. 9, 1953

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Oct. 6, 1953

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 Tyler Washington, et al. vs. Marilyn Washington, 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 2nd day of Oct. 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 17th day of Sept. 1953, and the last insertion on the 24th day of Sept. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Oct. 16, 1953

JOHN TYLER WASHINGTON, et. al.

vs.

MARILYN WASHINGTON, infant

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY No. 3825

FINAL RATIFICATION OF AUDIT

ORDERED, this 16th day of October, 1953, by the Circuit Court for Queen Anne's County, in Equity, that the foregoing report and account of J. Thomas Clark, Auditor, be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown although notice appears to to have been given as required by the preceding order nisi, and the said John Palmer Smith and Vachel A. Downes, Jr., Trustees, are hereby directed to apply the proceeds of sale in accordance with and in the manner set forth in said audit.

WM. R. HORNEY
Judge

Filed Oct. 16, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-fourth day of April in the year nineteen hundred and fifty-three, the following Order to Docket Suit was filed for record, to wit:

C A U S E N O. 3856

| | | |
|--|---|----------------------|
| EDWARD TURNER and B. HACKETT TURNER, JR., ASSIGNEES. | : | IN THE CIRCUIT COURT |
| | : | FOR |
| Vs. | : | QUEEN ANNE'S COUNTY |
| JOHN W. TREZISE and CATHERINE TREZISE, his wife, Mortgagors. | : | IN EQUITY |
| | : | |

: : : : : : : : : : : :

ORDER TO DOCKET SUIT

Mr. Clerk:

You will docket suit for foreclosure of the Mortgage from John W. Trezise and Catherine Trezise, his wife, to Lillian N. Seitz dated the 13th day of September, 1945, and recorded among the land records of Queen Anne's County, State of Maryland, in Liber A.S.G., Jr. #12, folio 36, etc.; and which was assigned by Lillian N. Seitz to the Stevensville Bank of Maryland on the 10th day of April, 1946, said Assignment being recorded in Liber A.S.G., Jr. #12, folio 38; and later assigned to Edward Turner and B. Hackett Turner, Jr., Attorneys, on April 23, 1953 for the purpose of foreclosure and collection, default having occurred in the terms of said Mortgage, and you will file in said cause a certified copy of said Mortgage and Assignment and the accompanying Affidavit.

EDWARD TURNER

B. HACKETT TURNER JR.
Attorneys and Assignees

Filed April 24, 1953

AFFIDAVIT

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

THIS IS TO CERTIFY that on this 24th day of April, 1953, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared - - Barnes Legg, Cashier of the Stevensville Bank of Maryland, a body corporate, Mortgagee in a certain Mortgage from John W. Trezise and Catherine Trezise, his wife, to Lillian N. Seitz bearing date the 13th day of September, 1945, and recorded among the land records of Queen Anne's County in Liber A.S.G. Jr. #12, folio 36, etc., and assigned to said Bank on the 10th day of April, 1946 and recorded in Liber A.S.G. Jr. #12, folio 38, a land record book for Queen Anne's County, State of Maryland, and did make oath in due form of law that after diligent inquiry, it has been found that the said John W. Trezise and Catherine Trezise, his wife, Mortgagors are approximately 48 and 45 years of age, respectively; that the said John W. Trezise resides at 101 Fuller Avenue in the City of Baltimore and Catherine Trezise resides at 3810 Erdman Avenue in the City of Baltimore.

The said Mortgagors are not now in the Military Service of the United States, nor have they been in such Services within SIX (6) MONTHS prior hereto.

Notary
Public
Seal.

KATHERINE C. O'NEAL
Notary Public

Filed April 24, 1953

Certified Copy of Mortgage
Filed April 24, 1953

.....
#23,421. 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 Twentieth day of September, in the year nineteen hundred and forty five, the following Mortgage was brought to be recorded, to wit:-

THIS MORTGAGE, Made this 13th day of September in the year nineteen hundred and forty-five, by and between JOHN W. TREZISE and CATHERINE TREZISE, his wife, Mortgagors of City of Baltimore in the State of Maryland, of the first part, and LILLIAN N. SEITZ, of Baltimore City, in the State of Maryland Mortgagee, 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 sum of THREE THOUSAND DOLLARS (\$3,000.00) for money this day loaned and advanced and being part of the purchase money for the hereinafter described property, which said sum the said parties of the first part have agreed to repay unto the said party of the second part with interest thereon at the rate of THIRTY-ONE DOLLARS AND TWENTY-FIVE CENTS

(\$1.25) each on account of said principal, the first payment being due on the 13th day of October, 1945, and continuing monthly until the whole of said principal sum has been paid, together with interest at the rate of six per cent (6%) per annum, payable monthly, on the balance of said principal sum then due and owing by the parties of the first part, and upon default in payment of any one of the monthly installments of THIRTY-ONE DOLLARS AND TWENTY-FIVE CENTS #31.25) as aforesaid on said principal sum, together with interest then due on the unpaid balance due and owing upon the said principal sum by the said parties of the first part, then this mortgage shall be deemed and taken to be in default, and the property hereinafter described liable to foreclosure and sale as hereinafter provided; and

IT IS PARTICULARLY UNDERSTOOD AND AGREED, That the parties of the first part, their personal representatives and assigns, may anticipate payment in whole or in part, on the principal of mortgage, at any time, provided said Mortgage is not in default.

NOW THIS MORTGAGE WITNESSETH, that in consideration of the premises and the sum of One Dollar, the said Mortgagors, JOHN W. TREZISE and CATHERINE TREZISE, his wife do grant and convey unto the said Mortgagee, LILLIAN N. SEITZ, her heirs and assigns, in fee simple,

All those three lots of land, improved by a frame dwelling house and other buildings, known as Lots Nos. 24, 25, and 26, located on the eastern side of Queen Anne's Avenue at or near Love Point, on Kent Island, in the Fourth Election District of Queen Anne's County, in the State of Maryland, aforesaid, and described more particularly as follows:

Parcel No. 1 All that lot of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, at or near Love Point, located on the eastern side of Queen Anne's Avenue, described on the Plat of the Love Point Beach and Park Company property recorded among the Land Records of Queen Anne's County in Liber W.F.W. No. 5, folio 480, and designated on the said Plat as Lot Number Twenty-Four (24); and

Parcel No. 2. All that lot of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, at or near Love Point, located on the eastern side of Queen Anne's Avenue, described on the Plat of the Love Point Beach and Park Company property recorded among the Land Records of Queen Anne's County in Liber W. F. W. No. 5, folio 480, and designated on the said Plat as Lot Number Twenty-Five (25); and

Parcel No. 3. All that lot of land situate, lying, and being on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, at or near Love Point, located on the eastern side of Queen Anne's Avenue, described on the Plat of the Love Point Beach and Park Company property recorded among the Land Records of Queen Anne's County in Liber W.F.W. No. 5, folio 480, and designated on the said Plat as Lot Number Twenty-Six (26).

Being the same lots of ground which by Deed dated even date herewith and intended to be recorded among the Land Records of Queen Anne's County immediately prior hereto were granted and conveyed from Ollie Catherine Erhardt to John W. Trezise and Catherine Trezise, his wife, the within Mortgagors.

TOGETHER with the buildings and improvements thereon and the rights roads, ways, water, privileges, appurtenances and advantages, thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the aforesaid parcels of ground and premises unto and to the proper use and benefit of Lillian N. Seitz, her heirs and assigns, forever.

PROVIDED, that if the said John W. Trezise and Catherine Trezise, his wife, their heirs, personal representatives or assigns, shall well and truly pay or cause to be paid the aforesaid sum of THREE THOUSAND (\$3000.00) Dollars, and all interest thereon accrued, when and as the same may be due and payable, and shall perform all the covenants herein on their part to be performed, then this mortgage shall be void.

AND it is agreed that, until default be made in the premises, the JOHN W. TREZISE and CATHERINE TREZISE, his wife shall possess the aforesaid property upon paying in the meantime, all taxes and assessments, public dues and charges of every kind, levied or assessed, or to be levied or assessed on said hereby mortgaged property, which taxes, assessments, public dues, charges, mortgage debt and interest, the said JOHN W. TREZISE and CATHERINE TREZISE, his wife, for themselves, their heirs, personal representatives and assigns, do hereby covenant to pay when legally demandable. But if default be made in payment of said money, or the interest thereon to accrue in any part of either of them, at any 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 Lillian N. Seitz, her personal representatives or assigns, or her or their 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, her personal representatives 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 ONE HUNDRED (\$100.00) dollars and a commission to

to the party making sale of said property equal to the commission allowed trustees for making sale of property by virtue of a decree of a Court having equity jurisdiction in the State of Maryland; secondly, to the payment of all claims of the said Mortgagee, her personal representatives and assigns under this Mortgage, whether the same shall have been matured or not, and the surplus (if any there be) shall be paid to the said Mortgagors, their personal representatives or assigns, or to whoever may be entitled to the same.

AND the said Mortgagors for themselves, their heirs, personal representatives and assigns, do 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 commission the said Mortgagors for themselves their heirs, personal representatives and assigns, do hereby covenant to pay, and the said Mortgagee, her personal representatives or assigns, or William C. Rogers their 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 commission.

AND the said JOHN W. TREZISE and CATHERINE TREZISE, his wife, for themselves, their personal representatives and assigns, do further covenant to insure and pending the existence of this Mortgage to keep insured in some good company satisfactory to the said Mortgagee, her personal representatives and assigns, the improvements on the hereby mortgaged land to the amount of at least Dollars, 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, her personal representatives and assigns, to the extent of their lien or claim hereunder, and to deliver said policy or policies to the said Mortgagee, her personal representatives and assigns.

WITNESS the hands and seals of the said Mortgagors.

TEST: (JOHN W. TREZISE (SEAL)
(John W. Trezise
(CATHERINE TREZISE (SEAL)
(Catherine Trezise
(

STATE OF MARYLAND, CITY OF BALTIMORE COUNTY, TO WIT:

I Hereby Certify, that on this 13th day of September in the year nineteen hundred and forty-five-before me, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared JOHN W. TREZISE and CATHERINE TREZISE, his wife, the Mortgagors named in the foregoing Mortgage, satisfactorily proven to be the persons whose names are subscribed to the within instrument, and they acknowledged the foregoing Mortgage to be their act and Deed and that they executed the same for the purposes therein contained. At the same time also appeared Lillian N. Seitz, the Mortgagee named in the foregoing Mortgage 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.

AS WITNESS my hand and Notarial Seal.

GERTRUDE LANG LYONS
Notary Public
Gertrude Lang Lyons

My commission expires May 5, 1947.

Notary
Public
Seal.

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

FOR VALUE RECEIVED, I hereby assign all my right, title and interest in the within Mortgage and mortgage debt to the STEVENSVILLE BANK OF MARYLAND.

As Witness my hand and seal this 10 day of April, 1946.

Witness: LILLIAN N. SEITZ (SEAL)
Lillian N. Seitz
WILLIAM C. ROGERS
William C. Rogers

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the Twenty Fourth day of April, in the year nineteen hundred and fifty three, the following Assignment was filed for record, to wit:

FOR VALUE RECEIVED, The Stevensville Bank of Maryland hereby assigns the within Mortgage unto Edward Turner and B. Hackett Turner, Jr., Assignees, for the purpose of foreclosure and collection.

Witness the hand of F. Whitefield Coleman, the President and the Seal of The Stevensville Bank of Maryland, aforesaid, this 23rd day of April, 1953.

TEST:

THE STEVENSVILLE BANK OF MARYLAND

BARNES LEGG
Its Cashier.BY: F. WHITEFIELD COLEMAN
Its PresidentCorporate
Seal.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, that the foregoing was truly take and copied from Liber A.S.G.Jr. No. 12, folios 36 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 Twenty-fourth day of April in the year nineteen hundred and fifty-three.

T. SORDEN PIPPIN
ClerkCertified Copy of Bond
Filed May 5, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fifth Day of May in the year nineteen hundred and fifty three, 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, Edward Turner and B. Hackett Turner, Jr., 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 SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00), current money of the United States of America, to be paid to the said State of Maryland, or its certain attorney, for 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 5th day of May, 1953;

WHEREAS a certain mortgage from John W. Trezise and Catherine Trezise, his wife, to Lillian N. Seitz, dated September 13, 1945, and recorded in Land Liber A.S.G. Jr. No. 12, folio 36, and which was assigned by Lillian N. Seitz to the Stevensville Bank of Maryland on the 10th day of April, 1946, said assignment being recorded in Land Liber A.S.G. Jr., No. 12, folio 38, and assigned on the 23d day of April, 1953, to Edward Turner and B. Hackett Turner, Jr., which said assignment is recorded among said land records at the foot of said mortgage.

AND WHEREAS, the above bounden Edward Turner and B. Hackett Turner, Jr., 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, Edward Turner and B. Hackett Turner, Jr., 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:VIRGINIA S. WHITE

Corporate Seal.

Attest;

VIRGINIA S. WHITEEDWARD TURNER (SEAL)
Edward TurnerB. HACKETT TURNER JR. (SEAL)
B. Hackett Turner Jr.UNITED STATES FIDELITY AND
GUARANTY COMPANY:By B. HACKETT TURNER JR.
B. Hackett Turner Jr.
ITS ATTORNEY-IN-FACT

And at the foot of the foregoing Bond is the following endorsement: to wit:

Security approved and Bond Filed May 5, 1953.

T. Sorden Pippin, Clerk

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

I HEREBY CERTIFY that the foregoing was truly taken and copied from Liber A.S.G.Jr. No. 1, folio 312, 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 Fifth day of May in the year nineteen hundred and fifty three.

T. SORDEN PIPPIN
Clerk

Statement of Mortgage Debt
Filed June 2, 1953

| | | |
|-------------------------|---|----------------------|
| EDWARD TURNER and | : | IN THE CIRCUIT COURT |
| B. HACKETT TURNER, JR., | : | |
| ASSIGNEES. | : | FOR |
| | : | |
| Vs. | : | QUEEN ANNE'S COUNTY |
| | : | |
| JOHN W. TREZISE and | : | IN EQUITY |
| CATHERINE TREZISE, his | : | |
| wife, Mortgagors. | : | NO. 3856 |
| | : | |

: : : : : ; : : : : : :

STATE OF MORTGAGE DEBT

| | |
|--|--------------|
| Balance of principal amount due on mortgage debt from John W. Trezise and Catherine Trezise, his wife, to Lillian N. Seitz dated the 13th day of September, 1945, and which was assigned by Lillian N. Seitz to the Stevensville Bank of Maryland on the 10th day of April, 1946, said Assignment being recorded in Liber A.S.G., Jr. #12, folio 38. | \$2,424.00 |
| Interest from September 13, 1952 to April 24, 1953 | <u>75.09</u> |
| Total debt | \$2,499.09 |

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

This is to certify that on this 2nd day of June, 1953, before the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared B. Hackett Turner, Jr., one of the assignees, and made oath in due form of law that the foregoing Statement of Mortgage Debt is true and bona fide as therein set forth, and that no part of the debt claimed to be due has been paid.

Witness my hand and seal.

T. SORDEN PIPPIN
Clerk

Filed June 2, 1953

Report of Sale of Real Estate
Filed June 3, 1953

| | | |
|-------------------------|---|----------------------|
| EDWARD TURNER and | : | IN THE CIRCUIT COURT |
| B. HACKETT TURNER, JR., | : | |
| ASSIGNEES | : | FOR |
| | : | |
| vs. | : | QUEEN ANNE'S COUNTY |
| | : | |
| JOHN W. TREZISE and | : | IN EQUITY |
| CATHERINE TREZISE, his | : | |
| wife, Mortgagors. | : | NO. 3856 |
| | : | |

: :

REPORT OF SALE OF REAL ESTATE

TO THE HONORABLE; THE JUDGES OF SAID COURT:

Default having occurred in the terms of the mortgage from John W. Trezise and Catherine Trezise, his wife, to Lillian N. Seitz dated the 13th day of September 1945, and recorded among the Land Libers of Queen Anne's County in Liber A.S. G., Jr. 12, folio 36, etc.; and which was assigned by Lillian N. Seitz to The Stevensville Bank of Maryland on the 10th day of April, 1946, said assignment being recorded among the Land Libers in A.S.G., Jr. No. 12, folio 38; and later assigned to Edward Turner and B. Hackett Turner, Jr., Attorneys, on April 23, 1953, the undersigned, assignees of said mortgage for the purpose of foreclosure and collection

having authority to exercise the power of sale in case of default, after docketing suit for foreclosure and filing in this cause a military affidavit as to the defendants, and after advertising the mortgaged premises for sale in accordance with the annexed certificate of advertisement in the Queen Anne's Record-Observer for more than twenty (20) days prior to the day of sale, and after filing in this cause a bond in the penalty of SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00), with surety duly approved by the Clerk of this Court, did attend in front of the Court House door in the Town of Centreville, Queen Anne's County, on Tuesday, June 2, 1953, at 1:30 o'clock, P.M., (D.S.T.) and after having the auctioneer cry the sale for a considerable time, and after reading the advertisement of sale, did sell the mortgaged property to Martin Marks, he being then and there the highest bidder therefor, at and for the sum of THREE THOUSAND SEVEN HUNDRED SEVENTY-FIVE DOLLARS (\$3,775.00), upon the terms mentioned in said advertisement.

The purchaser has paid one-third of the purchase money and your attorneys believe that he will pay the balance of the purchase money and comply with the terms of the sale upon ratification of the sale by the Court.

The report states the amount of sale to be THREE THOUSAND SEVEN HUNDRED SEVENTY-FIVE DOLLARS (\$3,775.00).

Respectfully submitted,

EDWARD TURNER AND B. HACKETT TURNER JR.
Edward Turner and B. Hackett Turner, Jr.,
Attorneys, Assignees

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

On this 3rd day of June, 1953, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Edward Turner and B. Hackett Turner, Jr., Attorneys, Assignees, and made oath in due form of law that the matters and facts set forth in the foregoing Report are true to the best of their knowledge and belief, and that the sale was fairly made.

T. SORDEN PIPPIN
Clerk

Filed June 3, 1953

Order Nisi
Filed June 3, 1953

N I S I

| | | |
|--|---|-------------------------|
| Edward Turner and B. Hackett Turner, Jr., ASSIGNEES, |) | IN THE CIRCUIT COURT |
| |) | |
| VS. |) | FOR QUEEN ANNE'S COUNTY |
| |) | |
| JOHN W. TREZISE and CATHERINE TREZISE, his wife, Mortgagors. |) | IN EQUITY |
| |) | Chancery No. 3856 |

ORDERED, This 3rd. day of June A.D., 1953, that the sale of real estate made and reported in this cause by Edward Turner and B. Hackett Turner, Jr., Assignees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th. 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 11th. day of July next.

The Report states the amount of sales to be \$3,775.00.

T. SORDEN PIPPIN Clerk

Filed June 3, 1953

MORTGAGE SALE OF
REAL ESTATE

Under and by virtue of the power of sale contained in a Mortgage from John W. Trezise and Catherine Trezise, his wife, to Lillian E. Seitz, dated the 13th day of September, 1945, and recorded among the Land Libers of Queen Anne's County, in Liber A.S.G., Jr., 12, folio 36, etc; and which was assigned by Lillian N. Seitz to The Stevensville Bank of Maryland on the 10th day of April, 1946, said assignment being recorded among the Land Libers in A.S.G., Jr. No. 12, folio 38; and later assigned to Edward Turner and B. Hackett Turner, Jr., Attorneys, on April 23, 1953, this said assignment being recorded at the foot of the aforesaid Mortgage on the land records of said county, default having occurred in the terms of said mortgage, the undersigned Assignees 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, JUNE 2, 1953 at 1:30 o'clock p.m. (D.S.T.) all the following described real estate, to wit:

All those three lots of land, improved by a frame dwelling house and other buildings, known as Lots Nos. 24, 25, and 26, located on the eastern side of Queen Anne's Avenue at or near Love Point, on Kent Island, in the Fourth Election District of Queen Anne's County, in the State of Maryland, aforesaid, and described as follows, that is to say:

PARCEL NO. 1- All that lot of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, at or near Love Point, located on the eastern side of Queen Anne's Avenue, described on the Plat of the Love Point Beach and Park Company property recorded among the Land Records of Queen Anne's County in Liber W.F.W., No. 5, folio 480, and designated on the said Plat as Lot Number Twenty-four (24); and

PARCEL NO. 2-All that lot of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, at or near Love Point, located on the eastern side of Queen Anne's Avenue, described on the Plat of the Love Point Beach and Park Company property recorded among the Land Records of Queen Anne's County in Liber W. F. W., No. 5, folio 480 and designated on the said Plat as Lot Number Twenty-five (25); and

Parcel NO. 3- All that lot of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, at or near Love Point, located on the eastern side of Queen Anne's Avenue, described on the Plat of the Love Point Beach and Park Company property recorded among the Land Records of Queen Anne's County; Liber W.F.W. No. 5, folio 480, and designated on the said Plat as Lot Number Twenty-six (26).

Being the same land and premises which were granted and conveyed unto John W. Trezise and Catherine Trezise, his wife, by Ollie Catherine Erhardt by Deed of Conveyance bearing date the 13th day of September, 1945, and recorded among the land records of Queen Anne's County, State of Maryland, in Liber A.S.G., Jr., No. 12, folio 34.

TERMS OF SALE: One-third of the purchase money will be required in cash on the day of sale and the balance will be payable in cash upon ratification of the sale by the Circuit Court for Queen Anne's County, In Equity, Taxes and insurance will be adjusted to the day of sale and all title papers and revenue stamps to be at the purchasers' expense. Possession will be given upon ratification of sale.

EDWARD TURNER and
B. HACKETT TURNER
Assignees

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Aug. 13, 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Mortgage Sale of Real Estate in the case/estate of John W. Trezise and Catherine Trezise 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 2nd day of June 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 7 day of May 1953, and the last insertion on the 28 day of May 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

NISI

Edward Turner and B. Hackett
Turner, Jr., Assignees

vs.

JOHN W. TREZISE and CATHERINE
TREZISE, his wife, mortgagors

In The Circuit Court for Queen
Anne's County In Equity
Chancery No. 3856

ORDERED, This 3rd day of June A.D. 1953, that the sale of real estate made and reported in this cause by Edward Turner and B. Hackett Turner, Ue. Assignees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th day of August, next; provided a copy of this of 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 July next.

The Report states the amount of sales to be \$3,775.00.

T. SORDEN PIPPIN, Clerk

True Copy
Test: T. SORDEN PIPPIN, Clerk
Filed June 3, 1953.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Aug. 13, 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of Edward Turner and B. Hackett Turner, Jr. Vs. John W. Trezise and Catherine Trezise 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 suc-

cessive weeks before the 11th day of July 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 11th day of June 1953, and the last insertion on the 2nd day of July 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

FINAL ORDER OF RATIFICATION
Filed Aug. 14, 1953

EDWARD TURNER and
B. HACKETT TURNER
Assignees

vs.

JOHN W. TREZIZE AND
CATHERINE TREZIZE, his wife
Mortgagors

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

* * * * *

FINAL ORDER OF RATIFICATION

ORDERED, this 14th day of August, 1953, 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 Edward Turner and B. Hackett Turner, Assignees, be and the same is hereby 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 Assignees are allowed the usual commission and such proper expense, not personal, as they shall produce vouchers for to the Auditor.

WM. R. HORNEY
Judge

Filed Aug. 14, 1953

AUDIT
Filed Aug. 24, 1953

Edward Turner and
B. Hackett Turner, Jr.,
Assignees

vs.

John W. Trezise and
Catherine Trezise, his
wife, Mortgagors.

In The Circuit Court for
Queen Anne's County In
Equity No. 3856

To The Honorable, The Judges of Said Court;

The report of J. Thomas Clark, your auditor, unto your Honors, respectfully shows:

1. That this account is stated at the request of Edward Turner and B. Hackett Turner, Jr., Assignees 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 Assignees are charged with the gross proceeds of the same made by them, per report of sale filed, and that they are then allowed thereof as follows; for their fee and also commissions in accordance with the terms of said mortgage, the court costs of this cause per receipted statement of Clerk, the fee of the auctioneer selling the land per statement, the cost of the premiums on said Assignees' corporate surety bond per receipted bill, the costs of advertising sale and the several orders nisi of this cause, the auditor's fee, and the amount of their mortgage claim, including principal and interest, per statement of debt filed.

Your Auditor has directed that the balance of the proceeds of sale be paid to the Mortgagors, John W. Trezise and Catherine Trezise, his wife, as tenants by the entireties.

Respectfully submitted,

J. THOMAS CLARK, Auditor

August 24, 1953.

Filed Aug. 24, 1953

Cause No. 3856.

The proceeds of the sale of land reported in this cause, in account with Edward Turner and B. Hackett Turner, Jr., assignees of the mortgage foreclosed in these proceedings (and vendors of said land).

| | | |
|--------|--|------------|
| Cr. | | |
| 1953 | | |
| June 2 | By gross proceeds of the sale of said land per report of said vendors, to wit: | \$3,775.00 |

| | | |
|--------|---|----------|
| Dr. | | |
| June 2 | To Edward Turner and B. Hackett Turner, Jr., assignees (and vendors), per terms of the mortgage, as follows: | |
| | 1-their fee for making the sale..... | \$100.00 |
| | 2-their commissions for make the sale..... | 196.00 |
| | | \$296.00 |
| | To do., for court costs of this cause per clerk's receipt, as follows: | |
| | Costs of T. Sorden Pippin, Clerk..... | 20.75 |
| | Appearance fee of Edward Turner and B. Hackett Turner, Jr..... | 10.00 |
| | | 30.75 |
| | To do., for an amount due J. Elmer Anthony, auctioneer, for crying the said sale, per statement for the same exhibited..... | 50.00 |
| | To do., for an amount paid Turner and Turner, (Agents,) for the premium on corporate surety bond filed by said assignees in this cause, per receipt for same exhibited..... | 26.00 |
| | To do., for an amount paid the Queen Anne's Record-Observer, per their receipts for the same exhibited, as follows: | |
| | To costs of advertising sale..... | 54.25 |
| | To costs of publishing nisi on sale..... | 7.50 |
| | | 61.75 |
| | To do., for sum paid Claude Lowery, Treasurer, per receipt exhibited: | |
| | 1953 taxes (state and county)..... | 50.23 |
| | Less amount due thereon by purchasers.. | 18.81 |
| | | 31.42 |
| | To do., for costs of advertising the order nisi to be passed as to this audit in Queen Anne's Record-Observer..... | 5.00 |
| | To J. Thomas Clark, auditor, for stating this audit..... | 22.50 |

| | | |
|-----------------|---|------------------------------|
| August 24, 1953 | <u>J. THOMAS CLARK</u> Auditor | |
| | To Edward Turner and B. Hackett Turner, Jr., Assignees of mortgage in full of the mortgage debt with interest and costs of collection thereof, per statement of debt filed..... | 2,499.09 |
| | To John W. Trezise and Catherine Trezise, his wife, as tenants by the entireties, this balance, being surplus proceeds of said sale..... | 752.49 |
| | | <u>\$3,775.00</u> \$3,775.00 |

J. THOMAS CLARK
Auditor

August 24, 1953
Filed Aug. 24, 1953

NISI RATIFICATION OF AUDIT
Filed August 24, 1953

| | |
|--|-------------------------|
| NISI RATIFICATION OF AUDIT | IN THE CIRCUIT COURT |
| Edward Turner and B. Hackett Turner, Jr., Assignees | FOR QUEEN ANNE'S COUNTY |
| VS. | IN EQUITY |
| John W. Trezise and Catherine Trezise, his wife, Mortgagors. | Cause No. 3856 |

ORDERED, This 24th. day of August in the year nineteen hundred and fifty three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th. day of September, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 11th. day of September, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk.

Filed August 24, 1953

NISI RATIFICATION OF AUDIT

Edward Turner and
B. Hackett Turner, Jr., Assignees

vs.

John W. Trezise and
Catherine Trezise, his wife.
Mortgagors.

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

Cause No. 3856

ORDERED, This 24th day of August, in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th day of September, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 11th day of September, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy

Test: T. SORDEN PIPPIN, Clerk
Filed: August 24, 1953.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Sept. 22, 1953

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 W. Trezise and Catherine Trezise 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 11 day of Sept 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 27 day of August 1953, and the last insertion on the 3 day of September 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By DOLORES V. DADDS

Filed Sept. 22, 1953

FINAL RATIFICATION OF AUDIT

ORDERED, this 22nd day of September, 1953, 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.

WM. R. HORNEY
Judge.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-sixth day of May in the year nineteen hundred and fifty-two the following Creditor's Bill was filed for record, to wit:

C A U S E N O. 3794

| | | |
|----------------------------------|---|---------------------|
| THE COUNTY COMMISSIONERS OF | * | IN THE |
| QUEEN ANNE'S COUNTY, a body | * | |
| politic of the State of Maryland | * | CIRCUIT COURT |
| Complainant | * | |
| | * | FOR |
| vs. | * | |
| | * | QUEEN ANNE'S COUNTY |
| ELIZABETH TRUSTY | * | |
| R.F.D. Millington, Maryland | * | IN EQUITY |
| | * | |
| HARRY C. BUTLER | * | NO. 3794 |
| Centreville, Maryland | * | |
| Administrator of the estate | * | |
| of Daniel Trusty, deceased | * | |
| Defendants | * | |

* * * * *

CREDITOR'S
BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The County Commissioners of Queen Anne's County, a body politic, Complainant, who sue for itself as for all other creditors of Richard Trusty, late of Queen Anne's County, deceased, who will come in and contribute to the expense of this suit, complaining, says:

1.- That Richard Trusty, late of Queen Anne's County, aforesaid, departed this life on or about the 30th day of July, 1951, intestate, your Orators being advised that he left no personal property with which to pay his debts and costs of administration, and no administration has ever been granted by the Orphans' Court for Queen Anne's County to administer the estate of the deceased.

2.- That the said Richard Trusty died, intestate, seized and possessed with a fee simple interest in and to the following described real estate, to wit:

ALL that tract, part of a tract, lot or parcel of land situate, lying and being in Church Hill, in the Second Election District of Queen Anne's County, State of Maryland, aforesaid on the south side of New Street and described as follows: Beginning on said New Street, where the property hereby conveyed adjoins the property of Henry Dodd, on the east and running thence along New Street a distance of 503 feet 6 inches to a point 53 feet 6 inches from where the land of said Horace Bateman joins the land of William G. Daniels; thence in a southerly direction to the millpond at a point marked by a stone; thence with the lines of the mill pond to the land of Henry Dodd and thence in a northerly direction with the divisional line between the property hereby conveyed and the land of Henry Dodd to the aforesaid place of beginning on New Street, containing 2 roods, 18 perches of land, more or less.

BEING the same lot or parcel of land granted and conveyed unto Richard Trusty by Horace Bateman and wife by deed dated the 16th day of November, 1925, and recorded among the land records aforesaid in Liber B.H.T. No. 4, folio 346, a certified copy of said deed being filed herewith, marked Complainant's Exhibit 1, and prayed to be made a part hereof.

3.- That the said Richard Trusty died intestate, seized and possessed of an undivided one third interest, as an heir at law of his father, Daniel Trusty, deceased, late of Queen Anne's County, who predeceased his son, in and to the following described real estate, to wit:

ALL that lot or parcel of land called or known as "Lot No. 34 of the "Trust Estate of Joseph Guest", situate, lying and being in or near the town of Church Hill, Queen Anne's County, State of Maryland, on the south side of New Street, bounded by the Mill Pond and the land of or formerly of Mary E. Clough, and contained within the following metes and bounds, courses and distances according to the Deed hereinafter referred to, to wit:

BEGINNING for the same on the south side of said New Street where said Lot No. 34 and Lot No. 33 of said Joseph Guest Trust Estate Property corner, and running thence with the division line between said lots south forty nine degrees west to the Mill Pond; thence with the east side of the Mill Pond south seventy-five degrees east, to the ravine; thence north forty-six degrees thirty minutes east, seven perches; thence north fifty-five degrees thirty minutes east, eleven and seven-tenths perches to New Street and thence with New Street six and one-half perches to the place of beginning, containing two roods and thirty-nine perches of land, more or less;

BEING the same lot or parcel of land granted and conveyed unto Daniel Trusty by Helen Constantia Brown, et. al., by deed bearing date the 24th day of December, 1920, and recorded in Liber J.F.R. No. 6, folio 144, a Land Record Book for Queen Anne's County, Maryland.

BEING ALSO the same lot or parcel of land of which Daniel Trusty died seized and possessed, intestate, survived by Richard Trusty, his son, Julia E. Trusty Craig, his daughter, and Daniel Isiah Trusty, a grandson and the son of Elmer Trusty, a deceased son, as his only heirs at law, a certified copy of said deed being filed herewith, marked Complainant's Exhibit 2, and prayed to be made a part hereof.

4.- That the estate of Daniel Trusty is now being administered by the Orphans' Court for Queen Anne's County, and that Harry C. Butler was granted letters of administration thereon by said Court, as will more fully appear by reference to a certified copy thereof filed herewith, marked Complainant's Exhibit 3, and prayed to be made a part hereof.

5.- That Richard Trusty left surviving as his only heirs at law, Elizabeth Trusty, his wife, Julia E. Trusty Craig, his sister, and Daniel Isiah Trusty, a nephew, and the child of Elmer Trusty, a deceased brother.

6.- That the combined value of the lot of which Richard Trusty died seized and possessed in fee simple and of his interest in the estate of his father, Daniel Trusty, is less than Two Thousand Dollars, and therefore, under the provisions of Article 93, Section 130 of the Annotated Code of Maryland, the said Elizabeth Trusty, widow, is entitled to the whole estate of her deceased husband, Richard Trusty.

7.- That the County Commissioners of Queen Anne's County contributed to the support and maintenance of the said Richard Trusty at the Camp Ritchie State Hospital and the Deer's Head State Hospital from June, 1950, to July 1951, for which contributions provided and paid, the estate of Richard Trusty became indebted unto the County Commissioners in the sum of Three Hundred Five and 25/100 Dollars (\$305.25)

8.- That your Orator is advised that there is no personal estate of the said Richard Trusty, deceased, sufficient to pay his debts, and that your Orator and the other creditors of said deceased are entitled to have their claims paid out of the real estate of said deceased.

TO THE END, THEREFORE:

(a) That the said real estate of Richard Trusty, 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 the deceased.

(b) That your Orator may have such other and further relief as its case may require.

And as in duty bound, etc.

JOHN PALMER SMITH
John Palmer Smith
Solicitor for Complainant

Filed May 27, 1952

Complainants' Exhibit No. 1
Filed May 27, 1952

.....
#11,618. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty-ninth day of November, in the year nineteen hundred and twenty five, the following Deed was brought to be recorded, to wit:

THIS DEED, made this sixteenth day of November, in the year nineteen hundred and twenty five, by Horace Bateman, of Queen Anne's County, State of Maryland, and Martha Bateman, his wife, of New York City, in the State of New York.

WITNESSETH: That for and in consideration of the sum of one hundred and fifty dollars, the receipt thereof being hereby acknowledged, the said Horace Bateman and Martha Bateman, his wife, do hereby grant and convey unto Richard Trusty, of Queen Anne's County aforesaid, his heirs and assigns, in fee simple, all that tract, part of a tract, lot or parcel of land situate, lying and being in Church Hill, in the Second Election District of Queen Anne's County aforesaid, on the South side of New Street, and described as follows: Beginning on said New Street, where the property hereby conveyed adjoins the property of Henry Dodd, on the East, and running thence along New Street a distance of fifty three feet and six inches to a point fifty three feet and six inches from where the land of said Horace Bateman joins the land of William G. Daniels; thence in a southerly direction to the mill pond, at a point marked by a stone; thence with the lines of the mill pond to the land of Henry Dodd, and thence in a northerly direction with the divisional line between the property hereby conveyed and the land of Henry Dodd to the aforesaid place of beginning, on New Street containing two roods and eighteen perches of land, more or less, and being a part of the land (intended to be one half) that was conveyed unto said Horace Bateman by Charles Wilson by deed dated the tenth day of June, nineteen hundred and nine, and recorded in Liber S.S. No. 6, folio 328, a land record book for Queen Anne's County.

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

AND the said Horace Bateman hereby covemants 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: AS TO HORACE BATEMAN Horace Bateman (SEAL)
S. Katherine Fowler.
WITNESS: AS TO MARTHA BATEMAN Martha Bateman (SEAL)
Jacob S. Schreider.

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

I hereby certify that on this twenty eighth day of November, in the year nineteen hundred and twenty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Horace Bateman, and acknowledged the within and aforegoing deed to be his act.

In Testimony whereof I hereunto subscribe my name and Notarial Seal affix, the day and year herein last above written.

NOTARY PUBLIC SEAL.

S. Katherine Fowler NOTARY PUBLIC

STATE OF NEW YORK, NEW YORK CITY, TO WIT:

I hereby certify that on this 23rd. day of November, in the year nineteen hundred and twenty five, before me, the subscriber, a Commission of Deeds of the City of New York, in and for New York City, personally appeared Martha Bateman and acknowledged the within and aforegoing deed to be her act.

In testimony whereof I hereunto subscribe my name and Seal affix, the day and year herein last above written.

Seal's Place.

Jacob S. Schreider.

Commissioner of Deeds. New York City. New York County Clerk's No. 639, Reg. No. 75270 Commission expires Dec. 18, 1925.

One 50-ct. Int. Rev. Stamp, edorsed: HB MB Nov. 28/25

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

I hereby certify that the aforegoing is truly taken and copied from Liber B. H. T. No. 4, folios 346 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 May in the year nineteen hundred and fifty-two.

Seal's Place

T. SORDEN PIPPIN Clerk

Complainants' Exhibit No. 2 Filed May 27, 1952

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the fifth day of January, in the year nineteen hundred and twenty one the following Deed was brought to be recorded, to wit:-

THIS DEED, made this twenty fourth day of December, in the year nineteen hundred and twenty, by and between Helen Constantia Brown widow, Anna McCosh Brown, Mary Esther Brown, Nelson Jump Brown and Lola Price Brown, his wife, of Queen Anne's County, State of Maryland parties of the first part, and Daniel Trusty, of same place, party of the second part, WITNESSETH:

That for and in consideration of the sum of fifty dollars, the receipt of which is hereby acknowledged, the said Helen Constantia Brown, Anna McCoch Brown, Mary Esther Brown, Nelson Jump Brown and Lola Price Brown, his wife, do hereby grant and convey unto the said Daniel Trusty, his heirs and assigns forever, in fee simple, all that lot or parcel of land called or known as "Lot No. 34 of the Trust Estate of Joseph Guest" situate, lying and being in or near the town of Church Hill, Queen Anne's County, State of Maryland, on south side of New Street, bounded by the Mill Pond and the land of or formerly of Mary E. Clough, and contained within the following metes and bounds, courses and distances according to the deed hereinafter referred to, to wit:- Beginning for the same on the south side of said New Street where said Lot No. 34 and lot No. 33 of said Joseph Guest trust estate property corner, and running thence with the division line between said lots south forty nine degrees west to the Mill Pond; thence with the east side of the Mill Pond south seventy five degrees east, to the revine; thence north forty six degrees

thirty minutes east seven perches; thence north fifty five degrees thirty minutes east eleven and seven-tenths perches to New Street and thence with New Street six and one-half perches to the place of beginning, containing two roods and thirty nine perches of land, more or less; being the same land and property granted by one Joseph Guest, by deed dated December 17th, 1912, and recorded in Liber W.F.W. No. 2, fols. 437 etc. a land record book of said county, unto John Kirk Brown, now deceased, who died seized and possessed thereof and being a part of the property devised by the said John Kirk Brown, by his last will and testament duly recorded in R.W.T. No. 2, fols. 337, etc. a will record book of said county unto his wife, said Helen Constantia Brown, for life, with remainder unto his children, Anna McCosh Brown, Mary Esther Brown and Nelson Jump Brown, aforesaid, in fee simple, for description of the property of the Trust Estate of Joseph Guest reference is hereby made to Cause No. 622 on the Chancery Docket of the Circuit Court for Queen Anne's County, in Equity.

Together with the roads, rights, ways, waters, privileges, advantages and appurtenances thereunto belonging or in anywise appertaining. And the said parties of the first part covenant that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of said land as may be requisite.

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

Helen Constantia Brown, (SEAL)

Anna McCosh Brown, (SEAL)

Mary Esther Brown, (SEAL)

Nelson Jump Brown, (SEAL)

Lola Price Brown, (SEAL)

Test: John N. Sparks.

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

I hereby certify that on this 24th day of December, in the year nineteen hundred and twenty, before me, the subscriber, a Justice of the Peace of State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Helen Constantia Brown, Anna McCosh Brown, Mary Esther Brown, Nelson Jump Brown and Lola Price Brown, his wife, and they did each acknowledge the foregoing deed to be their respective act.

John N. Sparks.
Justice of the Peace.

Two Fifty Cent Internal
Revenue Stamps, endorsed:
HCB. 12/24/20.

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

I hereby certify that the foregoing is truly taken and copied from Liber J.F.R. No. 6, folio 144, 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 Twenty-seventh day of May in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Complainants Exhibit No. 3
Filed May 26, 1952

PETITION FOR LETTERS OF ADMINISTRATION
REAL ESTATE ONLY

To the Honorable, the Judges of the Orphans' Court of Queen Anne's County:

In the Matter of the Settlement of the Estate of Daniel Trusty late of Queen Anne's County, deceased.

The petition of Harry C. Butler respectfully showeth that Daniel Trusty a resident of Queen Anne's County, State of Maryland departed this life at Church Hill in said County on Monday, the 3rd day of April A.D. 1950, at ----o'clock---M., leaving no last will and testament that has come to the knowlege or possession of your petitioner; that said decedent left surviving him the following heirs-at-law, viz:

Richard Trusty, son, Church Hill, Maryland, of age

Julia Trusty Craig, daughter, 717 N. Dekalb St., N. Philadelphia, Penna.

Daniel Isadore Trusty, son of Elmer Trusty, deceased brother Atlantic City, New Jersey

Therefore your petitioner respectfully applies for Letters of Administration upon the personal estate of said deceased.

Harry C. Butler

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

I hereby certify that on this 20th day of June in the year nineteen hundred and fifty, before the subscriber, the Register of Wills of Queen Anne's County, personally appeared Harry C. Butler, the petitioner named in the above application, and made oath in due form of law that the matters and things stated in the foregoing application are true to the best of his knowledge and belief.

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

In the Orphans' Court for Queen Anne's County, Maryland, Set:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of Petition for Letters of Administration (Real Estate Only) in the estate of DANIEL TRUSTY, late of Queen Anne's County, deceased, as filed and passed in this office on June 20th, 1950 and recorded in Liber E. E. C. No. 2 Folio 130 in Record Book of Petitions and Orders 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
26th day of May 1952.

Seal's Place

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

Seal's Place

THE STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, Set:

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 on REAL ESTATE ONLY DANIEL TRUSTY, late of Queen Anne's County, deceased, were on the 20th day of June in the year of our Lord one thousand nine hundred and fifty granted and committed unto Harry C. Butler who was then and there appointed ADMINISTRATOR of the said deceased, and that said letters are at this date in full force and effect.

Seal's Place

IN TESTIMONY WHEREOF, I hereunto sub-
scribed my name and affix the Seal of
my office, this 26th day of May in the
year of our Lord, nineteen hundred and
fifty-two.

Test:

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

County Commissioners of
Queen Anne's County, a
body politic

vs.

Elizabeth Trusty
Harry C. Butler, administrator
of Daniel Trusty, deceased

IN THE
CIRCUIT COURT

FOR
QUEEN ANNE'S COUNTY

IN EQUITY

No. 3794

Mr. Clerk:

Please enter the appearance of Vachel A. Downes, Jr., as solicitor
for the complainant.

JOHN PALMER SMITH
John Palmer Smith
Solicitor for Complainant

Filed May 26, 1952

Subpoena
Filed May 31, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Elizabeth Trusty
R.F.D. Millington, Maryland

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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of The County Commissioners of Queen Anne's County, a body politic of the 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 5th. day of May, 1952.

Issued the 26th. day of May, 1952.

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 John Palmer Smith

Vachel A. Downes Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

Subpoena

Filed May 31, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Harry C. Butler, Administrator of the estate of
Daniel Trusty, deceased,
Centreville, Maryland

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 fifteen days thereafter cause your answer or other defense to be filed to the complaint of The County Commissioners of Queen Anne's County, a body politic of the 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 5th. day of May, 1952.

Issued the 26th. day of May, 1952.

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 John Palmer Smith

Vachel A. Downes Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

Answer of Elizabeth Trusty
Filed June 2, 1952

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY, ETC.,

Complainant.

vs.

ELIZABETH TRUSTY, et al.,

Defendants.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. 3794.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Elizabeth Trusty, adult, to the Creditor's Bill of Complaint filed in the above cause against her in this Court exhibited:

This Defendant, Elizabeth Trusty, an adult, admits the matters and facts set forth in said Bill of Complaint and does consent to the passage of such decrees or orders as may be passed in the premises; said 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 or by a Special Examiner appointed by this Court as she does not choose to appear to offer evidence in the premises; and said Defendant does hereby submit the papers in this 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:

L. H. MEREDITH
L. H. Meredith

ELIZABETH TRUSTY
Elizabeth Trusty.
Defendant improper person.

Filed June 2, 1952

Answer
Filed Aug. 15, 1952

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Complainant

VS.

ELIZABETH TRUSTY, et. al.
Defendants

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3794

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Harry C. Butler, Administrator of the estate of Daniel Trusty, deceased, to the Creditor's Bill of Complaint filed in the above cause against him in this Court exhibited, says:

1. That he has no knowledge of the matters and facts alleged in paragraph one of said Bill, and can neither admit nor deny the same.

2. That he has no knowledge of the matters and facts alleged in paragraph two of said Bill, and can neither admit nor deny the same.

3. That he admits the allegations set forth in paragraph three of said Bill of Complaint.

4. That he admits the allegations set forth in paragraph four of said Bill of Complaint.

5. That he has not knowledge of the matters and facts alleged in paragraph five of said Bill, and can neither admit nor deny the same.

6. That he has no knowledge of the matters and facts alleged in paragraph six of said Bill, and can neither admit nor deny the same.

7. That he has not knowledge of the matters and facts alleged in paragraph seven of said Bill, and can neither admit nor deny the same.

8. That he has no knowledge of the matters and facts alleged in paragraph eight of said Bill, and can neither admit nor deny the same.

And as in duty bound, etc.

HARRY C. BUTLER
Harry C. Butler, Administrator of the estate of Daniel Trusty, deceased.

Service of copy admitted, August 12, 1952

VACHEL A. DOWNES JR.

Filed Aug. 15, 1952

Report of Examiner and Depositions
Filed June 13, 1953

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

vs.

ELIZABETH TRUSTY, et. al.

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY No. 3794

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, Solicitor for the Plaintiff, of his desire to take testimony in this cause, did meet in the office of Vachel A. Downes, Jr., on Friday, June 12, 1953, at 3:00 o'clock, p.m., for the purpose of taking testimony, written notice of the same having been waived by the defendants, and I did then and there proceed, after administering the oath to the witnesses, take the following testimony, to wit:

Respectfully submitted,

RICHARD T. EARLE
Richard T. Earle, Examiner

Maurice Smith, of lawful age, being sworn and examined, did depose and say:

Q. 1. State your name, age, residence, and occupation.

A. Maurice E. Smith, age 54, residing at Church Hill, Maryland, occupation: auto sales and service.

Q. 2. Do you know Elizabeth Trusty, wife of Richard Trusty, deceased, Julia E. Trusty Craig, sister of said deceased, Daniel Isiah Trusty, nephew of said deceased and child of Elmer Trusty, and Daniel Trusty, deceased, father of Richard Trusty. If so, how long have you known them, and of what relation are they to each other.

A. I only know Elizabeth Trusty and Daniel Trusty and have known them for 35 years. I have heard of Julia Trusty Craig, but I don't know her personally.

Daniel Trusty was the father of Richard Trusty and Julia Trusty Craig. I don't know of any other children of Daniel. I have no knowledge of Daniel Isiah Trusty.

Q. 3. Was Richard Trusty survived by any children or grandchildren at the time of his death. Do you know of any survivors other than those named in the above question number two, or other heirs at law.

A. Richard Trusty had no children that I know of. I know of no other heirs at law of Richard Trusty except his wife, Elizabeth, and his sister, Julia.

Q. 4. Are you familiar with the property owned by Richard Trusty at the time of his death, and if so, how long have you been familiar with said property?

A. Yes. I have been familiar with the property for 35 years.

Q. 5. Are you familiar with the property owned by Daniel Trusty at the time of his death, and if so, how long have you been familiar with said property.

A. Yes. I have been familiar with the property for 35 years.

Q. 6. In your knowledge, who were the survivors or heirs at law of Daniel Trusty at his death.

A. Richard Trusty and Julia Trusty Craig.

Q. 7. Are you the owner of any real estate in this County, have you ever been called upon to appraise real estate in and around the Village of Church Hill, and are you familiar with real estate values in that vicinity.

A. Yes, I own real estate, and have been called upon to appraise real estate, and am familiar with real estate values in the vicinity of Church Hill.

Q. 8. What is your considered opinion of the present fair market value of the real estate of which Richard Trusty died seized and possessed, and give your reasons for such an opinion.

A. I'd say \$1,000.00.

Q. 9. What is your considered opinion of the market value of the real estate owned by Daniel Trusty at his death, and do you know what disposition has been made of such property.

A. Sold to John Wright, I believe, for \$1,000.00

Q. 10. EXAMINER'S SPECIAL

The property could only be sold as a whole, and I do not believe it is capable of divison.

MAURICE E. SMITH
Maurice Smith

John R. Smith, of lawful age, being sworn and examined, did depose and say:

Q. 1. State your name, age, residence and occupation.

A. 1. John R. Smith, age 54, residing at Church Hill, Maryland, occupied as a salesman

Q. 2. Do you know Elizabeth Trusty, Julia E. Trusty Craig, Daniel Isiah Trusty, and Daniel Trusty, deceased. If so, what relation are they to each other and how long have you known them.

A. I know all of these parties personally except Daniel Isiah Trusty, I have known Elizabeth Trusty and Daniel Trusty for twenty years and Julia Craig for two or three years.

Daniel Trusty was the father of Richard Trusty and Julia Craig and Elmer Trusty. Elizabeth Trusty was the wife of Richard Trusty. I think Daniel Isiah Trusty is the son of Elmer Trusty, and the grandson of Daniel Trusty.

Q. 3. Was Richard Trusty survived by any childred or grandchildren at the time of his death. Do you know any survivors or heirs at law other than those persons named in question two above.

A. Richard Trusty had no children at all during his marriage that I know of. I have no knowledge of any other heirs at law or survivors.

Q. 4. In your knowledge, who were the survivors or heirs at law of Daniel Trusty at the time of his death.

A. Richard Trusty, Julia Craig and Daniel Isiah Trusty, that I know of

Q. 5. Are you familiar with the property owned by Richard Trusty at the time of his death, and if so, how long have you been familar with said property.

A. Yes, I know the property, and have been familar with it for 20 years.

Q. 6. Are you familar with the property owned by Daniel Trusty at the time of his death, and if so, how long have you been familar with said property.

A. Yes, I know the property and have been familar with it for 20 years.

Q. 7. Are you the owner of any real estate in this County, have you ever been called upon to appraise real estate in and around Church Hill, and are you familar with real estate values in that vicinity.

A. Yes, I own real estate in Queen Anne's County, have appraised real estate in and around Church Hill, and feel that I am familar with real estate values in that vicinity.

Q. 8. What is your considered opinion of the present fair value of the real estate of which Richard Trusty died seized and possessed, giving your reasons for such an opinion.

A. About One Thousand Dollars, because the house is in fair shape and the lot is fair sized.

Q. 9. Do you know what disposition has been made of the real estate of which Daniel Trusty died seized and possessed, and what is your considered opinion of the value of such property.

A. I've heard that it was sold to John Wright. In my opinion I think this property was worth about One Thousand Dollars also.

Q. 10. EXAMINER'S SPECIAL.

This lot has only one house on it, and I don't see how just part of it could be sold. I think the whole thing would have to be sold

JOHN R. SMITH
John R. Smith

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

Richard T. Earle, Examiner \$10.00

John R. Smith, Witness

Maurice Smith, Witness

Respectfully submitted,

RICHARD T. EARLE
Richard T. Earle, Examiner

AGREEMENT AND STIPULATION

It is hereby stipulated and agreed that I, Harry C. Butler, Administrator of Daniel Trusty, deceased, being a defendant in a chancery cause pending before the Circuit Court for Queen Anne's County, In Equity, entitled "The County Commissioners of Queen Anne's County vs. Elizabeth Trusty, et. al." being Chancery number 3794, do hereby waive any and all formal written notice of the taking of testimony or depositions by the plaintiff and other witnesses under the General Rules of Practice and Procedure, and the said Elizabeth Trusty, has waived notice of the taking of testimony in this cause by her answer filed herein on the 2nd day of June, 1952.

HARRY C. BUTLER
Harry C. Butler, Administrator
of Daniel Trusty, deceased.

DECREE
Filed July 13, 1953

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

IN THE CIRCUIT COURT

FOR

VS.

QUEEN ANNE'S COUNTY

ELIZABETH TRUSTY, et. al.

IN EQUITY No. 3794

* * * * *

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, this 13th day of July, 1953, by the Circuit Court for Queen Anne's County, In Equity, ADJUDGED, ORDER and DECREED that the real estate mentioned and described in the proceedings be sold and that Vachel A. Downes, Jr., of Queen Anne's County, State of Maryland, be and he is hereby appointed trustee to make said sale.

And it is further ADJUDGED, ORDERED and DECREED as follows:

That before proceeding to make any sale hereunder, said Trustee shall first file with the Clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland, to be executed by himself, with surety or sureties thereon to be approved by this Court, or the Clerk thereof, in the penalty of Two Thousand Dollars (\$2,000.00), if corporate surety be given, and in double that amount if personal surety be given, conditional for the faithful performance of the trust reposed in him by the decree or which may be reposed in him by any future decree or order in the premises.

That said Trustee shall advertise the time, place, manner and terms of sale in some 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 (1/3) of the purchase price in cash and two-thirds (2/3) 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 final ratification of said sale, and upon full payment of the purchase money, and not before, 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 to be free, clear and discharged of all claims of the parties to this cause and the other creditors of Richard Trusty, deceased, or of those claiming by, through or under him.

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 the said Trustee as a 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 Richard Trusty, deceased, requiring them to file their claims against said deceased with the Clerk of this Court within ninety (90) days of the date of the first insertion or be excluded from participating in the proceeds of said sale.

WM. R. HORNEY
Judge

Filed July 13, 1953

Certified Copy of Bond
Filed July 13, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Thirteenth day of July in the year nineteen hundred and fifty three, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That I, Vachel A. Downes, Jr., of Centreville, Queen Anne's County, State of Maryland, as Principal, and GLENS FALLS INDEMNITY COMPANY, a body corporate, of the State of New York, and duly authorized to transact business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Two Thousand Dollars (\$2000.00), 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, and successors, jointly and severally, firmly

by these presents, sealed with our seals, and dated this 13 day of July, in the year nineteen hundred and fifty-three.

WHEREAS, the above bounden, Vachel A. Downes, Jr., by virtue of a decree of the Circuit Court for Queen Anne's County, In Equity, has been appointed trustee to sell the property mentioned in the proceedings in the case of The County Commissioners of Queen Anne's County vs. Elizabeth Trusty, et. al., being Chancery Cause No. 3794, now pending in said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden, Vachel A. Downes, Jr., 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 shall be void, otherwise to be and remain in full force and virtue in law.

TEST:

DORIS L. DILLEHUNT

VACHEL A. DOWNES JR (SEAL)
Vachel A. Downes Jr.

ATTEST:

DORIS L. DILLEHUNT

GLENS FALLS INDEMNITY COMPANY

BY: L. HERMAN MEREDITH
L. Herman Meredith,
Attorney Corporate
Seal.

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and Bond filed July 13, 1953

T. Sorden Pippin, Clerk

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

I hereby certify that the foregoing was truly taken and copied from Liber A.S.G.Jr. No. 1, folio 355, 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 Thirteenth day of July in the year nineteen hundred and fifty three.

T. SORDEN PIPPIN
Clerk

TRUSTEE'S SALE
OF VALUABLE
REAL ESTATE
In Church Hill, Maryland

By virtue of the power and authority contained in a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 13th day of July, 1953, in Chancery Cause No. 3794, entitled "The County Commissioners of Queen Anne's County vs. Elizabeth Trusty, et. al." the undersigned trustee named therein will offer at public auction to the highest bidder in front of the Court House door in the town of Centreville, Queen Anne's County, Maryland, on TUESDAY, AUGUST 11, 1953 At 1:30 o'clock pm (Daylight Saving Time), the following property, to wit:

ALL that tract, part of a tract, lot or parcel of land situate, lying and being in Church Hill, in the Second Election District of Queen Anne's County State of Maryland, aforesaid on the South side of New Street and described as follows: Beginning on said New Street, where the property herein described adjoins the property of Henry Dodd, on the East, and running thence along New Street a distance of 53 feet 6 inches to a point 53 feet 6 inches from where the land of said Horace Bateman joins the land of William G. Daniels; thence in a Southerly direction to the mill pond at a point marked by a stone; thence with the lines of the millpond to the land of Henry Dodd and thence in a Northerly direction with the divisional line between the property herein described and the land of Henry Dodd to the aforesaid place of beginning on New Street, containing 2 roods, 18 perches of land, more or less; BEING the same lot or parcel of land granted and conveyed unto Richard Trusty by Horace Bateman and wife by deed dated the 16th day of November, 1925, and recorded among the Land Records of Queen Anne's County in Liber B.H.T. No. 4, folio 346.

TERMS OF SALE Immediate possession, whole price may be paid in cash on day of sale, or one-third of purchase money may be paid in cash on day of sale, the balance on final ratification of sale, said balance to bear interest from day of sale and to be secured to trustee's satisfaction; title papers and costs of recording deeds to be at purchasers expense. Taxes will be pro-rated as of day of sale. Costs of deed and transfer to be at purchaser's expense.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Aug. 12, 1953

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 County Commissioners of Queen Anne's County vs. Elizabeth Trusty, 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 in Centreville, in Queen Anne's County, Maryland, once a week for 4

successive weeks before the 11th day of Aug. 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 16th day of July 1953, and the last insertion on the 6th day of Aug. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Aug. 12, 1953

NOTICE TO CREDITORS

All creditors of Richard Trusty, deceased, are hereby notified that they must file their claims against said deceased person with the Clerk of the Circuit Court for Queen Anne's County, in Equity, within ninety days from the 16th day of July, 1953, or be excluded from participating in the proceeds of sale of the real estate left by said deceased persons.

VACHEL A. DOWNES, JR.
Trustee

J. Elmer Anthony, Auct.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Aug. 12, 1953

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 Richard Trusty 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 Oct. 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 16th day of July 1953 and the last insertion on the 6th day of Aug. 1953

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Aug. 12, 1953

Certified Copy of Bond
Filed Aug. 14, 1953

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Fourteenth day of August in the year nineteen hundred and fifty three, 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, Vachel A. Downes, Jr., of Queen Anne's County, State of Maryland, as principal, and Glens Falls Indemnity Company, a body corporate of the State of New York, and duly authorized to transact business in the State of Maryland, as Surety, are held 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, and successors, jointly and severally, firmly by these presents, sealed with our seals and dated this 14th day of August, 1953.

WHEREAS, the above bounden, Vachel A. Downes, Jr., has by a Decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 13th day of July, 1953, been appointed trustee to sell the property mentioned in the proceedings in a cause entitled "The County Commissioners of Queen Anne's County vs. Elizabeth Trusty, et. al.", Chancery No. 3794, and 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 said Decree; and

WHEREAS, the said Vachel A. Downes, Jr., trustee as aforesaid, has sold said real estate pursuant to the authority conferred on him by said decree at and for the sum of Twenty-Five Hundred Dollars (\$2500.00) 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 bounden, Vachel A. Downes, Jr., 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 shall be void, otherwise to be and remain in full force and effect.

TEST:

VACHEL A. DOWNES JR. (SEAL)
Vachel A. Downes Jr.

JOHN PALMER SMITH

GLENS FALLS INDEMNITY COMPANY

ATTEST:

By L. HERMAN MEREDITH
L. Herman Meredith
Attorney Corporate Seal.

JOHN PALMER SMITH

And at the foot of the foregoing bond is the following endorsement, to wit:

Security approved and Bond filed Aug. 14, 1953.

T. SORDEN PIPPIN, CLERK

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

I HEREBY CERTIFY that the foregoing was truly taken and copied from Liber A.S.G. Jr. No. 1, folio 369, 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 Fourteenth day of August in the year nineteen hundred and fifty three.

Seal's Place

T. SORDEN PIPPIN
Clerk

Report of Sale
Filed Aug. 14, 1953

THE COUNTY COMMISSIONERS

IN THE CIRCUIT COURT

OF

FOR

QUEEN ANNE'S COUNTY

QUEEN ANNE'S COUNTY

vs.

IN EQUITY

ELIZABETH TRUSTY, et. al.

No. 3794

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by Vachel A. Downes, Jr., trustee, appointed to make such sale, unto your Honors, respectfully represents:

1. That pursuant to a decree of this Honorable Court passed on the 13th day of July, 1953, your trustee filed in this cause a bond in the penalty of Two Thousand Dollars (\$2,000.00) and an additional bond in the penalty of One Thousand Dollars (\$1,000.00) both with corporate surety thereon, which said bonds were 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 Queen Anne's Record-Observer, a newspaper printed and published in Queen Anne's County, State of Maryland, for more than three (3) successive weeks prior to the 11th day of August, 1953, as will appear by reference to a Certificate of Advertisement of Sale attached hereto and made 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 in the Town of Centreville, Queen Anne's County Maryland, at 1:30 P.M. (E.S.T.) on Tuesday, August 11, 1953 and sold the same as follows, to wit:

ALL that tract, part of a tract, lot or parcel of land situate, lying and being in Church Hill, in the Second Election District of Queen Anne's County, State of Maryland, aforesaid on the South side of New Street and described as follows: BEGINNING on said New Street, where the property herein described adjoins the property of Henry Dodd, on the East and running thence along New Street a distance of 503 feet 6 inches to a point 53 feet 6 inches from where the land of said Horace Bateman joins the lands of William G. Daniels; thence in a Southerly direction to the millpond at a point marked by a stone; thence with the lines of the millpond to the land of Henry Dodd and thence in a Northerly direction with the divisional line between the property herein described and the land of Henry Dodd to the aforesaid place of beginning on New Street, containing 2 roods, 18 perches of land, more or less, BEING the same lot or parcel of land granted and conveyed unto Richard Trusty by Horace Bateman and wife by deed dated the 16th day of November, 1925, and recorded among the Land Records of Queen Anne's County in Liber B.H.T. No. 4, folio 346, and sold the same unto Anna Wells, at and for the sum of Twenty-Five Hundred Dollars (\$2500.00), she being then and there the highest bidder therefor, and said purchaser has paid in full the purchase price unto your trustee.

4. That, at the time of the first insertion of said advertisement of sale in said newspaper, and each subsequent advertisement of sale, your trustee published in the same newspaper a Notice to the Creditors of Richard Trusty requiring them to file their claims with the Clerk of this Court within ninety (90) days from the 16th day of July, 1953, or be excluded from participating in the proceeds of sale of the real estate left by said deceased person, as will appear by reference to the Certificate of Publication of said Notice to Creditors,

hereto attached and made a part hereof.

Respectfully submitted,

VACHEL A. DOWNES JR.
Vachel A. Downes Jr.

STATE OF MARYLAND

to wit:

QUEEN ANNE'S COUNTY

I HEREBY CERTIFY, that on this 14th day of August, 1953, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Vachel A. Downes, Jr., trustee in Chancery No. 3794, 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 set forth and that the sale made by him, as trustee, and herein reported, was fairly made.

WITNESS my hand and seal.

T. SORDEN PIPPIN
Clerk

Filed Aug. 14, 1953

NISI
Filed August 14, 1953

N I S I

The County Commissioners of
Queen Anne's County

VS.

Elizabeth Trusty, et al.

) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) CHANCERY No. 3794.

ORDERED, This 14th. day of August, A.D., 1953, that the sale of real estate made and reported in this cause by Vachel A. Downes, Jr., Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 21st. 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 20th. day of September next.

The Report states the amount of sales to be \$2500.00

T. SORDEN PIPPIN Clerk

Filed August 14, 1953

NISI

The County Commissioners of
Queen Anne's County

vs.

Elizabeth Trusty, et al.

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

Chancery No. 3794

Ordered, This 14th day of August, A.D., 1953, that the sale of real estate made and reported in this cause by Vachel A. Downes, Jr., trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 21st day of October, 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 20th day of September, next.

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

T. SORDEN PIPPIN, Clerk

True Copy

Test: T. Sorden Pippin, Clerk

Filed August 14, 1953

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Oct. 3, 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of The County Commissioners of Queen Anne's County vs. Elizabeth Trusty, et al a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER as 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 Sept. 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 20th day of Aug. 1953, and the last insertion on the 11th day of Sept. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Oct. 22, 1953

Final Order of Ratification
Filed Oct. 22, 1953

FINAL ORDER OF RATIFICATION

ORDERED, this 22nd day of October, 1953, 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 Vachel A. Downes, Jr., 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 preceding Order Nisi, heretofore filed in this cause, and the trustee is allowed the usual commissions and all expenses incident to the making of said sale, not personal, for which he shall produce vouchers therefor to the Auditor.

WM. R. HORNEY
Judge

Filed Oct. 22, 1953

Audit
Filed Nov. 25, 1953

The County Commissioners of
Queen Anne's County

vs.

Elizabeth Trusty, et al

To the Honorable, The Judge of said Court:

In The Circuit Court For
Queen Anne's County In
Equity No. 3794

The report of J. Thomas Clark, auditor, unto your honor respectfully sets forth:

1. That this account is stated at the request of Vachel A. Downes, Jr., Trustee, who was duly appointed by this Court to make the sale of this real estate and disburse the funds received from the same pursuant to the order of this Court on July 13, 1953.

2. In the within account, Vachel A. Downes, Jr., Trustee, is charged with the proceeds of the sale of certain real estate which one Richard Trusty died seized and possessed, after a petition in the nature of a creditor's bill was filed by the plaintiff, and order of Court decreeing sale of the same. The sale was more than sufficient to satisfy all of the costs of suit and all claims of creditors as allowed, wherein a balance was left for distribution to the deceased heir at law.

3. In the claim filed by E. S. Valliant and Son, Incorporated, interest was not allowed on the open account part of the same, and also in that claim it was set forth by your auditor the facts of moneys due by said claimant to the Clerk of the Circuit Court for Queen Anne's County for costs of satisfying the said judgment, and the commissions authorized by said judgment and appearance fee due Richard T. Earle, attorney of record in said proceeding, Interest was allowed on said judgment from date of entry to date of sale of real estate sold herein.

4. In the claim of Anna Wells, which was in the form of two claims, filed at different time and also an open account, a total of said claim in the sum of \$334.52 was allowed said claimant, after taking her testimony which is attached hereto and made a part hereof. The balance of said claim and which pertained to charges, expenses and services performed for Dan Trusty, the father of the deceased, in the sum of \$223.00 was disallowed, as being not a proper claim against this estate.

5. In accordance with the testimony the deceased left as his only heir at law a widow as far as the amount left for distribution to the heirs at law is concerned, the same being under two thousand dollars. After deducting the payment of the State of the State of Maryland Inheritance Tax of one per cent, the balance was directed to be distributed to his widow.

Respectfully submitted,

J. THOMAS CLARK
Auditor

November 24, 1953.

Filed Nov. 25, 1953

Cause No. 3794

The proceeds of the sale of land reported in this cause, in account with Vachel A. Downes, Jr., Trustee, appointed by this honorable court to make the sale in these proceedings (and vendor of said land)

1953

Cr.

Aug. 11 By gross proceeds of the sale of said land per report of said vendor, to wit:.....\$2,500.00

By interest at 6% per annum on the deferred portion of said proceeds (\$1,666.66) from the day of sale to day of payment thereof, to wit:.....19.44
\$2,519.44

Dr.

Aug. 11 To Vachel A. Downes, Jr., trustee (and vendor) for his commissions for making the sale, per order of court..... \$145.78

To do., for court costs of this cause per clerk's receipt for the same exhibited as follows:
Costs of T. Sorden Pippin, Clerk \$68.05
Costs of Richard T. Earle, Examiner 10.00
Costs of Frank Y. Whiteley, Sheriff 1.50
Appearance fee of John Palmer Smith and Vachel A. Downes, Jr., Attorneys 10.00
Cost of Register of Wills of Queen Anne's County..... 2.00 81.55

To do., for an amount paid J. Elmer Anthony, auctioneer, for crying the said sale, per his receipt for same exhibited..... 35.00

To do., for an amount paid L. Herman Meredith, (Agent), for the premium on the surety or trustee's bond filed by said trustee in this cause, per receipt exhibited..... 15.00

To do., for an amount paid Queen Anne's Record-Observer, for advertising this sale, for advertising the notice to creditors, and for advertising the order nisi passed as to said sale, per receipts for the same exhibited..... 60.00

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 paid Claude Lowery, Treasurer of Queen Anne's County, for taxes levied on property sold hereby for year 1953, per receipt exhibited, less a payment by purchaser in prorating same in the sum of \$1.54, the sum of 7.72

J. THOMAS CLARK
Auditor

November 24, 1953.

Filed Nov. 25, 1953

To J To J. Thomas Clark, Auditor, for stating this audit and account..... 27.00

To balance for distribution prior to allowance of creditor's claims filed, to wit:.....2,142.39
\$2,519.44 \$2,519.44

Cr.

By above balance.....\$2,142.39

Dr.

To Queen Anne's County, in full of its item or claim filed under oath Frances C. Legg, Clerk, on open account against Richard Trusty, deceased, owner of the real estate sold, for hospital maintenance at Ritchie and Deer's Head Hospitals from June, 1950 to July, 1951, the sum of..... \$305.25

To Edgar L. Lane, in full of his claim for the funeral expenses of Richard Trusty, deceased, filed under the oath of Edgar L. Lane against the estate of Richard Trusty, deceased, the sum of..... 475.00

To E. S. Valliant & Son, Inc., in full of its claim filed under the oath of J. Carl Starkey, Secretary, to the same being composed as follows, to wit:

| | | |
|--|--------------|---------------|
| Judgment against Richard Trusty dated Mar 21, 1950, in sum of..... | \$130.00 | |
| Attorney's commissions due Richard T. Earle, attorney of record, per terms of note @ 10% the sum of..... | 13.00 | |
| Interest on said judgment from Mar. 21, 1950 to Aug 11, 1953 at 6% sum of..... | 26.44 | |
| Costs of Court for entering and satisfying the judgment, and an appearance fee in the sum of \$5.00 which has not been paid and is due Richard T. Earle, Attorney of record, and the sum of 25¢ which is due the Clerk of Court, per said Clerk's statement..... | 9.75 | |
| On an open account against estate of Richard Trusty, the sum of | <u>77.75</u> | 256.94 |
| | | |
| To Anna Wells in full of both of original claim and additional claim, both filed under the oath of Anna Wells, in the form of open accounts against the estate of Richard Trusty..... | | <u>334.52</u> |

J. THOMAS CLARK
Auditor

November 24, 1953.

Filed Nov. 25, 1953

| | | |
|--|----------|-------------------------------------|
| To balance for distribution after allowance of said creditors claims, to wit | \$770.68 | |
| | | <u>\$2,142.39</u> <u>\$2,142.39</u> |

Cr.

| | | |
|--|-----------------|-----------------|
| By last above balance..... | \$770.68 | |
| To Edward E. Coursey, Register of Wills for Queen Anne's County in payment of State of Maryland Inheritance Tax on above sum which is to be distributed to deceased's widow at the rate of 1%, the sum of..... | 7.71 | |
| To Elizabeth Trusty, his wife, widow of the deceased, the whole of same or the sum of..... | 762.97 | |
| | <u>\$770.68</u> | <u>\$770.68</u> |

J. THOMAS CLARK
Auditor

November 24, 1953

Filed Nov. 25, 1953

- Q. State your name, age and place of residence.
- A. Anna Wells, 41 years old, and I live at Church Hill, Maryland
- Q. State whether or not you knew the late Richard Trusty.
- A. Yes, I cared for him up to the time he died.
- Q. I hand you here a statement which you have filed in this cause, and which appears to be a claim against the assets of Richard Trusty, deceased, will you please state what it is.
- A. It is a claim that I have against Richard Trusty, and which occurred sometime ago.
- Q. Did you pay the taxes for 1950 and 1951, now will you please state where your receipts are, and on what property these taxes were paid.
- A. They (the receipts) have been lost as well as all my receipts, and I paid these taxes over at the County Treasurer's Office in the Court House in Centreville in cash, in the sum of \$19.52 for both years.
- Q. About the lumber for a room that was added to the house, whose house are you talking about.
- A. That was Richard's house.
- Q. Where did you get the lumber.
- A. Richard got this lumber from a sawmill from a man named Puckett, who sold him rough lumber and I paid for it, that is I lent him the money to pay for it,

which was the sum of \$64.00. Richard did the work himself in adding the room to his house.

A. That was around 1946.

Q. Did you lend Richard any other money for improvements on the house at the time he added the room on to his house?

A. Yes, I lent him \$23.00 for plasterboard which was used for the inside of the room added which was the kitchen and was about the size of 10 by 8 feet. This was during the year 1946 and Richard did the work himself.

Q. Where did the Richard buy the plasterboard?

A. He got the plasterboard up at the Church Hill Lumber Co and I lent him the money for it but did not get any receipt from him.

Q. What is this statement "Repair for the porch" for?

A. Richard got some new sills and also some new flooring from the Church Hill Lumber Company and repaired the porch himself, and the bill came to \$24.00 for the same and I lent him the money to pay for it which came to \$24.00.

Q. What is the statement "Shingles for House" for?

A. Richard shingled the entire house since the roof was bad and leading Richard bought the shingles by sending away to Sears & Roebuck and got the shingles and they came to \$24.00 including the mail charges.

J. THOMAS CLARK
Auditor

November 24, 1953

Q. When was the roof shingled by Richard and when was the porch repaired?

A. It was during the spring of the year in 1944.

Q. What about the visits of Dr. Lowe, that is who did Dr. Lowe come to see, when, and how many visits were made by the Doctor and who paid him?

A. Dr. Lowe came to see Richard when he was sick during the month of January to the middle of June, 1950, and Dr. Lowe came to see Richard one a week for ten weeks and he charged \$10.00 for each visit, and I paid the Doctor each time because Richard didn't have any money.

Q. In your statement you have a bill in the sum of \$30.00 for money for personal use of Richard while in a state institution from June 1950 to July, 1951, will you please elaborate about this?

A. First Richard was down at Salisbury and latter he was in another state hospital on the western shore upon in the mountains, and while he as at both places, he would write to me and ask me for money.

Q. How many time did he write to you and ask you for any money, to the best of your recollection?

A. He would usually write to me and ask me to send him a couple of dollars to get cigarettes and shaving cream, tooth paste and soap and a few other articles; and I gave him \$15.00 when he went to Salisbury and the rest I estimate but I know that he would write and ask me for money about twice a month during the more than a year he was away and it was always for two dollars at a time, and I always sent it to him, and I am sure that during this time I sent him at least \$15.00 more.

Q. Who did you pay the money to for digging Richard's grave and how much did you pay him?

A. I paid the money to Lorenzo Wright, Church Hill the sum of \$10.00, and the graveyard is between Church Hill and Sudlersville. I paid him in cash and didn't get any receipt for it. Lorenzo wouldn't have dug the grave for Richard if I hadn't paid him.

Q. Is there anything else that is not included in you account which you fee that Richard owes you for?

A. Yes, Richard took sick about the first of January 1950 and couldn't work, and he had no money and I took care of him from then until he went away about the last of June. During that time Richard couldn't work and he had no money to buy fuel, food and other items such as cigarettes, shaving cream, and so on. I do not know how much I spent on him, but I do know that I had to pay for everything and he told me that if anything happened to him I would get it back, and I had to pay for everything because he didn't have any money and I estimate that I spent at least \$52.00 for Richard's food, fuel to keep warm by, cigarettes and fuel for cooking, since that was from about the 1st of January, 1950 to the 29th of June, when Richard went away, and I spent over \$3.50 per week for Richard during that time.

Q. Do you have any receipts for any of this money so spent?

A. No, I misplaced them somewhere and I haven't been able to locate them. Some of these things I didn't get any receipt for and other I did and everything I paid was paid by cash.

Q. Where did you get your figures as to the several items of this claim

A. I kept these things all down on a sheet of paper which I still have.

Exam. Sp. No

ANNA WELLS

J. THOMAS CLARK
Auditor

November 24, 1953

Filed Nov. 25, 1953

Nisi Ratification of Audit
Filed Nov. 25, 1953

NISI RATIFICATION OF AUDIT

| | | |
|--|---|-------------------------|
| The County Commissioners of Queen Anne's County |) | IN THE CIRCUIT COURT |
| |) | |
| Vs |) | FOR QUEEN ANNE'S COUNTY |
| |) | |
| Elizabeth Trusty, et al. |) | IN EQUITY |
| |) | Cause No. 3794 |

ORDERED, This 25th. day of November in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 26th. day of December, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 18th. day of December, 1953; in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed November 25, 1953

NISI RATIFICATION OF AUDIT

| | | |
|--|--|--------------------------|
| The County Commissioners of Queen Anne's County | | In the Circuit Court for |
| | | Queen Anne's County |
| vs. | | in Equity |
| Elizabeth Trusty, et al. | | Cause No. 3794 |

Ordered, this 25th day of November, in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by J. Thomas Clark, auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 26th day of December, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 18th day of December, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy
Test: T. SORDEN PIPPIN, Clerk.

Filed Nov. 25, 1953.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Dec. 29, 1953

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 The County Commissioners of Queen Anne's County vs. Elizabeth Trusty, 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 26th day of Dec. 1953 and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 19th day of Nov. 1953, and the last insertion on the 20th day of Dec. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Dec. 29, 1953

Final Ratification of Audit
Filed Dec. 29, 1953

| | | |
|--|--|----------------------|
| COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY | | IN THE CIRCUIT COURT |
| | | FOR |
| vs. | | QUEEN ANNE'S COUNTY |
| ELIZABETH TRUSTY, et.al. | | IN EQUITY no. 3794 |

FINAL RATIFICATION OF AUDIT

ORDERED this 29th day of December, 1953, by the Circuit Court for Queen Anne's County, In Equity, and by the authority of said Court that the within and foregoing Account and Report 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, and Vachel A. Downes, Jr., Trustee, is hereby directed to apply the proceeds of the sale in accordance with and in the manner set forth in said Audit.

WM. R. HORNEY

Judge

Filed Dec. 29, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-eighth day of August in the year nineteen hundred and fifty-one, the following Bill of Complaint was filed for record, to wit:

C A U S E N O. 3747

QUEEN ANNE'S COUNTY
WELFARE BOARD, Centreville,
Maryland,
Complainant,

vs.

WILLIAM BAYNARD, address unknown,
MARY L. DEATON, 83 Carpenter
Street, Woodbury, New Jersey,
and the
UNKNOWN HEIRS OF GEORGE H.
BAYNARD, late of Queen Anne's
County, Maryland, deceased,

Respondents.

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

Cause No. 3747

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 George H. Baynard, late of Queen Anne's County, Maryland, 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 duly provided by the laws of the State of Maryland, unto George H. Baynard in his lifetime in the total sum of \$1,106.69, in the amounts and at the times set forth in an itemized statement filed herewith as a part hereof, marked "Exhibit A", of which total sum your orator has received no part prior to the filing hereof.

2. That the said George H. Baynard died intestate, a widower, and a resident of Queen Anne's County, (although his death actually occurred at Crownsville State Hospital, Crownsville, Maryland), on April 15, 1951, possessed of no personal estate of any intrinsic value, and no letters of administration have been granted upon his estate.

3. That the said George H. Baynard died as aforesaid, seized and possessed of a certain lot or parcel of land situate, lying and being in the Third Election District of Queen Anne's County, near Burrisville, on the left side of the public road running from Burrisville to the road known as the Poplar Grove Road, adjoining lands formerly of Robert Short, containing four (4) acres of land, more or less; being the same land conveyed to the said George H. Baynard by Charles B. Tucker and Florence Scott Tucker, his wife, by deed dated October 11, 1918, and recorded among the land records of said County in Liber J.F. R. No. 1, folios 281, etc., a certified copy of said deed being filed herewith, and prayed to be taken as a part hereof, marked "Exhibit B".

4. That the said George H. Baynard left surviving him a daughter, Mary L. Deaton, one of the respondents herein, and may also have left surviving him a son, William Baynard, one of the respondents herein; but that the whereabouts of the said William Baynard are unknown to your orator, as is the fact of whether or not said William Baynard is living or dead; and that it is also unknown to your orator whether or not the said William Baynard ever married, or has or had any children or descendants.

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 George H. Baynard, 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 Respondents, etc.,

AND as in duty bound, etc.,

QUEEN ANNE'S COUNTY WELFARE BOARD

BY HOWARD WOOD, 3rd
Attorney for Complainant.

Filed Aug. 28, 1951

"Exhibit A"
Filed Aug. 28, 1951

George Baynard
Centreville, Md.

To: Queen Anne's County Welfare Board, Dr.

The Queen Anne's Welfare Board, upon the application of George Baynard, rendered financial assistance to the said George Baynard, in the amounts and at the times as herein stated, to Wit:

| | | | |
|------|---|--|----------|
| 1935 | December | | \$7.69 |
| 1936 | January to December - 12 months @ \$10.00 | | 120.00 |
| 1937 | January to December - 12 months @ \$10.00 | | 120.00 |
| 1938 | January to December - 12 months @ \$10.00 | | 120.00 |
| 1939 | January to December - 12 months @ \$10.00 | | 120.00 |
| 1940 | January to December - 12 months @ \$10.00 | | 120.00 |
| 1941 | January to September - 9 months @ \$10.00 | | 90.00 |
| | October to December - 3 months @ \$15.00 | | 45.00 |
| 1942 | January to May - 5 months @ \$15.00 | | 75.00 |
| | June to December - 7 months @ \$19.00 | | 133.00 |
| 1943 | January to April - 4 months @ \$19.00 | | 76.00 |
| | May to August - 4 months @ \$20.00 | | 80.00 |
| | Total | | .1106.69 |

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

I HEREBY CERTIFY that on this 28th day of August, 1951, 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.

T. SORDEN PIPPIN
Clerk of the Circuit Court for
Queen Anne's County.

Filed Aug. 28, 1951

"Exhibit B"
Filed Aug. 28, 1951

.....
#6652. QUEEN ANNE'S COUNTY, TO WIT:
Be it remembered that on this 14th day of October, in the year nineteen hundred and eighteen, the following DEED was brought to be recorded, to wit:

THIS DEED, made this eleventh day of October, in the year nineteen hundred and eighteen, by Charles E. Tucker, and Florence Scott Tucker, his wife, of Queen Anne's County, State of Maryland;

WITNESSETH that for and in consideration of the sum of TWO HUNDRED AND FIFTY DOLLARS (\$250.00), receipt of which is hereby acknowledged, the said Charles E. Tucker and Florence Scott Tucker, his wife, do hereby grant and convey unto George H. Baynard, of Queen Anne's County, State aforesaid, his heirs and assigns, in fee simple, all that part of a lot of land, situate near Burrisville, in the Third Election District of Queen Annes County, State of Maryland, on the left side of the public road running from Burrisville to the road known as the Poplar Grove Road, adjoining the lands of the late Robert Short and containing about four acres of land, more or less, the land herein conveyed or intended to be conveyed being the same land which was conveyed unto the said Charles E. Tucker by deed of James T. Bright, Attorney, said deed bearing date the twenty-fifth day of October, in the year nineteen hundred and ten, and recorded in Liber S. S. No. 8, folios 572, 7 etc., a land record book for said Queen Anne's County, to which deed and the deeds therein mentioned special reference is hereby made for a fuller and more complete description of land hereby conveyed.

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 wise appertaining.

AND the said Charles E. Tucker covenants that he will warrant specially the land hereby conveyed and that he will issue such other and further assurances of said land as may be requisite or necessary.

WITNESS the hands and seals of the said grantors the day and year first above written:-

Test: C. S. Jump

Charles E. Tucker (SEAL)

FLORENCE SCOTT TUCKER (SEAL)

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

I hereby certify that on this eleventh day of October, in the year nineteen hundred and eighteen, before me, the subscriber, a Justice of the Peace of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Charles E. Tucker and Florence Scott Tucker, his wife, and each acknowledged the foregoing Deed to be their respective act.

C. S. Jump.
Justice of the Peace.

Two \$25 Internal Revenue Stamps.
Endorsed "C.E.T." 10-11-18.

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

I hereby certify that the foregoing is truly taken and copied from Liber J.F.R. No. 1, folio 281, 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-fifty day of August in the year nineteen hundred and fifty one.

Seal's Place

Filed Aug. 28, 1951

T. SORDEN PIPPIN
Clerk

Order of Publication
Filed Aug. 28, 1951

QUEEN ANNE'S COUNTY
WELFARE BOARD, Centreville,
Maryland,
Complainant,

vs.

WILLIAM BAYNARD, address unknown,
MARY L. DEATON, 83 Carpenter
Street, Woodbury, New Jersey,
and the
UNKNOWN HEIRS OF GEORGE H.
BAYNARD, late of Queen Anne's
County, Maryland, deceased,
Respondents.

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

Cause No. 3747

ORDER OF PUBLICATION

The object of the Bill is to procure a decree for the sale of the hereinafter described real estate owned at his death by George H. Baynard for the purpose of applying the net proceeds of sale to the payment of the debts of said George H. Baynard, and for such other and further relief as the complainant may be entitled to.

The Bill alleges that the Complainant disbursed Old Age Assistance payments to George H. Baynard of \$1,106.69, that George H. Baynard died intestate, a widower, and a resident of Queen Anne's County, Maryland, (although his death actually occurred at Crownsville State Hospital, Crownsville, Maryland, on April 15, 1951, possessed of no personal estate of any intrinsic value, that no letters of administration have been granted upon his estate, that said George H. Baynard died seized and possessed of a lot of land, situate near Burrisville in the Third Election District of said County, on the left side of the public road running from Burrisville to the Poplar Grove Road adjoining lands formerly of Robert Short, containing 4 acres, more or less, being the same land conveyed to said George H. Baynard by Charles E. Tucker and wife by deed dated October 11, 1918, and recorded among the Land records of said County in Liber J.F.R. No. 1, folio 281, that said George H. Baynard left surviving him a daughter, Mary L. Deaton, one of the respondents, and may also have left surviving him a son, William Baynard, one of the respondents; but that the whereabouts of William Baynard are unknown to the complainant, as is the fact of whether or not William Baynard is living or dead; and that it is also unknown to the complainant whether or not William Baynard ever married, or has or had any children or descendants.

It is thereupon, this 28th day of August, 1951, by the Circuit Court for Queen Anne's County in Equity, Ordered that the complainant, 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 1st day of October, 1951, give notice to the respondents of the object and substance of the Bill of Complaint and warning them and each of them to be and appear in this court on or before the 17th day of October, 1951, to show cause, if any they have,

why the relief prayed for by the complainant should not be granted.

Attorney for Complainant
Howard Wood, 3rd.
Centreville, Maryland

T. SORDEN PIPPIN
Clerk of the Circuit Court for
Queen Anne's County
in Equity.

Filed Aug. 28, 1951

Certificate of Publication
of Order of Publication
Filed April 16, 1953

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

Cause No. 3747

Queen Anne's County Welfare Board,
Centreville, Maryland
Complainant

vs.

William Baynard, address unknown
Mary L. Deaton, 83, Carpenter
Street, Woodbury, New Jersey,
and the Unknown Heirs of George H.
Baynard, late of Queen Anne's County,
Maryland, deceased.

Respondents

ORDER OF PUBLICATION

The object of the Bill is to procure a decree for the sale of the inafter described real estate owned at his death by George H. Baynard for the purpose of applying the net proceeds of sale to the payment of the debts of said George H. Baynard died intestate, a widower, further relief as the complainant may be entitled to.

The Bill alleges that the Complainant disbursed Old Age Assistance payments to George H. Baynard of \$1,106.69, that George H. Baynard died intestate, a widower, and a resident of Queen Anne's County, Maryland, (although his death actually occurred at Crownsville State Hospital, Crownsville, Maryland), on April 15, 1951, possessed of no personal estate of any intrinsic value, that no letters of administration have been granted upon his estate, that said George H. Baynard died seized and possessed of a lot of land, situate near Burrisville in the Third Election District of said County, on the left cure a decree for the sale of the here Burrisville to the Poplar Gove Road, adjoining lands formerly of Robert Short, containing 4 acres, more or less, being the same land conveyed to said George H. Baynard by Charles E. Tucker and wife by deed dated October 11, 1918, and recorded among the land records of said County in Liber J.F.R. No. 1, folio 281, that said George H. Baynard left surviving him a daughter, Mary L. Deaton, one of the respondents, and may also have left surviving him a son, William Baynard, one of the respondents; but that the whereabouts of William Baynard are unknown to the complainant, as is the fact of whether or not William Baynard is living or dead; and that it is also unknown to the complainant whether or not William Baynard ever married, or has or had any children or descendants.

It is thereupon, this 28th day of August, 1951, by the Circuit Court for Queen Anne's County in Equity, Ordered that the complainant, 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 1st day of October, 1951, give notice to the respondents of the object and substance of the Bill of Complaint and warning them and each of them to be and appear in this court on or before the 17th day of October 1951, to show cause, if any they have, why the relief prayed for by the complainant should not be granted.

T. SORDEN PIPPIN,
Clerk of the Circuit Court for Queen Anne's
County in Equity.

True Copy:
Test: T. SORDEN PIPPIN
Clerk

Filed August 28, 1951.

THE QUEENSTOWN NEWS

Queenstown, Md. Sept. 29, 1951

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeldt, do hereby certify that the Order of Publication in the case

of Queen Anne's County Welfare Board Centreville, Md., Vs. William Baynard, unknown address, Mary L. Deaton, etc., Cause No. 3747 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 1st day of Oct. 1951, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 31st day of Aug. 1951

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed April 16, 1953

Certificate as to Lack of Military
Status of William Baynard by United
States Army
Filed April 16, 1953

CERTIFICATE OF USE UNDER SOLDIERS' AND SAILORS'
CIVIL RELIEF ACT
TO ALL WHOM IT MAY CONCERN

Last Name-First Name-Middle Name and Service Number or other Identifying Data

BAYNARD, William

CERTIFICATE The above named individual(s) has/have not been in the Military
xxx D Service of the United States Army since 27 August 1940.

CERTIFICATION

I hereby certify that the above statement(s) set forth in CERTIFICATE D is/are correct concerning the Military Service of the above named individual(s) in accordance with the provisions of Section 601, Act of Congress approved March 8, 1918, as extended and amended by Section 4, Act of August 27, 1940 (Public Resolution No. 96-76th Congress); and Section 13, Act of September 16, 1940 (Public Law No. 783 - 76th Congress); or Section 601, Act of October 17, 1940 (Public Law No. 861-76th Congress).

Given at WASHINGTON, D.C., Office of The Adjutant General of the Army, this 31st day of December, one thousand nine hundred and fifty-two.

STEPHEN M. PROCTOR
Adjutant General

CERTIFICATE AS TO LACK OF MILITARY
STATUS OF WILLIAM BAYNARD BY
UNITED STATES NAVY
Filed April 16, 1953

SEAL

CERTIFICATE

FOR USE UNDER
SOLDIERS' AND SAILORS' CIVIL RELIEF ACT 1940

To All Whom It May Concern:

In accordance with the provisions of Section 601 of the Act of October 17, 1940, Public, No. 861. 76th Congress, 3d Session, I certify that the records of the Department of the Navy do not show that William Baynard has been in the Naval Service of the United States (exclusive of the United States Marine Corps) at any time since August 27, 1940.

Given at Washington, D.C., Office of the Chief of Naval Personnel, this 16th day of December, one thousand nine hundred and fifty-two.

By direction of Chief of Navy Personnel:

S.J. Karas
S. J. Karas
Assistance Head, Branch EIGHT
Enlisted Services and
Records Division Seal's Place

CERTIFICATE AS TO LACK OF
MILITARY STATUS OF WILLIAM
BAYNARD BY U.S. AIR FORCE
Filed April 16, 1953

CERTIFICATE OF RECORD OF MILITARY SERVICE
(FOR USE UNDER SOLDIERS' AND SAILORS' RELIEF ACT)

TO ALL WHOM IT MAY CONCERN

LAST NAME-FIRST NAME-MIDDLE INITIAL

Baynard, William

is not was never
is now in the Military Service
of the United State Air Force

CERTIFICATION

I certify that the above statements are correct concerning the Military Service of the above named individual in accordance with the provisions of Section 601, Act of Congress approved March 8, 1918, as extended and amended by Section 4, Act of August 27, 1940 (Public resolution No. 96-76th Congress): And Section 13, Act of September 16, 1940 (Public No. 783-76th Congress): Or Section 601, Act of October 17, 1940 (Public No. 861 -76th Congress).

Given at Washington, D.C. Office of the Chief of Staff of the Air Force, this 16th day of December, one thousand nine hundred and fifty-two.

STEPHEN F. HUPKA
STEPHEN F. HUPKA
Captain, USAF
Ass't Air Adjutant General

CERTIFICATE AS TO LACK OF MILITARY
STATUS OF WILLIAM BAYNARD BY UNITED
STATES MARINE CORPS.
Filed April 16, 1953

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON 25, D.C.

In Reply Refer to
DGK-257-nma
3 Oct 1951

CERTIFICATE OF RECORD OF MILITARY SERVICE
for use under
SOLDIERS' AND SAULORS' CIVIL RELIEF ACT OF 1940

TO WHOM IT MAY CONCERN

In accordance with the provisions of Section 601 of the Soldiers' and Sailors' Civil Relief Act approved October 17, 1940, I certify that the records of the Marine Corps Headquarters do not show that William Baynard is or has been since October 16, 1940, on active duty in the United States Marine Corps or the Marine Corps Reserve.

Given under my hand at Washington, District of Columbia, this third day of October 1951.

By direction of the Commandant of the Marine Corps.

L. BURNER
L. BURNER
Head, Records Service Section

Law Offices
Gibson and Wood
Centreville, Maryland

Military Affidavit as to Mary L. Deaton
Filed

QUEEN ANNE'S COUNTY WELFARE BOARD

vs.

WILLIAM BAYNARD, et al.

∫ In the Circuit Court for
Queen Anne's County
∫ in Equity
∅ Cause No. 3747

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

I HEREBY CERTIFY, that on this 16th day of April, 1953, 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 Mary L. Deaton, one the respondents in the above entitled cause, is not in the military service of the United States, nor has she been in such service, as defined by the Solder's and Sailors' Civil Relief Act of 1940, as amended, within six months prior to the filing of the bill of complaint in said cause, nor since the filing thereof, and that this information is gotten from persons who know the respondent.

T. SORDEN PIPPIN
Clerk.

Filed April 16, 1953

Petition for Decree Pro Confesso
Filed April 17, 1953

QUEEN ANNE'S COUNTY WELFARE BOARD,
Complainant,

vs.

WILLIAM BAYNARD, et al.,
Respondents

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

Cause No. 3747.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Queen Anne's County Welfare Board, by Howard Wood, 3rd, its attorney, unto your Honors, respectfully shows:

1. That an order of publication has been duly published against William Baynard, Mary L. Deaton and the Unknown Heirs of George H. Baynard, deceased, the said William Baynard's whereabouts being unknown, if indeed he be living, and the said Mary L. Deaton being a non-resident of the State of Maryland.

2. That your petitioner is advised that it is entitled to have its bill taken pro confesso against the respondents.

Respectfully submitted,

HOWARD WOOD, 3rd
Solicitor for petitioner.

Filed April 17, 1953

DECREE

The proceedings heretofore had in this cause having been read and considered, IT IS THEREUPON, this 17th day of April, 1953, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED and DECREED that the Bill of Complaint heretofore filed herein be and the same is hereby taken pro confesso as against the respondents William Baynard, if he be living, Mary L. Deaton and the Unknown Heirs of George H. Baynard, late of Queen Anne's County, Maryland, deceased; but because it does not certainly appear to what relief the plaintiff is entitled, it is further ADJUDGED, ORDERED and DECREED by this Court that leave be and the same is hereby given unto the complainant to take testimony before one of the standing examiners of this Court to support the allegations of the Bill.

WM. R. HORNEY
Judge

Filed April 17, 1953

Witness Subpoena
Filed May 1, 1953

No. 3747 Chan.
Queen Anne's County Welfare vs. Wm. Baynard et al.

STATE OF MARYLAND

TO THE SHERIFF OF QUEEN ANNE'S CO.

GREETINGS:

You are hereby commanded to summons Perry Ringgold at my office on May 14th, 1953 at 10 A.M. to be and appear before me Circuit Court for Queen Anne's County to testify for the Plaintiff in the above entitled case.

Witness, the Honorable Wm. R. Horney, Chief Judge of said Court
the 5/1 day of 1951

Issued this 5/1 day of 1953

Richard T. Earle Clerk

Attorney

Examiner

Filed May 1, 1953

Certificate of Mailing Notice
of Depositions
Filed May 13, 1953

QUEEN ANNE'S COUNTY
WELFARE BOARD,
Complainant,

vs.

WILLIAM BAYNARD,
MARY L. DEATON, and the
UNKNOWN HEIRS OF GEORGE H.
BAYNARD, deceased.
Respondents

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

Case No.

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Mary L. Deaton, one of the Respondents in these proceedings, to the Bill of Complaint of Queen Anne's County Welfare Board against her in this Court exhibited:

This Respondent, an adult, 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 does hereby waive notice of the taking of testimony in this cause, as she does not choose to appear to offer evidence in the premises; and agrees that, should testimony be required in this cause, it may be taken at any time by one of the standing Examiners of this Court.

And as in duty bound, etc.,

(Mary L. Deaton)

dear sir I rite in reply to your letter about my fathes letter as I an not will I no I cant pay back the money but I will try to get down and see you. I have a cousin perry ringgold who paid the taxes all the time I did not no anny thing about what I had to do for he left him to see to things his name is perry H Ringgold Centerville I will rite him at Md RR #2 once and tell him to come to see you becous he keep the taxes paid out of his money I do wich I could pay all the money back but I have been no sick I no I can not, I would love to hold it if I could but if it have to be sold it will have to be done so the state can get the money back my cousin will be in to seel you and if I have to cone I come when you send me the date I do hope perry will get his money becous he payed the taxes every year - thanks you veryy much for yaur kindness

From mary L deaton
77 Carpenter St
Woodbury N.J.

April 29, 1953

Mrs. Mary L. Deaton
77 Carpenter Street
Woodbury, New Jersey

Dear Mrs. Deaton:

I am writing again about the property near Burrsville, Queen Anne's County, Maryland, of your late father, George H. Baynard, deceased. As Attorney for Queen Anne's County Welfare Board, I am writing to advise you that testimony will be taken to prove the matters in the Board's "Bill of Complaint", of which you received a copy in 1951, at this office on Lawyer's Row, Centerville, Maryland, at 10:00 A.M. Daylight Saving Time, on Thrusday, May 14, 1953, in the presence of Richard T. Earle, one of the regular Examiners of the Court.

As one of the interested parties, you have a right to be present at the taking of this testimony if you wish to; but your attendance is not required.

Perry Ringgold will be present to testify to matters in his knowledge.

Yours very truly,

Howard Wood, 3rd

HW/s

Original mailed personally be me on 4/29/53.

H. Wood 3rd.

QUEEN ANNE'S COUNTY WELFARE BOARD

vs.

WILLIAM BAYNARD, et al.

: In the Circuit Court for
: Queen Anne's County
: in Equity
:
: Cause No. 3747

CERTIFICATE OF MAILING NOTICE OF DEPOSITIONS

TO THE HONORABLE THE JUDGES OF SAID COURT:

I, the undersigned, Howard Wood, 3rd, hereby certify, as attorney for the plaintiff, in the above case, that I mailed a copy of the Bill of Complaint to Mary L. Deaton at 83 Carpenter Street, Woodbury, New Jersey, on the day of the filing of said bill, together with a blank form of answer and a letter requesting her to sign and return the answer unless she desired to be present at the taking of testimony in this case, or unless she desired to oppose the sale; that the blank form of answer was returned to me with a letter from Mary L. Deaton written on it and same is attached hereto as part of this certificate; that I wrote and personally mailed a letter to Mary L. Deaton on April 29, 1953 giving her notice of the taking of testimony in this case, a copy of said letter being attached hereto, and have received no reply to the same.

HOWARD WOOD, 3rd.
Howard Wood, 3rd

Witness Subpoena
Filed May 13, 1953

No. 3747 Chancery

Queen Anne's County Welfare Board

vs.

William Baynard, et al.

STATE OF MARYLAND

TO THE SHERIFF OF QUEEN ANNE'S CO.

Greetings:

You are hereby commanded to summons Perry Ringgold Summoned Frank Y. Whiteley, Sheriff to be and appear before Richard T. Earle Examiner, at his office on May 14, 1953, at 10 o'clock A.M. D.S.T. to testify for the Plaintiff in the above entitled case.

Witness, the Honorable Wm. R. Horney, Chief Judge of said Court the 2nd. day of March 1953.

Issued this 1st. day of May 1953.

T. SORDEN PIPPIN, Clerk

Attorney for Plaintiff
Howard Wood, 3rd.

Filed May 13, 1953

Report of Examiner and Depositions
Filed May 14, 1953

| | | |
|-----------------------------------|---|--------------------------|
| QUEEN ANNE'S COUNTY WELFARE BOARD | : | In the Circuit Court for |
| | : | Queen Anne's County |
| vs. | : | in Equity |
| | : | |
| WILLIAM BAYNARD, et al. | : | Cause No. 3747 |

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

TO THE HONORABLE THE JUDGES OF SAID COURT:

The solicitor for the plaintiff, 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 14th day of May, 1953, in the law office of Gibson and Wood in the town of Centreville, Queen Anne's County, Maryland, at the hour of 10 o'clock a.m., there being present Mary H. Davis, Director of the Queen Anne's County Welfare Board, plaintiff, Perry H. Ringgold, and Cleo C. Green, stenographer, Howard Wood, 3rd, having been called out of town unexpectedly, and your examiner proceeded to take the following testimony, to wit:

Respectfully submitted

Richard T. Earle
One of Standing Examiners

Mary H. Davis, the first witness, of lawful age, produced on the part of the plaintiff, being duly sworn and examined, did depose and say:

BY MR. EARLE:

Q. Please state your name, age and occupation.

A. Mary H. Davis, 39 years, 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 George H. Baynard, late of Burrisville, near Centreville, Queen Anne's County, Maryland, deceased, received Old Age Assistance payments from said board or not?

A. He 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 George H. Baynard?

A. I have.

Q. Has there been any payment made to the board on this account since you prepared it?

A. No.

Q. I hand you your sworn statement of said account as of August 28, 1951, in the sum of \$1106.69, filed in this case as "Exhibit A". Is this nor not a correct statement of the account as it is presently outstanding, and if not please indicate what, if any, amendments must be made to correct it.

A. This is a correct statement.

EXAMINER'S SPECIAL

A. No.

MARY H. DAVIS
Mary H. Davis

Perry H. Ringgold, the second witness, of lawful age, produced on the part of the plaintiff, being duly sworn and examined, did depose and say:

BY MR. EARLE:

Q. Please state your name, address, age and occupation.

A. Perry H. Ringgold, 62 years old, Centreville R.F.D., carpenter.

Q. Did you know George H. Baynard, and if so, for how long did you know him?

A. I did. I knew George H. Baynard for about fifty years before he died.

Q. Are you related to George H. Baynard, and if so, what is your relationship?

A. Yes. I am a distant relative of George H. Baynard--a third cousin.

Q. Do you know whether George H. Baynard is living or dead, and if dead, about when did he die?

A. I know he's dead. About two years ago.

Q. If dead, do you know where he died?

A. At Crownsville, Maryland.

Q. Do you know of what county he was a resident at the time of his death?

A. Queen Anne's County.

Q. Do you know of any property which George H. Baynard owned, except for land, at the time of his death?

A. I do not.

Q. If you know of any property except land, describe it and give your estimate of its value, if any.

A. None.

Q. Do you know whether or not George H. Baynard left a will?

A. I never heard of any will.

Q. Do you know whether or not George H. Baynard owned real estate at the time of his death? If so, State the located and type of property.

A. Yes he did. He owned a little home on the left side of the public road from Burrisville to the road known as the Poplar Gove Road, adjoining the land of Robert Short, who is now dead. It contained about four acres of land.

Q. I now hand you a copy of a deed filed in this case, from Charles E. Tucker and Florence Scott Tucker, his wife, to George H. Baynard, dated October 11, 1918. Can you state, from this deed, whether or not the land therein described is same land which you have stated that George H. Baynard owned at his death in fee simple?

A. I can; it is the same land which George Baynard owned when he died.

Q. Are you or not familiar with the land described in the deed which I have shown you, and which George H. Baynard owned at the time of his death?

A. Yes.

Q. Are you or not familiar with the value of other land in the same neighborhood?

A. Yes.

Q. Are you yourself the owner of real estate located near Burrisville, Queen Anne's County, Maryland?

A. Yes

Q. What is your considered opinion of the present fair market value of the lot of land and house owned by George H. Baynard at the time of his death?

A. Worth about a couple of hundred dollars. The house is not fit to live in and the land is covered with second growth timber which is very small.

Q. Did George H. Baynard leave a widow surviving him?

A. He did not. His wife died first.

Q. What children, if any, did George H. Baynard leave surviving him. If any, state whether they are adults, and whether or not you know them, and if so for how long.

A. Mary L. Deaton, a daughter, who lives in New Jersey. He had a son, William Baynard; I don't know where he is, or whether he is living or dead. Mary Deaton is an adult and William Baynard, if he is alive, is too. I have known them from the time they were very small children.

Q. Do you know whether William Baynard, son of George H. Baynard, is living or dead, and do you know his whereabouts?

A. I do not know.

Q. Do you know whether or not William Baynard ever married?

A. I do not know that.

Q. Do you know whether or not William Baynard has, or ever had, any children or descendants?

A. No.

Q. Do you know the whereabouts of Mary L. Deaton, daughter of George H. Baynard?

A. I do. She lives at 77 Carpenter Street, Woodbury, New Jersey.

EXAMINER'S SPECIAL:

A. No.

PERRY H. RINGGOLD
Perry H. Ringgold

Mr. Wood, atty. for the plaintiff not desirous of taking further depositions the same is hereby filed.

Two witnesses waived expenses and witness fee.
Richard T. Earle, Examiner-----\$10.00

RICHARD T. EARLE
One of Standing Examiners

Decree
Filed June 3, 1953

QUEEN ANNE'S COUNTY WELFARE BOARD

vs.

WILLIAM BAYNARD, et al.

||
||
||
||
||

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

Cause No. 3747.

DECREE

The above cause standing ready for hearing, and being submitted without argument on the Bill and other proceedings filed herein, the Bill of Complaint, exhibits, Depositions and other proceedings were, by the Court, read and considered.

IT IS THEREUPON, on this 3rd day of June, 1953, 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 George H. Baynard, 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 Twenty-Five Hundred Dollars (\$2,500.00).

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-third 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 George H. Baynard, deceased, or of those claiming by, through or under them or any of them.

That the 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 George H. Baynard, deceased, requiring them to file their claims against said decedent 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

Filed June 3, 1953

Certified Copy of Bond
Filed June 3, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Third day of June in the year nineteen hundred and fifty-three, 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, 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 Two Thousand Five Hundred Dollars (\$2,500.00) 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 3rd day of June, 1953;

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 3rd day of June, 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. William Baynard, et al., Defendants", being Cause No. 3747 in the Circuit Court for Queen Anne's County in Equity;

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS 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

Corporate Seal

ATTEST:

CAROLINE T. WILSON

HOWARD WOOD, 3rd. (SEAL)

HARTFORD ACCIDENT AND INDEMNITY
COMPANY

BY GIBSON AND WOOD

BY HOWARD WOOD, 3rd
Its Attorneys-in-fact.

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and Bond filed June 3, 1953.

T. Sorden Pippin, 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 338, 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 Third day of June in the year nineteen hundred and fifty-three.

T. SORDEN PIPPIN
Clerk

Report of Sale
Filed July 15, 1953

| | | |
|-----------------------------------|---|--------------------------|
| QUEEN ANNE'S COUNTY WELFARE BOARD | : | In the Circuit Court for |
| | : | Queen Anne's County |
| vs. | : | in Equity. |
| | : | |
| WILLIAM BAYNARD, et al. | : | Cause No. 3747. |

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 3rd day of June, 1953, your Trustee filed a bond in this Cause in the penalty of Twenty-Five Hundred Dollars (\$2,500.00) 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 June 26, 1953, 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 advertisement of sale, your Trustee attended in front of the Court House door in Centreville, Maryland, at 1:30 o'clock P.M., Daylight Saving Time, on Friday, the 26th day of June, 1953, and offered the real estate described in said advertisement for sale at public auction by J. Elmer Anthony, Auctioneer; and that prior to said day, Perry H. Ringgod, a resident landowner in the neighborhood of the property offered for sale, had given his opinion of the value of said property as the sum of Two Hundred Dollars (\$200.00) as will appear by reference to the testimony of said Ringgod in the Depositions filed in this Cause.

4. That at the time and place aforesaid, the only bid made for said property was the sum of Fifty Dollars (\$50.00); and that your Trustee thereupon withdrew said property, refusing to accept the said bid, and announced that he would sell the property at private sale; that since said date your Trustee has made continuous efforts to sell said property at private sale; and that as a result of which efforts, the highest offer which he has been able to solicit for said property is the sum of Two Hundred Dollars (\$200.00).

5. That your Trustee has accordingly accepted said offer and sold said property unto Royden N. Powell and Anna Mae Powell, his wife, as to a one-half undivided interest, and unto Royden N. Powell, Jr., and Roxanna L. Powell, his wife, as to the other one-half undivided interest, all residing in Queen Anne's County, Maryland, subject to the ratification of said sale by this Honorable Court; and that said buyers have paid the sum of Twenty Dollars (\$20.00) on account of such purchase price unto your Trustee, the balance to be paid without interest upon the final ratification of said sale, and taxes to be adjusted as of the day of filing this Report of Sale, when the buyers assume possession of the property.

6. That your trustee believes the said price to be the best price obtainable for the property, the improvements being in a state of collapse.

7. That at the time of the several insertions of said advertisement of sale in said newspaper, your Trustee published in the same newspaper a notice to the creditors of George H. Baynard, deceased, requiring them to file their claims against said decedent with the Clerk of this Court within 90 days of the date of the first publication of said notice, 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 15 day of July, 1953, 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.

T. SORDEN PIPPIN
Clerk

Filed July 15, 1953

TRUSTEE'S SALE OF
REAL ESTATE

The undersigned Trustee, by virtue of a decree of the Circuit Court for Queen Anne's County, in Queen Anne's County, in Equity, passed June 3, 1953, in Cause No. 3747 in said Court, will sell at public sale to the highest bidder, in front of the Court House door in Centreville, Maryland, on FRIDAY, JUNE 26, 1953 Commencing at 1:30 o'clock P.M., Daylight Saving Time, all those lot or parcel of land improved by a frame building, formerly the dwelling property of George H. Baynard, situate near Burrisville in the Third Election District of Queen Anne's County, Maryland, on the left side of the public road leading from Burrisville to Poplar Grove Farm, containing (4) acres of land, more or less; being the same land conveyed to George H. Baynard by Charles E. Tucker and wife by deed dated October 11, 1918, recorded in Liber J.F.R. No. 1, folio 281, 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 of sale by said Court, said balance to bear interest from day of sale and be secured to the Trustee's satisfaction; title papers and cost 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

NOTICE TO CREDITORS

All creditors of George H. Baynard, 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 June 4, 1953, or be excluded from participating in the proceeds of sale of the real estate left by said deceased.

HOWARD WOOD, 3rd
Trustee in Chancery Cause NO 3747

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. July 15, 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Notice to Creditors and Chancery Cause No. 3747 in the case/estate of George H. Baynard 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 2 day of Sept 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 4 day of June 1953, and the last insertion on the 25 day of June 1953.

THE QUEEN ANNE'S RECORD AND
OBSERVER PUBLISHING COMPANY

By DOLORES DADDS

Filed July 15, 1953

Order Nisi
Filed July 15, 1953

N I S I

Queen Anne's County Welfare Board

Vs.

William Baynard, et al.

) IN THE CIRCUIT COURT

) FOR QUEEN ANNE'S COUNTY

) IN EQUITY

) CHANCERY NO. 3747

ORDERED, This 15th day of July A.D., 1953, 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 22nd 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 22nd day of August next.

The Report states the amount of sales to be \$200.00

T. SORDEN PIPPIN Clerk

Filed July 15, 1953

Certificate of Publication of
Order Nisi on Sale.
Filed Oct. 2, 1953

NISI

Queen Anne's County Welfare Board

vs.

William Baynard, et al.

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

Chancery No. 3747

ORDERED, This 15th day of July, A.D., 1953, 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 22nd 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 22nd day of August, next.

The Report states the amount of sales to be \$200.00.

T. SORDEN PIPPIN, Clerk.

True Copy
Test: T. SORDEN PIPPIN, Clerk
Filed: July 15, 1953.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. October 2 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the NISI in the case/estate of Queen Anne's County Welfare Board vs. William Baynard Chancery No. 3747 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 22 day of Aug 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 23 day of July 1953, and the last insertion on the 13 day of Aug 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

BY DOLORES DADDS

Filed Oct. 2, 1953
ORDER OF
FINAL/RATIFICATION OF SALE
Filed Oct. 2, 1953

QUEEN ANNE'S COUNTY WELFARE BOARD,
Complainant,

vs.

WILLIAM BAYNARD, et al.,
Respondents.

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

Cause No. 3747.

FINAL ORDER OF RATIFICATION OF SALE

ORDERED, this 2nd day of October, 1953, 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 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 the proceedings in the above entitled cause be forthwith referred to the regular Auditor of this Court to state an audit of the proceeds of said sale; 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 vouchers therefore before the Auditor.

WM. R. HORNEY
Judge

Filed Oct. 2, 1953

Audit
Filed Dec. 14, 1953

Queen Anne's County Welfare Board

vs.

William Baynard, et al

InThe Circuit Court For
Queen Anne's County In
Equity Cause No. 3747

To The Honorable, The Judges of said Court:

The report of J. Thomas Clark, auditor, unto your honor respectfully represents:

- 1. That the within account is stated at the request of Howard Wood, 3rd, Trustee, who was duly appointed by this Court to make the sale of this real estate and disburse the funds received from said sale, pursuant to the order of this Court of June 3, 1953.

2. In the within account, Howard Wood, 3rd, Trustee, is charged with the proceeds of the sale of certain real estate which one George H. Baynard, deceased, died seized and possessed, after a petition in the nature of a creditor's bill was filed by the plaintiff and order of court authorizing the same. The real estate sold in these proceedings, after being offered at public sale and withdrawn because of the insufficiency of the bid, was sold at private sale. The proceeds of the sale in these proceedings are only sufficient to pay the expenses of this cause, with no surplus for distribution to the petitioning creditor.

3. The trustee herein was allowed expenditures as follows: the several advertising costs, the court costs, taxes for the years 1951 through 1953, including interest charges on the same, commissions per order of court; and your auditor charged a fee for his services disproportionate to that provided by law, the same being the proceeds left in account after allowing all other due expenses.

Respectfully submitted,

J. THOMAS CLARK
J. Thomas Clark

December 14, 1953.

Filed Dec. 14, 1953

Cause No. 3747

The proceeds of the sale of land reported in this cause, in accounty with Howard Wood, 3rd, Trustee, appointed by this honorable court to make the sale in these proceedings (and vendor of said land)

Cr.

1953

July 15 By gross proceeds of the sale of said land
per report of said vender, to wit:..... \$200.00

Dr.

July 15 To Howard Wood, 3rd, trustee (and vendor) for
his commissions for making the sale, per
order of court..... \$14.00

To do., for court costs of this cause
per clerk's receipt for the same
exhibited as follows:
Costs of T. Sorden Pippin, Clerk.....\$52.35
Costs of F.Y.Whiteley, Sheriff..... .75
Costs of R. T. Earle, Examiner..... 10.00
Appearance fee of Howard Wood, 3rd..... 10.00 73.10

To do., for an amount paid J. Elmer Anthony,
auctioneer, for crying attempted sale, per
his receipt for same exhibited..... 5.00

To do., for an amount paid Gibson & Wood
(Agent), for the premiums on the surety or
trustee's bond, filed by said trustee in
this cause, per receipt exhibited..... 10.00

To do., for an amount paid Queen Anne's
Record-Observor, for advertising public
sale by this trustee and for advertising
the notice to creditors, per receipt for
the same exhibited..... 40.50

To do., for an amount paid The Queenstown
News for publishing the order of publication
in this cause, per receipt exhibited.... 35.00

To do., for an amount paid the Queen Anne's
Record-Observor, for advertising the order
nisi passed to said sale, per receipt exhibited 7.50

To do., for the costs of advertising the order
nisi to be passed as to this audit in the
Queen Anne's Record-Observor..... 5.00

To do., for an amount paid Claude Lowery,
Treasurer of Queen Anne's County for taxes
levied and interest charges on same on
property sold hereby for years 1951, 1952
and 1953, per receipts exhibited..... 8.25

To J. Thomas Clark, auditor, for stating this
audit..... 1.65

December 14, 1953

\$200.00

\$200.00

Filed Dec. 14, 1953

J. THOMAS CLARK
Auditor

NISI RATIFICATION OF AUDIT
Filed Dec. 14, 1953

NISI RATIFICATION OF AUDIT

| | | |
|-----------------------------------|---|-------------------------|
| Queen Anne's County Welfare Board |) | In the Circuit Court |
| |) | |
| Vs |) | for Queen Anne's County |
| |) | |
| William Baynard, et al |) | In Equity |
| |) | |
| | | Cause No. 3747 |

ORDERED, This 14th day of December in the year nineteen hundred and fifty three that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th day of January, 1954; provided a copy of this order be published once a week in each of two successive weeks before the 2nd day of January, 1954, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed Dec. 14, 1953

Certificate of Publication
of Nisi Audit
Filed Jan. 15, 1954

NISI RATIFICATION OF AUDIT

| | | |
|-----------------------------------|--|--------------------------------|
| Queen Anne's County Welfare Board | | In the Circuit Court for Queen |
| | | Anne's County In Equity |
| vs. | | |
| | | Cause No. 3747 |
| William Baynard, et al | | |

Ordered, this 14th day of December, in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th day of January, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 2nd day of January, 1954; in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy
Test: T. SORDEN PIPPIN, Clerk

Filed Dec. 14, 1953.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Jan. 1954

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 Queen Anne's County Welfare Board Vs. William Baynard, Et. al a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for two successive weeks before the 2nd. day of Jan. 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 17 day of Dec. 1953, and the last insertion on the 24 day of Dec. 1953

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MRS. A. L. MILLS

Filed Jan. 15, 1954

Final Order of Ratification of Audit
Filed Jan. 15, 1954

FINAL ORDER OF RATIFICATION OF AUDIT

ORDERED, this 15th day of January, 1954, 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 J. Thomas Clark, 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 sale accordingly, with a due proportion of interest as the same has been or may hereafter be received.

WM. R. HORNEY
Judge

Filed Jan. 15, 1954

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fifteenth day of July, in the year nineteen hundred and fifty three, the following Order to Docket Suit was filed for record, to wit:--

| | | |
|---|---|----------------------|
| PRESTON P. HECK, Attorney-Assignee Chestertown, Maryland | * | IN THE CIRCUIT COURT |
| | * | FOR QUEEN ANNE'S |
| Vs. | * | COUNTY, MARYLAND |
| THOMAS B. CAHALL and BETTY MARIE CAHALL, his wife, and HERBERT STEEL and MABEL STEEL, his wife, Crumpton, Maryland | * | IN EQUITY |
| | * | No. <u>3869</u> |
| | * | |

T. Sorden Pippin, Clerk

Please docket the above entitled cause and record assignment of mortgage and make certified copy of mortgage from Thomas B. Cahall and Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife, to The Millington Bank of Maryland, dated June 29, 1941, and recorded among the Land Records for Queen Anne's County in Liber T.S.P. No. 2, folio 153, together with assignment thereof and file the same herein; also file and approve bond and enter my appearance for the Plaintiff.

So says,

PRESTON P. HECK
Preston P. Heck,
Attorney for Plaintiff

Filed July 15, 1953.

CERTIFIED COPY OF MORTGAGE
Filed July 15, 1953.

.....

#30,527. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Thirteenth day of July in the year nineteen hundred and fifty-one, the following Deed was brought to be recorded, to wit:

Three-Fifty Cent, One-Ten Cent and One-Five Cent
Int. Rev. Stamp. Endorsed JTC 7/13/51

One-One-Dollar Ten Cent and One-Fifty-Five Cent
Recordation Tax Stamp. Endorsed JTC 7/13/51

This PURCHASE MONEY Mortgage, Made this 29th day of June, in the year nineteen hundred and fifty-one, by and between Thomas B. Cahall and Betty Marie Cahall, his wife; and Herbert Steel and Mabel Steel, his wife, Mortgagors, of Queen Anne's County, State of Maryland, of the one part, and The Millington Bank of Maryland, a corporation, of Kent County and State of Maryland, Mortgagee, of the other part.

WHEREAS, the said Mortgagors are justly indebted unto the said Mortgagee, in the full sum of Five Thousand (\$5,000.00) Dollars, (being money loaned and advanced by said Mortgagee to said Mortgagors) for which said sum and the interest thereon the said Mortgagors have passed to the said Mortgagee their promissory note bearing even date herewith; for said principal sum of five thousand (\$5,000.00) dollars, payable six (6) months after date, with interest at 5% per annum.

AND WHEREAS, this Mortgage is made to secure the payment of said debt and the interest thereon, in the manner and at the times limited in aforesaid promissory note and the performance of all the covenants hereinafter mentioned - the execution hereof being a condition precedent to the making of said loan.

NOW THIS MORTGAGE WITNESSETH, that in consideration of the premises, and the sum of One Dollar, the said Thomas B. Cahall and Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife, do grant unto the said The Millington Bank of Maryland, in fee simple all that lot, part of a lot or parcel of land, situate, lying and being in the Seventh Election District of Queen Anne's County, State of Maryland, on the left or westerly side of the public road leading from Pondtown to Crumpton, bounded on the south by the Edward Hamblett property and bounded on the west and north by William E. Coleman property and bounded on the east by the said public road leading from Pondtown to Crumpton, and which lot is more particularly described as follows, to wit:

BEGINNING for the same at a point in the middle of the public road leading from Pondtown to Crumpton at a point where the south line of the property hereby conveyed and the north line of the Edward Hamblett property intersect and running thence in a westerly direction with the Edward Hamblett line a distance of 245 feet to a point where a stone is planted, and being the point where this property, the Hamblett property and other lands of William E. Coleman intersect; thence running at right angles with the William E. Coleman property in a northerly direction a distance of 109 feet to a point where a stone is planted, this corner being a corner for this property and other lands of William E. Coleman; thence running at right angles with the Coleman property in an easterly direction a distance of 245 feet to the center of the aforesaid public road and running thence at right angles with the center of the said public road in a southerly direction a distance of 109 feet to the place of beginning, containing 26,705 square feet of land, more or less.

IT BEING the same property which was conveyed to Thomas B. Cahall and Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife, by Al-

fred J. Crew and Myrtle Crew, his wife, by deed recorded among the Land Records of Queen Anne's County prior hereto.

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

TO HAVE AND TO HOLD, the aforesaid piece or parcel of ground and premises unto and to the proper use and benefit of The Millington Bank of Maryland, aforesaid, its successors and assigns forever.

PROVIDED, that if the said Thomas B. Cahall and Betty Marie Cahall, Herbert Steel and Mabel Steel, their heirs, executors, administrators, or assigns, shall pay or cause to be paid said promissory note at maturity thereof, or any renewals or renewal thereof, either in whole or in part, as the said The Millington Bank of Maryland, its successors or assigns may agree from time to time to renew said loan or any part thereof, and any interest that may accrue on said note, or on any of said renewal notes; and shall perform all the covenants herein on their part to be performed, then this mortgage shall be void.

AND it is agreed that until default be made in the premises, the said Thomas B. Cahall and Betty Marie Cahall, Herbert Steel and Mabel Steel shall possess the aforesaid property upon paying in the meantime, all insurance premiums, taxes and assessments, public dues and charges of every kind, levied or assessed, or to be levied or assessed on said hereby mortgaged property, and on the mortgage debt and interest hereby intended to be secured, which insurance premiums, taxes, assessments, public dues, charges, mortgage debt and interest, as evidenced by said promissory note or any of said renewals, the said Thomas B. Cahall and Betty Marie Cahall, Herbert Steel and Mabel Steel, their heirs, executors, administrators or assigns do hereby covenant to pay when legally demandable. But if default be made in payment of said notes, or the interest to accrue thereon, or part of either of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and these presents are declared to be made in trust, and The Millington Bank of Maryland, aforesaid, its successors and assigns, or Harrison W. Vickers, its Attorney or Agent, are hereby authorized and empowered at any time after such default, to sell the property hereby mortgaged, or so much thereof as may be necessary to satisfy and pay 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 manner and terms of sale, in some newspaper printed in Queen Anne's County, Maryland, and such other notice as the party making said sale shall deem proper, which sale may be at Public Auction (or that failing, at private sale) to the highest bidder, and for cash or credit at the option of the party making the sale, and in the event of a sale of said property under the powers hereby granted, the proceeds arising from such sale, to apply first, to be payment of all expenses incident to such sale, including an attorney's fee of thirty dollars and a commission to the party making sale of said property, equal to the commission allowed Trustees for making sale of property by virtue of a Decree of a Court having Equity jurisdiction in the State of Maryland, including the expenses of furnishing the required bond; secondly, to the payment of all claims of the said Mortgagee or personal representatives and assigns under this Mortgage, whether the same shall have matured or not, and the surplus (if any there be) shall be paid to the said Mortgagors, their heirs, personal representatives or assigns, or to whoever may be entitled to the same.

But in case said mortgage debt, interest and cost are paid after default (and also, after filing of the bond required by law in foreclosure proceedings by the party undertaking to make sale of said property) by anyone entitled to pay the same, or said sale is withdrawn at the request of said Mortgagors or either of them, then the said Mortgagors, for their heirs, or assigns, do hereby further covenant to and with the said Mortgagee, its successors or assigns to pay to the party undertaking to make sale of said property under the powers hereinbefore granted a commission on the said mortgage debt and accrued interest thereon, equal to one-half of the commission allowed Trustees for making sale of property by virtue of a Decree of a Court having equity jurisdiction in the State of Maryland, together with all costs and expenses incurred, including an attorney's fee and expenses of furnishing the required bond.

AND it is agreed that in the event of a sale of the above described property under the Power of Sale herein expressed, all annual crops planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

AND the said Thomas B. Cahall and Betty Marie Cahall, and Herbert Steel and Mabel Steel, for their heirs, executors, administrators and assigns, do further covenant to insure, and pending the existence of this Mortgage, to keep insured the improvements on the hereby mortgaged land to amount of at least its full insurable value and to cause the policy to be effected thereon to be so framed or endorsed, as in case of fire, to inure to the benefit of the said Mortgagee, its successors or assigns, to the extent of its lien or claim hereunder.

AND the said Mortgagors for their heirs, executors, administrators and assigns do further covenant to pay unto the said Mortgagee, its successors or assigns hereunder any insurance premiums or charges on any property covered by this mortgage paid by the Mortgagee, its personal representative or assigns hereunder.

AND the said Mortgagors do further covenant that they will neither do, nor suffer to be done, pending the existence of this Mortgage, any act or thing whereby the said premises and land may be depreciated or lessened in value.

WITNESS, the hands and seals of said Mortgagors:

| | | | |
|-------------------|---|----------------------|--------|
| TEST: | (| THOMAS B. CAHALL | (SEAL) |
| | (| (Thomas B. Cahall) | |
| | (| BETTY MARIE CAHALL | (SEAL) |
| | (| (Betty Marie Cahall) | |
| | (| HERBERT STEELE | (SEAL) |
| C. M. MELVIN, Jr. | (| (Herbert Steel) | |

(MABEL STEEL (SEAL)
(Mabel Steel)

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 29th day of June, in the year one thousand nine hundred and fifty-one, before the subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Thomas B. Cahall and Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife, the within-named mortgagors and they acknowledge the foregoing Mortgage to be their act.

Witness my hand and Notarial Seal:

Notary
Public
Seal.

C. M. MELVIN, Jr.
Notary Public

My Commission Expires: May 4, 1953.

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I HEREBY CERTIFY, that on this day of June, in the year one thousand nine hundred and fifty-one, before the subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Merritt Brice, President of The Millington Bank of Maryland, the within-named mortgagee and made oath in due form of law, that the consideration set forth in foregoing Mortgage is true and bona fide, as therein set forth.

Witness my hand and Notarial Seal.:

Notary
Public
Seal.

C. M. MELVIN, Jr.
Notary Public

The within and afore
My Commission Expires: May 4, 1953.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fifteenth day of July, in the year nineteen hundred and fifty three, the following Assignment was brought to be recorded, to wit:-

The within and foregoing Mortgage is hereby assigned unto Preston P. Heck, Attorney, for the purpose of foreclosure and collection.

Witness the hand of the bond corporate, The Millington Bank of Maryland by its President, and its corporate seal affixed and attested by its Cashier, this 14th day of July, 1953.

Corporate Seal.

The Millington Bank of Maryland

By: MERRITT BRICE Pres.
Merritt Brice

G. M. MELVIN, Jr. Cashier
G. M. Melvin, Jr.

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

This is to certify that the foregoing is truly taken and copied from Liber T.S.P. No. 2, folios 153 & etc., a Land Record Book for Queen Anne's County.

Court'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 15th day of July, in the year nineteen hundred and fifty three.

T. SORDEN PIPPIN
Clerk.

Filed July 15, 1953.

AFFIDAVIT OF MILITARY SERVICE
Filed July 15, 1953.

PRESTON P. HECK,
ATTORNEY-ASSIGNEE

*
*
*
*

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

VS.

THOMAS B. CAHALL et al

IN EQUITY NO. 3869

AFFIDAVIT OF MILITARY SERVICE

After diligent inquiry it has been found that Thomas B. Cahall, Betty Marie Cahall, Herbert Steel and Mabel Steel, mortgagors named in a certain mortgage dat-

ed June 29, 1951, and recorded among the Land Records for Queen Anne's County in Liber T.S.P. No. 2, folio 153, etc., are not now at the institution of this case in the military service of the United States of America 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.

PRESTON P. HECK
Preston P. Heck,
Attorney-Assignee

Subscribed and sworn to before me this 15th day of July, 1953.

ESTHER L. COHEY
Esther L. Cohey, Notary Public

My commission expires May 6, 1955.

Notary Public Seal.

Filed July 15, 1953

STATEMENT OF MORTGAGE INDEBTEDNESS
Filed July 15, 1953.

PRESTON P. HECK,
ATTORNEY-ASSIGNEE

*
*
*
*

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S
COUNTY - IN EQUITY NO. 3869

Vs.

THOMAS B. CAHALL et al

STATEMENT OF MORTGAGE INDEBTEDNESS

Thomas B. Cahall and
Betty Marie Cahall, his wife,
and Herbert Steel and
Mabel Steel, his wife

TO

The Millington Bank of Maryland

TO Balance due under Mortgage from Thomas B Cahall and
Betty Marie Cahall, his wife, and Herbert Steel and
Mabel Steel, his wife, to The Millington Bank of
Maryland, dated June 29, 1951, and recorded among
the Land Records for Queen Anne's County in Liber
T.S.P. No. 2, folio 153, etc., and which was on the
14th day of July, 1953, assigned to Preston P. Heck,
Attorney, for the purpose of foreclosure and collection.

----- \$4,650.00

TO Interest thereon from June 29, 1953

9.69

TO Insurance premiums on mortgaged real estate past
due and unpaid by Mortgagors and advanced and
paid by Mortgagee

75.17

\$4,734.86

STATE OF MARYLAND, KENT COUNTY, to wit:

I HEREBY CERTIFY that on this 15th day of July, 1953, before me, the
subscriber, a Notary Public in and for County and State aforesaid, personally appeared
Clarence M. Melvin, Jr., Cashier of The Millington Bank of Maryland, and made oath in
due form of law that the above statement of mortgage indebtedness is true and correct to
the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

Notary
Public
Seal.

ESTHER L. COHEY
Esther L. Cohey, Notary Public

Filed July 15, 1953.

CERTIFIED COPY OF BOND
Filed July 15, 1953

QUEEN ANNE'S COUNTY, TO WIT; Be it remembered that on this Fifteenth day of July in the
year nineteen hundred and fifty three, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Preston P. Heck, of Kent

County, State of Maryland, as Principal, and the Maryland Casualty Company, 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 Five Thousand (\$5,000.00) Dollars to be paid to the said State or its certain attorney, to which payment, well and truly to be made, we do 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 15th day of July, 1953.

WHEREAS the above bounden Preston P. Heck by virtue of the power contained in a certain mortgage from Thomas B. Cahall and Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife, to The Millington Bank of Maryland, dated June 29, 1951, and recorded among the Land Records for Queen Anne's County aforesaid in Liber T. S. P. No. 2, folio 153, etc., and which said mortgage was assigned on the 14th day of July, 1953, to the said Preston P. Heck, Attorney, for the purpose of foreclosure and collection, is about to sell all the real estate described in and said mortgage, default having been made in the payment of the money as specified therein, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, THAT if the above bounden Preston P. Heck does 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 is to be void, otherwise to be and remain in full force and virtue in law,

Signed, Sealed and
Delivered in the
Presence of:

ESTHER L. COHEY

ESTHER L. COHEY

PRESTON P. HECK (SEAL)
Preston P. Heck

MARYLAND CASUALTY COMPANY

BY PRESTON P. HECK
Attorney in fact

Corporate Seal

And at the foot of the foregoing Bond is the following Endorsement, to wit:

Bond filed with security approved July 15, 1953.

T. Sorden Pippin, Clerk

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

I HEREBY CERTIFY that the foregoing was truly taken and copied from Liber A.S.G. Jr. No. 1, folio 357, 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 July in the year nineteen hundred and fifty-three.

Circuit Court
Seal.

T. SORDEN PIPPIN
Clerk.

Filed July 15, 1953.

NOTE
Filed July 15, 1953

CRUMPTON

\$4650.00

Millington, Md. Dec. 25 1952

Six (6) mos. after date, for value received we promise to pay to The Millington Bank of Maryland, Millington, Md., or order, Forty Six Hundred Fifty 00/100 DOLLARS, at said bank, in United States gold coin or its equivalent, with interest, having deposited as collateral security for the payment of this note: Mtg.

The undersigned hereby agree in further consideration of the above evidenced loan; to give on demand at any time such additional collateral as the holder may require, or pay on account such amount as will be satisfactory to the holder. In case of failure to meet such demands or to pay the principal and interest of any of the "obligations" of the undersigned in the hands of the holder as they mature, or in case of insolvency or bankruptcy, that all the "obligations" of the undersigned in the hands of the holder are to be immediately due and payable. Upon default in payment of any "obligation" to the holder hereof such holder shall have full power and authority to sell and assign all or any part of the "collateral" at any Brokers Board, or at public or private sale, without notice or advertisement of intention to sell, and without demand of payment or protest. The holder hereof may be a purchaser at such sale. After the proceeds of any sale have been applied to the payment of, or a credit has been allowed upon this note and all other "obligations", and after charging all costs and attorneys' fees, should any deficiency remain, the undersigned further promise and agree to pay the same to the holder hereof on demand; any excess to be paid to the undersigned. "Collateral", as herein used, means not only the above collateral but all other property of whatever kind or nature of the undersigned or in which the undersigned has an interest, which is or may at any time be under the control of the holder by reason of this agreement or otherwise; "obligations", as herein used, mean not only the principal and interest of this obligation but of all other obligations and liabilities of whatever

nature at any time due by the undersigned, or of the endorsers, or guaranter or guarantors hereof, or of the individual members of our firm, to the holder hereof, or to become due, whether heretofore or hereafter contracted. Any and all of said "collateral" may be held at any time by the holder hereof and treated as security for any or all of said "obligation". The holder hereof is authorized to use, transfer, hypothecate or re-hypothecate any or all of the said "collateral" such holder being required on payment or tender of the amount of this note and all other "obligations" whenever the undersigned shall be entitled hereunder to make payment or tender, to return an equal amount of said "collateral", and not the specific "collateral", pledged or held, and it is also expressly agreed that the holder hereof assumes no responsibility and will not be held liable for loss or damage, for the failure to present for payment or protest, or to collect or realize upon any of the aforesaid "collateral". The enumeration of certain rights, authorities and options in this contract given to the holder hereof, is not to be construed as a waiver by the holder, nor to impair in any way any other rights the said holder may have at law or in equity independent of this instrument, concerning this or any other of said "obligations". It is agreed by any person, firm or corporation, who writes his, her or its name of signature on the face or back of this instrument, whether they are makers, endorsers, sureties or guarantors or not, that they or any of them shall be regarded as principals as between them or any of them and any holder hereof.

THOMAS B. CAHALL BETTY M. CAHALL

12165
Due June 29, 1953

HERBERT STEELE MABEL STEELE

The within and foregoing note is hereby assigned unto Preston P. Heck, Attorney, for the purpose of foreclosure and collection.

Witness the hand of the body corporate, The Millington Bank of Maryland by its President, and its corporate seal affixed and attested by its Cashier this 14th day of July 1953,

The Millington Bank of Maryland

Attest:

by: MERRITT BRICE Pres.
Merritt Brice

C. M. MELVIN, Jr. Cashier
C. M. Melvin, Jr.

Corporate Seal.

Filed July 15, 1953.

REPORT OF SALE
Filed Aug. 12, 1953.

PRESTON P. HECK, ATTORNEY-ASSIGNEE

*

IN THE CIRCUIT COURT FOR

*

QUEEN ANNE'S COUNTY

Vs.

*

IN EQUITY NO. 3869

THOMAS B. CAHALL et al

*

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT of Preston P. Heck, Attorney-Assignee of a mortgage from Thomas B. Cahall et al to The Millington Bank of Maryland dated June 29, 1951, and recorded among the Land Records for Queen Anne's County aforesaid in Liber T. S. P. No. 2, folio 153, etc., and which mortgage was assigned to Preston P. Heck, Attorney-Assignee on the 14th day of July, 1953, for the purpose of foreclosure and collection, said Assignment being recorded among the aforesaid Land Records at the foot of the aforesaid mortgage record, respectfully shows:

(1) That default having been made under said Mortgage by reason of the failure of the said Thomas B. Cahall et al to pay the principal mortgage indebtedness as and when the same became due and payable, and also by reason of their failure to pay the interest thereon as and when the same became due and payable, the said Preston P. Heck, Attorney-Assignee, in conformity with the authority and power of sale in said mortgage contained, and after having given bond with security for the faithful performance of his trust and after giving notice of the time, place, manner and terms of sale by advertisement in the "Queen Anne's Record Observer", a newspaper printed and published in Queen Anne's County, Maryland, for at least twenty days before the day of sale, your Attorney - Assignee, did, pursuant to said notice, attend in front of the Court House Door in Centreville, Maryland, on Tuesday, August 11th, 1953, between the hours of eleven thirty o'clock, A.M., and Twelve o'clock Noon, and offered the said mortgaged real estate at Public Auction and then and there sold the same to THE D. & R. SUPPLY COMPANY, a Maryland Corporation, at and for the sum of Five thousand Two hundred Fifty (\$5,250.00) Dollars, it being the highest bidder therefor, and which said real estate is described as follows:

All that lot, part of a lot or parcel of land, situate, lying and being in the Seventh Election District of Queen Anne's County, State of Maryland, on the left or westerly side of the public road leading from Pondtown to Crumpton, bounded on the south by the Edward Hamblett property and bounded on the west and north by William E. Coleman property and bounded on the east by the said public road leading from Pondtown to Crumpton, and which lot is more particularly described as follows, to wit:

BEGINNING for the same at a point in the middle of the public road leading from Pondtown to Crumpton at a point where the south line of the property hereby conveyed and the north line of the Edward Hamblett property interesect and running thence

in a westerly direction with the Edward Hamblett line a distance of 245 feet to a point where a stone is planted, and being the point where this property, the Hamblett property and other lands of William E. Coleman intersect; thence running at right angles with the William E. Coleman property in a northerly direction a distance of 109 feet to a point where a stone is planted, this corner being a corner for this property and other lands of William E. Coleman; thence running at right angles with the Coleman property in an easterly direction a distance of 245 feet to the center of the aforesaid public road and running thence at right angles with the center of the said public road in a southerly direction a distance of 109 feet to the place of beginning, containing 26,705 square feet of land, more or less.

BEING the same property which was conveyed to Thomas B. Cahall et al by Alfred J. Crew et al by deed recorded among the Land Records for Queen Anne's County dated June 29, 1951

And your Attorney-Assignee further reports that the said The D. & R. Supply Company has made compliance with the terms of sale and he deems the sale to have been fairly made and prays the usual order thereon.

Respectfully Submitted,

PRESTON P. HECK
Preston P. Heck,
Attorney-Assignee

STATE OF MARYLAND, KENT COUNTY, to wit:

I HEREBY CERTIFY that on this 11th day of August, 1953, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Preston P. Heck, Attorney-Assignee, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true to the best of his knowledge, information and belief, and that the sale was fairly made.

AS WITNESS my hand and Notarial Seal.

Notary
Public
Seal.

ESTHER L. COHEY
Esther L. Cohey, Notary Public

Filed Aug. 12, 1953.

ORDER NISI
Filed Aug. 12, 1953.

NISI

| | | |
|------------------------------------|---|--------------------------|
| Preston P. Heck, Attorney-Assignee |) | In the Circuit Court |
| |) | |
| Vs. |) | for Queen Anne's County |
| |) | In Equity |
| Thomas B. Cahall and |) | |
| Betty Marie Cahall, his wife, and |) | |
| Herbert Steel and |) | Chancery No. <u>3869</u> |
| Mabel Steel, his wife. |) | |

ORDERED, This 12th. day of August A.D., 1953, that the sale of real estate made and reported in this cause by Preston P. Heck, Attorney-Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th. 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 12th. day of September next.

The Report states the amount of sales to be \$5,250.00.

T. SORDEN PIPPIN Clerk.

Filed August 12, 1953.

CERTIFICATE OF PUBLICATION
OF ADVERTISEMENT OF SALE
Filed Oct 22, 1953

ASSIGNEE'S SALE

-OF VALUABLE-

Fee Simple Property

Near Crumpton, Maryland, In The Seventh
Election District of Queen Anne's County,
Maryland

Under and by virtue of the power and authority contained in a mortgage from Thomas B. Cahall and Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife, to The Millington Bank of Maryland, dated June 29, 1951, and recorded

among the Land Records for Queen Anne's County, aforesaid, in Liber T. S. P., No. 2, folio 153, and which mortgage on the 14th day of July, 1953, was assigned to Preston P. Heck, Attorney, for purpose of foreclosure and collection (default having occurred thereunder), the undersigned Attorney-Assignee will offer at public sale in front of the Court House door in Centreville, Maryland, on Tuesday, August 11, 1953 Between the hours of 11:30 a.m. and 12:00 o'clock noon, Daylight Saving Time:

All that lot, part of a lot or parcel of land, situate, lying and being in the Seventh Election District of Queen Anne's County, State of Maryland, on the left or westerly side of the public road leading from Pondtown to Crumpton, bounded on the south by the Edward Hamblett property and bounded on the west and north by William E. Coleman property and bounded on the east by the said public road leading from Pondtown to Crumpton, and which lot is more particularly described as follows, to wit:

BEGINNING for the same at a point in the middle of the public road leading from Pondtown to Crumpton at a point where the south line of the property hereby conveyed and the north line of the Edward Hamblett property intersect and running thence in a westerly direction with the Edward Hamblett line a distance of 245 feet to a point where a stone is planted, and being the point where this property, the Hamblett property and other lands of William E. Coleman intersect; thence running at right angles with the William E. Coleman property in a northerly direction a distance of 109 feet to a point where a stone is planted, this corner being a corner for this property and other lands of William E. Coleman; thence running at right angles with the Coleman property in an easterly direction a distance of 245 feet to the center of the aforesaid public road and running thence at right angles with the center of the said public road in a southerly direction a distance of 109 feet to the place of beginning, containing 26,705 square feet of land, more or less.

IT BEING the same property which was conveyed to Thomas B. Cahall and Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife, by Alfred J. Crew and Myrtle Crew, his wife, by deed recorded among the Land Records for Queen Anne's County, dated June 29, 1951.

The above described real estate is improved by a one-story cement block garage and restaurant building approximately 20x40 feet.

TERMS OF SALE

One-third of purchase money cash on day of sale, and the balance cash upon ratification of sale by the Circuit Court for Queen Anne's County, or all cash on day of sale, at option of purchaser; deferred payments to bear interest from the date of sale; real estate taxes to be adjusted to day of sale; purchaser to pay all costs of title papers, including documentary stamps on deed and recording fees.

PRESTON P. HECK,
Attorney-Assignee 4t-8-6

Art Heck, Auct.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. October 19 1953.

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 Thomas B. Cahall & Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife. Chancery No. 3869 Preston P. Heck Attorney - Assignee 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 1 day of August 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 16 day of July 1953, and the last insertion on the 6 day of August 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By DOLORES DADDS

Filed Oct. 22, 1953

CERTIFICATE OF PUBLICATION
OF ORDER NISI
Filed Oct. 22, 1953.

NISI

Preston P. Heck, Attorney-Assignee

vs.

Thomas B. Cahall and Betty Marie
Cahall, his wife, and
Herbert Steel and Mabel Steel,
his wife.

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

Chancery No. 3869

ORDERED, This 12th day of August, A D., 1953, that the sale of real estate made and reported in this cause by Preston P. Heck, Attorney-Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th 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 12th day of September, next.

The Report states the amount of sales to be \$5,250.00.

True Copy
Test:

T. SORDEN PIPPIN, Clerk.

T. SORDEN PIPPIN, Clerk.

Filed: August 12, 1953.

4t-9-3

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. October 19 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of Preston P. Heck, Attorney- Assignee vs Thomas B. Cahall & Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife. Chancery No. 3869 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 12 day of September 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 13 day of August 1953, and the last insertion on the 3 day of September 1953

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By DOLORES DADDS

Filed Oct. 22, 1953

ORDER OF COURT
Filed Oct. 22, 1953.

ORDER OF COURT

ORDERED by the Circuit Court for Kent County in Equity, this 22nd day of October, 1953, that the sale made and reported by Preston P. Heck, Attorney-Assignee as aforesaid, be and the same hereby is 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 this Cause, and the Assignee is allowed the usual commissions and such proper exptenses, not personal, as he shall produce vouchers for to the Auditor.

Wm. R. HORNEY
JUDGE

Filed Oct. 22, 1953

AUDIT
Filed Nov. 9, 1953.

Preston P. Heck, Attorney-
assignee

vs.

Thomas B. Cahall, et. al.

In The Circuit Court For

Queen Anne's County In

Equity Cause #3869

To The Honorable, The Judges of Said Court:

The report of J. Thomas Clark, your Auditor, unto your Honors, respectfully represents:

1. That this account is stated at the request of Preston P. Heck, Attorney-assignee of the mortgage foreclosed in this cause for the purpose of collection and vendor in these proceedings; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest and insurance premiums, as per statement of debt filed herein to the total sum of \$4,734.86, that such deficiency is due the Millington Bank of Maryland, Mortgagee of the mortgage herein foreclosed, from the Mortgagors, Thomas B. Cahall and Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel, his wife, the Mortgagors, with interest thereon from June 29th, 1953.

2. That the within account thereby, the said Assignee is charged with the gross proceeds of the sale made by him, per report of sale filed herein; and that he is allowed thereout for his fee, commissions in accordance with the terms of the mortgage and also for the following amounts due or paid, per bills exhibited or receipts for same exhibited; the Court costs, the costs of the premium on said Assignee's corporate surety bond, the advertising costs, the costs of the auctioneer, the state and county taxes for the years 1952 and 1953 less sum appropriated and which are assumed by the buyer as shown by said audit, and the costs of the nisi to this audit as pub-

lized by the Queen Anne's County paper known as the "Queen Anne's Record-Obserber", and the costs of stating this audit in the sum of \$22.50, and finally, the net proceeds of sale, in the sum of \$4,691.07, leaving a net deficiency as of this audit in the sum of \$43.79, per statement filed herewith.

Respectfully submitted,

November 9, 1953.

J. THOMAS CLARK &
Auditor

Filed Nov. 9, 1953

Cause No. 3869

The proceeds of the sale of land reported in this cause in account with Preston P. Heck, attorney-assignee of the mortgage and vendor of said land foreclosed in these proceedings.

| | | |
|---------|---|------------|
| 1953 | Cr. | |
| Aug. 11 | By gross proceeds of the sale of said land per report of said vendor, to wit..... | \$5,250.00 |

| | | |
|---------|--|----------|
| | Dr. | |
| Aug. 11 | To Preston P. Heck, attorney-assignee (and vendor), the following allowances, per terms of the mortgage, to wit: | |
| | 1-his fee for making sale | \$30.00 |
| | 2-his commissions for making sale..... | 255.00 |
| | | \$285.00 |

| | | |
|--|---|-------|
| | To do, for court costs of this cause per clerk's statement, as follows: | |
| | 1-Costs of T. Sorden Pippin, Clerk. 18.75 | |
| | 2-Appearance fee of Preston P. Heck, attorney..... | 10.00 |
| | | 28.75 |

| | | |
|--|---|-------|
| | To do., for an amount paid Preston P. Heck, agent, for the premium on corporate surety bond filed by said assignee in this cause, per receipt for same exhibited..... | 20.00 |
|--|---|-------|

| | | |
|--|---|-------|
| | To do., for an amount due Arthur S. Hock, auctioneer, for crying the said sale, per statement for the same exhibited..... | 20.00 |
|--|---|-------|

| | | |
|--|---|-------|
| | To do., for an amount paid the Queen Anne's Record-Observer, per their receipts for the same exhibited, as follows: | |
| | To costs of advertising sale..... | 63.00 |
| | To costs of publishing nisi on sale..... | 7.50 |
| | | 70.50 |

| | | |
|--|--|--------|
| | To do., for sums paid Claude Lowery, Treasurer of Queen Anne's County, per receipts exhibited, to wit: | |
| | 1-1952 taxes(state & county & interest) | 64.58 |
| | 2-1953 taxes(state, county & interest) | 50.02 |
| | | 114.60 |

| | | |
|--|--|--------|
| | Less pro-rated sum for same from 10/29/53 on 1953 taxes..... | 8.32 |
| | | 106.28 |

| | | |
|--|--|-----|
| | To do., for sums paid Esther L Cohey, per statement and/or receipts for same for filing necessary papers on which notary needed, the sum of..... | .90 |
|--|--|-----|

| | | |
|--|---|------|
| | To do., for costs of advertising the order nisi to be passed as to this audit in the Queen Anne's Record-Observer, the sum of.... | 5.00 |
|--|---|------|

November 9, 1953

J. THOMAS CLARK
Auditor

| | | |
|--|--|-------|
| | To J. Thomas Clark, auditor, for stating this audit..... | 22.50 |
|--|--|-------|

| | | | |
|--|--|------------|------------|
| | To Preston P. Heck, Attorney-assignee of Mortgage for collection, the net proceeds of this sale (on account of the total mortgage indebtedness, under the mortgage foreclosed in this cause, and which includes insurance premiums unpaid, of \$4,734.86, per statement thereof filed), to wit:..... | 4,691.07 | |
| | | \$5,250.00 | \$5,250.00 |

November 9, 1953.

J. THOMAS CLARK
Auditor

Filed Nov. 9, 1953

NISI RATIFICATION OF AUDIT
Filed Nov. 9, 1953.

Nisi Ratification of Audit

Preston P. Heck, Attorney-Assignee

In the Circuit Court

Vs.

for Queen Anne's County

Thomas B. Cahall and Betty Marie
Cahall, his wife, and Herbert Steel
and Mabel Steel, his wife,

In Equity

Cause No. 3869

ORDERED, This 9th, day of November in the year nineteen hundred and fifty three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 4th. day of December, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 27th. day of November, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk.

Filed Nov. 9, 1953

CERTIFICATE OF PUBLICATION OF NISI
RATIFICATION OF AUDIT
Filed Dec. 9, 1953.

Nisi Ratification of Audit

Preston P. Heck, Attorney-Assignee

vs.

Thomas B. Cahall and Betty Marie
Cahall, his wife, and Herbert Steel
and Mabel Steel, his wife.

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

Cause No. 3869

Ordered, this 9th day of November, in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 4th day of December, 1953; provided a copy of this order be published once a week in each of two successive weeks before the 27th day of November, 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk.

True Copy
Test:
Filed Nov. 9, 1953.

T. SORDEN PIPPIN, Clerk
2t-11-19

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. December 9, 1953

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 Preston P. Heck, Attorney-Assignee vs. Thomas B. Cahall and Betty Marie Cahall, his wife, and Herbert Steel and Mabel Steel 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 27th day of Nov. 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 12th day of Nov. 1953, and the last insertion on the 19th day of Nov. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Dec. 9, 1953

ORDER OF COURT
Filed Dec. 11, 1953.

ORDER OF COURT

ORDERED this 11th day of December, 1953, by the Circuit Court for Queen Anne's County, in Equity, that the within and foregoing Account and Report of the Auditor be, and the same is finally ratified and confirmed, no cause to the contrary

having been shown although due notice appears to have been given by the preceding Order Nisi passed thereon, and the Trustee is hereby 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 Dec. 11, 1953.



.....

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-second day of October in the year nineteen hundred and fifty-two, the following Bill of Complaint was filed for record, to wit:

C A U S E N O. 3832

ELVA GLEAVES, 1507 W. Girard St., Phila., Penna.;
ETHEL E. JOHNSON, Queenstown, Maryland;
LILLIE MAE WRIGHT, 1607 W. Diamond St., Phila., Penna.;
ELIZABETH MINTON and EDWARD A. MINTON, her husband,
1707 W. Columbia Ave., Phila., Penna.;
GEORGIANNA KENNEDY and CHARLES KENNEDY, her husband,
1607 W. Diamond St., Phila., Penna.;
SUSIE MILLS and BENJAMIN MILLS, her husband,
1710 W. Master St., Phila., Penna.;
BERNICE BANKS, 205 Fourth St., Ocean City, New Jersey,
PLAINTIFFS,

IN THE
CIRCUIT COURT
FOR

vs.

MARY L. CHESTNUT and THOMAS CHESTNUT, her husband,
1703 N. 20th., Phila., Penna.;
LOUISE GROSS, 205 E. Second St., Wilmington, Del.;
VIOLET HUTCHINS, 308 Phila. Ave., Ocean City, Md.;
SCOTT HUTCHINS and DOROTHY HUTCHINS, his wife,
Queenstown, Md.;
JAMES HUTCHINS, 205 E. Second St., Wilmington, Del.;
FLORENCE WILSON and SAMUEL WILSON, her husband,
Grasonville, Md.;
CLARENCE TILGHMAN, 1221 N. 13th. St., Phila., Penna.;
DOROTHY BROWN and BROWN, her husband,
Grasonville, Md.;
HELEN SKINNER and Skinner, her husband;
Easton, Md.;
PRESTON TILGHMAN and MARGARET TILGHMAN, his wife,
1409 N. 17th. St., Phila., Penna.;
EDNA GREFFIN and LORENZO GRIFFIN, her husband,
Queenstown, Md.;
MARY GRIFFIN and CHARLES GRIFFIN, her husband,
Queenstown, Md.;
ETHEL GREEN and CLIFFORD GREEN, her husband,
Queenstown, Md.;
THOMAS HUTCHINS and LILLIAN HUTCHINS, his wife,
Queenstown, Md.;
CLIFFORD HUTCHINS, 511 N. Hubert St., Phila., Penna.
DEFENDANTS.

QUEEN ANNE'S COUNTY,
IN EQUITY.

Cause No. 3832

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining say:

1. That Barney Hutchins also known as by the names of Barnett Hutchins and Berney Hutchins of Queen Anne's County, died intestate sometime in the year 1914, leaving personal property of little if any value, no letters of administration have been granted on his estate; but died seized and possessed of the following tracts of real estate, to wit: Tract No. 1, all that lot of land situate on the public road from Carmichael to Sallie Harris' Mill in the Fifth Election District of Queen Anne's County, Maryland, adjoining the lands of Thomas H. Dodd and the Land of Thomas H. Callahan, the same being conveyed to him under the name of Barnett Hutchins, said deed dated October 16th., 1895 from Thomas H. Callahan and wife, containing 6-1/2 acres of land, more or less, said deed being recorded in Liber W.H.C. No. 4, folio 6 & etc., a Land Record Book for Queen Anne's County; Tract No. 2, adjoining Tract No. 1, containing 2 acres of land, more or less, was conveyed to the said Barney Hutchins under the name of Berney Hutchins by Thomas H. Callahan and wife, by deed dated March 18th., 1911, and recorded in Liber S.S. No. 10, folio 561 & etc., a Land Record Book for Queen Anne's County, certified copies of which deeds are filed herewith and made a part hereof, marked "Complainants Exhibits A&B.
2. That the said Barney Hutchins being so seized and possessed, left surviving him as his only heirs-at-law the following childred, to wit: Charles Hutchins, Barney Hutchins, Jr., Thomas Hutchins, Dan Hutchins, Medford Hutchins, Fanny Hutchins and Effie Tilghman.
3. That the said Fanny Hutchins, daughter of the said Barney Hutchins, died intestate in Queen Anne's County, no letters of administration have been granted on her estate leaving as her only heirs-at-law the foregoing brothers and sisters or children of said brothers or sisters, who predeceased her.
4. That the said Medford Hutchins, son of Barney Hutchins, died intestate in Queen Anne's County in 1951, that no letters of administration have been granted on his estate, leaving as his only heirs-at-law, the aforesaid brothers and sisters or children of said brothers and sisters, who predeceased him.
5. That Charles Hutchins died intestate in 1918, no letters of administration have been granted on his estate, that he left surviving him as his only heirs-at-law, a widow who has since married and is now the defendant, Mary L. Chestnut, who

is married to the defendant, Thomas Chestnut, they reside at 1703 N. 20th. St., Phila., Penna., and that Mary L. Chestnut is seized and possessed of an undivided 1/21 interest in said real estate, subject to the debts of Barney Hutchins and subject to the debts of Charles Hutchins; and a son, the defendant, John Henry Hutchins, who is married to the defendant, Edith Hutchins, they live at 1703 N. 20th. St. Phila., Penna., and he is seized and possessed of an undivided 16/105 interest in said real estate, subject to the same condition as the interest of Mary L. Chestnut.

6. That Barney Hutchins, Jr., a son of Barney Hutchins, died intestate in Queen Anne's County, in the year 1925, that no letters of administration have been granted on his estate, he left the following heirs-at-law surviving him to wit: the plaintiff Elva Gleaves, plaintiff, Ethel E. Johnson, Plaintiff, Lillie Maw Wright, plaintiff Elizabeth Minton, who is married to the plaintiff, Edward Minton, plaintiff Georgianna Kennedy, who is married to the plaintiff, Charles Kennedy, plaintiff Susie Mills, who is married to the plaintiff, Benjamin Mills, plaintiff, Bernice Banks the defendant, Louise Gross, who resides at 205 E. 2nd. St., Wilmington, Del. the defend and Violet Hutchins, 308 Phila., Ave., Ocean City, Md., Defendant Scott Hutchins, who is married to the defendant, Dorothy Hutchins, they reside at Queenstown, Maryland; the defendant, James Hutchins, who resides at 205 E. 2nd. St., Wilmington, Del., the defendant, Florence Wilson, married to Samuel Wilson, defendant, they reside at Grasonville, Md. each of said child of the said Barney Hutchins, Jr., is seized and possessed of an undivided 1/60 interest in the aforesaid real estate, subject to the debts of Barney Hutchins and Barney Hutchins, Jr.

7. That the said Effie Tilghman, daughter of Barney Hutchins, Sr., died intestate in 1936, that no letters of administration have been granted on her estate, that she left surviving her as her only heirs-at-law to wit: The defendant Clarence Tilghman, surviving husband, who resides at 1221; N. 13th. St. Phila., Penna., who is seized of an undivided 1/21 interest in said real estate subject to the debts of Effie Tilghman; the defendant, Dorothy Brown, who is married to the defendant, Brown, and they reside in Grasonville, Md., the defendant, Helen Skinner, who is married to the defendant Skinner, they reside at Easton, Md., and the defendant, Preston Tilghman, who is married to the defendant, Margaret Tilghman, they reside at 1400 N. 17th St., Phila., Penna., that the defendants, Dorothy Brown, Helen Skinner and Preston Tilghman are each seized and possessed of an undivided 16/315 interest in the aforesaid real estate, subject to the debts of Barney Hutchins, Sr., and Effie Tilghman.

8. That Dan Hutchins, son of Barney Hutchins, Sr., died intestate in 1949, that no letters of administration have been granted on his estate, that he left surviving him as his only heir-at-law the defendant, Edna Griffin, who is married to the defendant, Lorenzo Griffin, they reside at Queenstown, Md., and that the said Edna Griffin is seized and possessed of an undivided 1/5 interest in said real estate subject to the debts of Barney Hutchins, Sr., and Dan Hutchins.

9. That Thomas Hutchins, son of Barney Hutchins, Sr., died intestate in 1915, no letters of administration have been granted on his estate, that he left surviving him as his only heir-at-law, the following: Mary Hutchins, surviving widow, who is now the defendant, Mary Griffin, who is married to the defendant, Charles Griffin, they reside at Queenstown, Md., and the said widow is seized and possessed of an undivided 1/21 interest in the said real estate; the defendant, Ethel Green, is married to the defendant, Clifford Green, they reside at Queenstown, Md., Thomas Hutchins, Defendant, who is married to the defendant, Lillian Hutchins, they reside in Queenstown, Md.; the defendant, Clifford Hutchins, who resides at 511 Hubert St., Phila., Penna., that the said Ethel Green, Thomas Hutchins and Clifford Hutchins are each seized and possessed of an undivided 16/315 interest in the said real estate, subject to the debts of Barney Hutchins, Sr., and Thomas Hutchins.

That all the parties to this cause are adults; that the said real estate mentioned and described in these proceedings is not susceptible of division among the parties having an interest therein agreeable to their respective interest without loss or injury.

TO THE END:

That a Trustee be appointed for the purpose of making sale of the aforesaid real estate and after the expenses of this suit to divide the net proceeds of sale among the parties interest agreeable to their interest therein. May it please the Court to grant to your Orators the writ of subpoena directed to the Sheriff of Queen Anne's County, Maryland, commanding him to summon Scitt Hutchins and Dorothy Hutchins, his wife, of Queenstown, Florence Wilson and Samuel Wilson, her husband, of Grasonville, Edna Griffin and Lorenzo Griffin, her husband, of Queenstown, Mary Griffin and Charles Griffin, her husband, of Queenstown Ethel Green and Clifford Green, her husband, of Queenstown, Thomas Hutchins and Lillian Hutchins, his wife, his wife, of Queenstown, and Dorothy Brown and Brown, her husband, of Grasonville, and to the Sheriff of Worcester County, Maryland, commanding him to summon Violet Hutchins of 308 Philadelphia Ave. Ocean City, Maryland, and to the Sheriff of Talbot County, Maryland, commanding him to summon Helen Skinner and Skinner, her husband, of Easton, to be and appear in this Court on a day certain to be named therein either in person or by attorney and to answer this Bill of Complaint; and The Order of Publication setting forth the object and substance of this bill, warning Mary L. Chestnut and Thomas Chestnut and Thomas Chestnut, of 1703 N. 20th., St., Phila., Penna., and John Henry Hutchins and Edith Hutchins, his wife, of same address, and Louise Gross of 205 E. 2nd. St., Wilmington, Del., James Hutchins of 205 E. and 2nd. St., Wilmington, Del., and Clarence Tilghman of 1221 N. 13th. St., Phila., Penna., and Preston Tilghman and Margaret Tilghman, his wife, of 1409 N. 17th. St., Phila., Penna., and Clifford Hutchins of 511 N. Hubert St., Phila., Penna., all non-residents

of the State of Maryland, to be and appear in this Court in either person or by solicitor on a day certain to be named in said Order to answer this Bill of Complaint and to abide by and perform any decree or order that may be passed in the premises.

Respectfully submitted.

RICHARD T. EARLE
Atty. for Complaints.

Filed Oct. 22, 1952

Exhibit A
Filed Oct. 22, 1952

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fourteenth day of December, in the year One Thousand eight hundred and ninety five, the following Deed was brought to be recorded, to wit:

This Deed of Conveyance, made this Sixteenth day of October, in the year eighteen hundred and ninety five, by Thomas H. Callahan and Annie E. Callahan, his wife, of Baltimore City, State of Maryland, Witnesseth; that for and in consideration of the sum of one hundred dollars, the said Thomas H. Callahan and Annie E. Callahan, his wife, do hereby grant and convey, in fee simple, unto Barnett Hutchins, of Queen Anne's County, State of Maryland All that lot of land situate in Wye Neck, Queen Anne's County, State aforesaid, lying on the South side of the public road leading from Sallie Harris Mill to Carmichael and adjoining the lands of Thomas H. Dodd and Thomas H. Callahan, and which may be described as Beginning at the bridge over the Sallie Harris Mill Branch and running thence with said public road westerly two hundred and twenty five yards to a stake, thence on a straight line to a stone in a ravine, thence with said ravine Easterly to the stream of Sallie Harris (or Brown) Mill Branch, thence with stream to the aforesaid bridge, and containing six and one half, acres of land, more or less; and being part of the land described in a Deed from J.L. Rhodes and wife to said Thomas H. Callahan, dated November thirteenth, eighteen hundred and ninety four, and recorded in Liber W.H.C. no. 2, folio 156, etc., a Land Record for Queen Anne's County aforesaid.

Witness: Thomas H. Callahan (SEAL)
Stephen S. Clark Annie E. Callahan (SEAL)

State of Maryland, Baltimore City, to wit; I hereby certify that on this 16th day of October, in the year Eighteen hundred and ninety five before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Baltimore City, personally appeared Thomas H. Callahan and Annie E. Callahan, his wife, and did each acknowledge the foregoing Deed to be their respective act and deed.

Stephen S. Clark, J.P.

State of Maryland,)
Baltimore City) Sct: I hereby certify that Stephen S. Clark, Esquire, before whom the annexed acknowledgements were 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.

In Testimony Whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, this 17th day of October A.D. 1895.

Baltimore City
Md.

Jas. Bond
Clerk of the Superior Court of Baltimore City

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

I hereby certify that the foregoing was truly taken and copied from Liber W.H.C. No. 4, folios 6 & 7, a Land Record Book for Queen Anne's County.

Seal

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 October in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

Exhibit B
Filed Oct. 22, 1952

#2011. QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the Eighteenth day of November, in the year nineteen hundred and eleven, the following DEED was brought to be recorded, to wit:-

THIS DEED OF CONVEYANCE, made this 18th day of March, in the year nineteen hundred and eleven, by Thomas H. Callahan, and Annie E. Callahan, his wife, of Baltimore City, State of Maryland,

WITNESSETH, that the said Thomas H. Callahan and Annie Callahan, his wife, for and in consideration of the sum of One Hundred Dollars, do hereby grant and convey unto Berney Hutchins, of Queen Anne's County, Maryland, in fee simple:

ALL that lot of land in Queen Anne's County aforesaid, lying in Wye Neck on the public road leading from Carmichael to Wye Mills, adjoining the property of Thomas H. Callahan which may be described as beginning at the middle of public road running with said land and Berney Hutchens Home Lot 154 yds. to middle of ravine southerly thence with the middle of said ravine westerly 63½ yds. from said ravine north easterly 154 yds. to public road with said road easterly 63½ yds. to said beginning, containing two acres of land, MORE OR LESS.

Witness their hands and seals.

Witness:-

THOMAS H. CALLAHAN (SEAL)

George W. Manly

ANNIE E. CALLAHAN (SEAL)

STATE OF MARYLAND,

BALTIMORE CITY, to wit:-

I hereby certify that on this 18th. day of March, in the year nineteen hundred and eleven, before me, the subscriber, a Justice of the Peace of the State of Maryland in and for the City of Baltimore, personally appeared Thomas H. Callahan and Annie E. Callahan, his wife, and did each acknowledge the foregoing Deed to be their respective act and deed.

Justice
Seal

GEORGE W. MANLY. J.P.

STATE OF MARYLAND,

BALTIMORE CITY, Sct:-

I Stephen C. Little, Clerk of the Superior Court of Baltimore City, do hereby certify that George W. Manly Esquire, before whom the annexed acknowledgments were 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, or proof of Deeds to be recorded therein. 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 Superior Court of Baltimore City, the same being a Court of Record, this 18 day of March, A.D. 1911.

Superior
Court Seal

STEPHEN C. LITTLE.
Clerk of the Superior Court of
Baltimore City.

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

I hereby certify that the foregoing is truly taken and copied from Liber S. S. No. 10, folio 561, a Land Record Book 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 Twenty-second day of August in the year nineteen hundred and fifty-two.

T. SORDEN PIPPIN
Clerk

ORDER OF PUBLICATION
Filed Oct. 22, 1952

ORDER OF PUBLICATION.

ELVA GLEAVES, 1507 Girard St., Phila., Pa.;
ETHEL E. JOHNSON, Queenstown, Md.;
LILLIE MAE WRIGHT; 1607 W. Diamond St., Phila., Pa.;
ELIZABETH MINTON and EDWARD MINTON, her husband,
1707 W. Columbia Ave., Phila., Pa.;
GEORGIANNA KENNEDY and CHARLE KENNEDY, her husband,
1607 W. Diamond St., Phila., Pa.;
SUSIE MILLS and BENJAMIN MILLS, her husband,
1710 W. Master St., Phila., Pa.;
BERNICE BANKS, 205 Fourth St., Ocean City, N.J.;

IN THE

Circuit Court

FOR

Plaintiffs,

vs.

MARY L. CHESTNUT and THOMAS CHESTNUT, her husband,
 1703 N. 20th. St., Phila., Pa.;
 LOUISE GROSS, 205 E. Second St., Wilmington, Del.;
 VIOLET HUTCHINS, 308 Phila. Ave., Ocean City, Md.;
 SCOTT HUTCHINS and DOROTHY HUTCHINS, his wife,
 Queenstown, Md.;
 JAMES HUTCHINS, 205 E. Second St., Wilmington, Del.;
 FLORENCE WILSON and SAMUEL WILSON, her husband,
 Grasonville, Md.;
 CLARENCE TILGHMAN, 1221 N. 13th St., Phila., Pa.;
 DOROTHY BROWN and BROWN, her husband,
 Grasonville, Md.;
 HELEN SKINNER and SKINNER, her husband,
 Easton, Md.;
 PRESTON TILGHMAN and MARGARET TILGHMAN, his wife,
 1409 N. 17th. St., Phila., Pa.;
 EDNA GRIFFIN and LORENZO GRIFFIN, her husband,
 Queenstown, Md.
 MARY GRIFFIN and CHARLES GRIFFIN, her husband,
 Queenstown, Md.;
 ETHEL GREEN and CLIFFORD GREEN, her husband,
 Queenstown, Md.;
 THOMAS HUTCHINS and LILLIAN HUTCHINS, his wife,
 Queenstown, Md.
 CLIFFORD HUTCHINS, 511 N. Hubert St., Phila., Pa.
 Defendants.

QUEEN ANNE'S COUNTY,

IN EQUITY.

Cause No. 3832

The object of this suit is to sell the real estate of which Barney also known as Barnett and Berney Hutchins died intestate in 1914 seized and possessed.

The Bill of Complaint states that Barney Hutchins died intestate in 1914, seized and possessed of two tracts of land comprising 8- $\frac{1}{2}$ acres of land, situate near Carmichael in Queen Anne's County, Maryland, that the following are his heirs-at-law; Mary L. Chestnut, to the extent of a 1/21 interest; John Henry Hutchins to the extent of a 16/105 interest; Alva Gleaves, Ethel E. Johnson, Lillie May Wright, Elizabeth Minton, Georgianna Kennedy, Susie Mills, Bernice Banks, Louise Gross, Violet Hutchins, Scott Hutchins, James Hutchins and Florence Wilson, each have a 1/60 interest; Clarence Tilghman has a 1/21 interest, Dorothy Brown, Helen Skinner and Preston Tilghman each have a 16/315 interest; Mary Griffin has a 1/21 interest, Ethel Green, Thomas Hutchins and Clifford Hutchins each have a 16/315 interest; That no letters of administration have been granted on the estate of Barney Hutchins or any of his deceased sons and daughters.

That the said real estate is not susceptible of division among these in interest agreeable to their respective interest therein without loss or injury.

IT IS THEREUPON this 22nd day of October, 1952, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that notice be given by inserting a copy of this order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks before the 1st day of December, 1952, warning the said Mary L. Chestnut and Thomas Chestnut, her husband, John Henry Hutchins and Edith Hutchins, his wife, Louise Gross, James Hutchins, Clarence Tilghman, Preston Tilghman and Margaret Tilghman, his wife, and Clifford Hutchins, non-residents of the State or Maryland, to be and appear in this Court in person or by solicitor on or before the 17th day of December, 1952, to show cause if any they have why the relief prayed should not be granted and to abide by and perform such order or decree as may be passed in the premises.

T. SORDEN PIPPIN
 Clerk.

Filed Oct. 22, 1952

Order to re-issue Subpoena
 Filed Oct. 29, 1952

Elva Gleaves et al.

vs.

Mary L. Chestnut et al.

Mr. Clerk:

Kindly issue subpoena to Sheriff of Caroline Co. to summons Scott Hutchins & Dorothy Hutchins his wife. Near Goldsboro & oblige

Richard T. Earle
 Atty. for Plaintiff

Filed Oct. 29, 1952

Subpoena
 Filed Nov. 1, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Violet Hutchins,
308 Philadelphia Avenue
Ocean City, Maryland

GREETING:

We command and enjoin 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 Elva Gleaves, 1507 W. Girard St., Phila, Penna., Ethel E. Johnson, Queenstown, Maryland, Lillie Mae Wright, 1607 W. Diamond St. Phila, Penna., Elizabeth Minton and Edward A. Minton, her husband, 1707 W. Columbia Ave., Phila. Penna., Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Philadelphia, Penna., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila. Penna., and Bernice Banks, 205 Fourth St., Ocean City, New Jersey 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 1st. day of September, 1952.

Issued the 22nd. day of October, 1952.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Received Oct. 25 1952 and forthwith delivered to the Sheriff of Worcester County

Test: E. WILFRED ROSS Clerk

Summoned the defendant Violet Hutchens by leaving with her a copy of process, together with copy of Bill of Complaint attached, this 25th day of October, 1952.

EDWIN D. LYNCH
Sheriff

So. Ans.

Subpoena
Filed Nov. 1, 1952

(EQUIFY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Florence Wilson and Samuel Wilson,
her husband,
Grasonville, 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 Elva Gleaves, 1507 Girard St., Phila., Penna., Ethel E. Johnson, Queenstown, Maryland, Lillie Mae Wright, 1607 W. Diamond St., Phila, Penna., Elizabeth Minton and Edward A. Minton, her husband, 1707 W. Columbia Ave., Phila., Penna., Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Phila. Penna., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila., Penna., and Bernice Banks, 205 Fourth St., Ocean City, New Jersey 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 1st. day of September, 1952.

Issued the 22nd. day of October, 1952.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Florence and Samuel Wilson summoned by reading subpoena to them and leaving copy of subpoena and bill of complaint with each of them this 27th day of Oct., 1952.

FRANK Y. WHITELEY
Sheriff

Filed Nov. 1, 1952

Subpoena
Filed Nov. 1, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Ethel Green and Clifford Green, her husband,
Queenstown, 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 after cause your answer or other defense to be filed to the complaint of Elva Gleaves, 1507 W. Girard St., Phila. Penna., Ethel E. Johnson, Queenstown, Maryland, Lillie Mae Wright, 1607 W. Diamond St., Phila. Penna., Elizabeth Minton and Edward A. Minton, her husband, 1707 W. Columbia Ave., Phila. Penna., Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Phila. Penna., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila. Penna., and Bernice Banks, 205 Fourth St., Ocean City, New Jersey 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 1st. day of September, 1952.

Issued the 22nd. day of October, 1952.

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(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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Ethel and Clifford Green summoned by reading subpoena to them and leaving copy of subpoena and bill of complaint with each of them this 27th day of Oct. 1952

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed Nov. 1, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Dorothy Brown and Louis Brown, her husband
Grasonville, 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 Elva Gleaves, 1507 W. Girard St., Phila., Penna., Ethel E. Johnson, Queenstown, Maryland, Lillie Mae Wright, 1607 W. Diamond St., Phila., Penna., Elizabeth Minton and Edward A. Minton, her husband, 1707 W. Columbia Ave., Phila., Penna., Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Phila. Penna., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila., Penna.; and Bernice Banks, 205 Fourth Street, Ocean City, New Jersey 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 1st day of September, 1952.

Issued the 22nd. day of October, 1952.

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. EarleAddress Centreville, MarylandT. SORDEN PIPPIN Clerk

And on the back of the foregoing is the following endorsement, to wit:

Dorothy and Louis Brown summoned by reading subpoena to them and leaving copy of subpoena and bill of complaint with each of them this 27th day of Oct., 1952.

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed Nov. 1, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Edna Griffin and Lorenzo Griffin, her husband,
Queenstown, 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 Elva Gleaves, 1507 W. Girard St., Phila., Penna., Ethel E. Johnson, Queenstown, Maryland, Lillie Mae Wright, 1607 W. Diamond St., Phila., Penna., Elizabeth Minton and Edward A. Minton, her husband, 1707 W. Columbia Ave., Phila. Penna., Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Phila. Penna., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila. Penna., and Bernice Banks, 205 Fourth St., Ocean City, New Jersey 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 1st. day of September, 1952.

Issued the 22nd. day of October, 1952.

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 sub-

poena. 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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Edna Griffin and Lorenzo Griffin summoned by reading subpoena to them and leaving copy of subpoena and bill of complaint with each of them this 27th day of Oct., 1952

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed Nov. 1, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Thomas Hutchins and Lillian Hutchins, his wife,
Queenstown, 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 Elva Gleaves, 1507 Girard St., Phila, Penna. Ethel E. Johnson, Queenstown, Maryland, Lillie Mae Wright, 1607 W. Diamond St., Phila., Penna., Elizabeth Minton and Edward A. Minton, her husband, 1707 W. Columbia Ave., Phila. Penna., Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Philadelphia, Penna., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila. Penna., and Bernice Banks, 205 Fourth Street, Ocean City, New Jersey 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 1st. day of September, 1952

Issued the 22nd day of October, 1952

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Thomas and Lillian Hutchins summoned by reading subpoena to them and leaving copy of subpoena and bill of complaint with each of them this 27th day of Oct. 1952.

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed Nov. 1, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Mary Griffin and Charles Griffin, her husband,
Queenstown, 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 Elva Gleaves, 1507 W. Girard St., Phila. Penna., Ethel E. Johnson, Queenstown, Maryland, Lillie Mae Wright, 1607 W. Diamond St., Phila. Penna., Elizabeth Minton and Edward A. Minton, her husband, 1707 W. Columbia Ave., Phila., Penna. Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Phila. Penna., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila. Penna., and Bernice Banks, 205 Fourth St., Ocean City, New Jersey 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 1st. day of September, 1952.

Issued the 22nd. day of October, 1952.

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. EarleAddress Centreville, MarylandT. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Mary and Charles Griffin summoned by reading subpoena to them and leaving copy of subpoena and bill of complaint with each of them this 27th. day of Oct., 1952

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed Nov. 7, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Scott Hutchins and Dorothy Hutchins, his wife,
near Goldsboro, 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 Elva Gleaves, 1507 W. Girard St., Phila., Penna.; Ethel E. Johnson, Queenstown, Maryland, Lillie Mae Wright, 1607 W. Diamond St., Phila., Penna., Elizabeth Minton and Edward A. Minton, her husband, 1707 W. Columbia Ave., Phila., Penna., Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Phila. Penna., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila. Penna., and Bernice Banks, 205 Fourth St., Ocean City, New Jersey, 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 1st. day of September, 1952.

Issued the 29th. day of October, 1952.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Non Est

William E. Andrew
Sheriff

Received and forthwith delivered to the Sheriff of Caroline County 10/31/52

TEST: D. RALPH HORSEY Clerk

Subpoena
Filed Nov. 7, 1952

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Helen Skinner and John Edward Skinner, her husband
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 Elva Gleaves, 1507 W. Girard St., Phila., Penna. Ethel E. Johnson, Queenstown, Maryland, Lillie Mae Wright 1607 W. Diamond St., Phila., Penna., Elizabeth Minton and Edward A. Minton, her husband, 1707 W. Columbia Ave., Phila. Penna., Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Phila. Penna. Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila., Penna., and Bernice Banks, 205 Fourth St., Ocean City, New Jersey 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 1st. day of September, 1952.

Issued the 22nd. day of October, 1952.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Received the 25 day of Oct 1952 and forthwith delivered to the Sheriff of Talbot County

Test JOHN T. BAYNARD
Clerk

Summoned Helen Skinner and John Edward Skinner, her husband and copy of Bill and process left with each this 1st day of November 1952.

A RAYMOND CARROLL
Sheriff of Talbot County

Answer
Filed Nov. 11, 1952

ELVA GLEAVES et al.

VS.

MARY L. CHESTNUT et al.

#

In the Circuit Court for
Queen Anne's County, in Equity.
No. 3832

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned, defendants in the above entitled cause in answer to the Bill of Complaint exhibited against us and others, say:

That we admit the matters and facts set forth in the Bill of Complaint and consent to the passing of a decree for the sale of the real estate mentioned and described in these proceedings.

DOROTHY BROWN

LOUIS BROWN

HELEN SKINNER

JOHN EDW SKINNER

Filed Nov. 11, 1952

Paper No. 16 is missing
Petition to file amended Bill of
Complaint and Order of Court
thereon.

| | | |
|-------------------------|---|--------------------------------|
| ELVA GLEAVES et al., | # | IN THE CIRCUIT COURT FOR QUEEN |
| VS. | # | ANNE'S COUNTY, IN EQUITY. |
| MARY L. CHESTNUT et al. | # | Cause No. 3832 |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Elva Gleave et. al, by Richard T. Earle, their attorney to your Honors respectfully shows:

That your Petition has been advised and believes that that the Bill of Complaint herein has several erros therein, among which is the ommission to set forth Barney Hutchins, 3rd., as one of the heirs of Barney Hutchins, deceased, another is, the statement mad_ that Thomas Hutchins is one of the heirs-at-law of Thomas Hutchins, deceased, that the party named as Thomas Hutchins is in fact named Cameron Hutchins; these facts were unknown to your Orators at the time of the filing of said bill of Complaint.

That your Petitions desire to file an amended Bill of Complaint in this cause making chnages therein as above set forth.

RICHARD T. EARLE
Atty. for Petitioners.

Filed Dec. 10, 1952

ORDER OF COURT.

The foregoing Petition having been read and considered, IT IS THEREUPON this 10th day of December, 1953, ORDERED by the Circuit Clurt for Queen Anne's County, that leave be and it is hereby granted to the Petitioners to file an Amended Bill of Complaint and Order of Publication thereon as prayed.

WM. R. HORNEY
Judge .

Filed Dec. 10, 1952

Amended Bill of Complaint
Filed Jan. 5, 1953

ELVA GLEAVES, 1507 W. Girard St., Phila., Pa.,
ETHEL E. JOHNSON, Queenstown, Md.,
LILLIE MAE WRIGHT, 1607 W. Diamond St., Phila., Pa.
ELIZABETH MINTON and EDWARD A. MINTON, her husband,
1707 Columbia Ave., Phila., Pa.,
GEORGIANNA KENNEDY and CHARLES KENNEDY, her husband,
1607 W. Diamond St., Phila., Pa.,
SUSIE MILLS and BENJAMIN MILLS, her husband,
1710 W. Master St., Phila., Pa.,
BERNICE BANKS, 205 Fourth St., Ocean City, N.J.,
Plaintiffs,

vs.

MARY L. CHESTNUT and THOMAS CHESTNUT, her husband,
1703 N. 20th., St., Phila., Pa.,
JOHN HENRY HUTCHINS and EDITH HUTCHINS, his wife,
1703 N. 20th., St., Phila., Pa.,
LOUISE GROSS, 205 E. 2nd. St., Wilmington, Del.,
VIOLET HUTCHINS, 300 Ohila. Ave., Ocean City, Md.,
SCOTT HUTCHINS and DOROTHY HUTCHINS, his wife,
CENTREVILLE, R.R., Md.
JAMES HUTCHINS, 205 E. 2nd. St., Wilmington, Del.,

FLORENCE WILSON and SAMUEL WILSON, her husband,
Grasonville, Md.,
CLARENCE TILGHMAN, 1221 N. 13th. St., Phila., Pa.,
DOROTHY BROWN and LOUIS BROWN, her husband,
Grasonville, Md.,
HELEN SKINNER and JOHN EDWARD SKINNER, her husband,
Easton, Md.,
PRESTON TILGHMAN and MARGARET TILGHMAN, his wife,
1409 E. 17th. St., Phila., Pa.,
FLORENCE E. GRIFFIN and LORENZO GRIFFIN, her husband,
Queenstown, Md.,
MARY GRIFFIN and CHARLES GRIFFIN, her husband,
Queenstown, Md.,
ETHEL GREEN and CLIFFORD GREEN, her husband,
Queenstown, Md.,
CAMERON HUTCHINS and LILLIAN HUTCHINS, his wife,
Queenstown, Md.,
BARNEY HUTCHINS 3rd., and ANNA C. HUTCHINS, his wife,
Queenstown, Md.,
CLIFFORD HUTCHINS, 511 N. Hubert St., Phila., Pa.
Defendants.

IN THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY,
IN EQUITY.
Cause No. 3832.

AMENDED BILL OF COMPLAINT.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining, say:

1. That Barney Hutchins also known as Barnette Hutchins and Berney Hutchins, late of Queen Anne's County, died intestate in the year 1914, leaving personal property of little, if any value, no letters of administration have been granted on his estate; but died seized and possessed of the following tracts of real estate, to wit: Tract No. 1, all that lot of land situate on the public road from Carmichael to Sallie Harris Mill in the Fifth Election District of Queen Anne's County, Maryland, adjoining the lands formerly owned by Thomas H. Dodd and the lands formerly owned by Thomas H. Callahan, the same being granted and conveyed to him under the name of Barnett Hutchins by deed dated October 16th., 1895, from Thomas H. Callahan and wife, recorded in Liber W.H.C. No. 4 folio 6 & etc., a Land Record Book for Queen Anne's County, containing 6- $\frac{1}{2}$ acres of land, more or less; Tract No. 2, adjoining tract No. 1, containing 2 acres of land, more or less, granted and conveyed to Barney Hutchins under the name of Berney Hutchins by Thomas H. Callahan and wife, by deed dated March 18th., 1911, recorded in Liber S. S. No. 10, folio 561 & etc., a Land Record Book for Queen Anne's County, certified copies of which deeds marked "Complainants Exhibits A & B. are filed herewith and made a part hereof.
2. That the said Barney Hutchins being so seized and possessed left surviving him as his only heirs-at-law, the following children, to wit: Charles Hutchins, Barney Hutchins, Jr., Thomas Hutchins, Dan Hutchins, Medford Hutchins, Fanny Hutchins, and Effie Tilghman.
3. That the said Fanny Hutchins, daughter of Barney Hutchins, died intestate in Queen Anne's County, no letters of administration have been granted on her estate, leaving as her only heirs-at-law the aforementioned brothers and sisters, or children of said brothers and sisters, who had predeceased her.
4. That the said Medford Hutchins, son of Barney Hutchins, died intestate in Queen Anne's County, in 1951, that no letters of administration have been granted on his estate, leaving as his only heirs-at-law, the aforementioned brothers and sisters, or the children of said brothers and sisters, who predeceased him.
5. That Charles Hutchins, died intestate in 1918, no letters of administration have been granted on his estate, that he left surviving him as his only heirs-at-law, a widow, who has since married and is now the Defendant, Mary L. Chestnut, who is married to the Defendant, Thomas Chestnut, they reside at 1703 N. 20th. St., Phila., Pa., and that she is seized and possessed of an undivided 1/21 interest in said real estate, and a son, the Defendant, John Henry Hutchins, who is married to the Defendant, Edith Hutchins, they reside at 1703 N. 20th., St., Phila., Pa., and he is seized and possessed of an undivided 16/105 interest in said real estate, subject however to the debts of Barney Hutchins and debts of Charles Hutchins.
6. That Barney Hutchins, Jr., son of Barney Hutchins, died intestate in Queen Anne's County, in 1925, that no letters of administration have been granted on his estate, that he left surviving him the following heirs-at-law, to wit: the Plaintiff, Elva Gleaves, Plaintiffs, Ethel E. Johnson, Lillie Mae Wright, Elizabeth Minton, who is married to the plaintiff, Edward Minton, Georgianna Kennedy, who is married to the Plaintiff, Charles Kennedy Susie Mills, who is married to the Plaintiff, Benjamin Mills, Bernice Banks, the Defendant Louis Gross, who resides at 205 E. 2nd. St., Wilmington, Del., the Defendant, Violet Hutchins, who resides at 308 Phila., Ave., Ocean City, Md., the defendant, Scott Hutchins, who is married to the defendant, Dorothy Hutchins, they reside near Centreville, Md., the Defendant, James Hutchins, who resides at 205 E. 2nd. St., Wilmington, Del., the Defendant Florence Wilson, who is married to the defendant, Samuel Wilson, they reside at Grasonville, Md., the Defendant, Barney Hutchins, 3rd., who is married to the Defendant, Anna C. Hutchins, they reside at Queenstown, Md., that each of said child is seized and possessed on an undivided 1/65 interest in the aforesaid real estate, subject to the debts of Barney Hutchins, Sr., and Barney Hutchins, Jr.
7. That the said Effie Tilghman, daughter of Barney Hutchins, Sr., died intestate

in 1936, that no letters of administration have been granted on her estate, that she left surviving her as her only heirs-at-law, to wit: The Defendant, Clarence Tilghman surviving husband, who resides at 1221 13th. St., Phila., Pa., who is seized of an undivided 1/21 interest in said real estate, the defendant, Dorothy Brown, who is married to the Defendant, Louis Brown, they reside at Gransonville, Md., the Defendant, Helen Skinner, who is married to the Defendant, John Edward Skinner, they reside at Easton, Md., the Defendant, Preston Tilghman, who is married to the Defendant, Marga Tilghman, they reside at 1409 E. 17th. St., Phila., Pa., and that each child is seized and possessed of an undivided 16/315 interest in said real estate, subject to the debts of Barney Hutchins, Sr. and debts of Effie Tilghman.

8. That Dan Hutchins, son of Barney Hutchins, Sr., died intestate in 1949, no letters of administration have been granted on his estate, that he left surviving him as his only heirs-at-law, the Defendant Florence E. Griffin, who is married to the Defendant, Lorenzo Griffin, they reside at Queenstown, Md., and that the said Florence E. Griffin is seized and possessed of an undivided 1/5 interest in said real estate, subject to the debts of Barney Hutchins, Sr. and Dan Hutchins.

9. That Thomas Hutchins, son of Barney Hutchins, Sr., died intestate in 1915, no letters of administration have been granted on his estate, that he left surviving him as his only heirs-at-law the following: Mary Hutchins, Defendant, surviving widow, who is now married to the Defendant, Charles Griffin, they reside at Queenstown, Md., and the said Mary Griffin is seized of undivided 1/21 interest in said real estate, the Defendant, Ethel Green, who is married to the Defendant, Clifford Green, they reside at Queenstown, Md., Cameron Hutchins, Defendant, who is married to the Defendant, Lillian Hutchins, they reside at Queenstown, Md. and the Defendant, Clifford Hutchins, who resides at 511 N. Hubert St., Phila., Pa., that the said Ethel Green, Cameron Hutchins and Clifford Hutchins are each seized and possessed of an undivided 16/315 interest in said real estate subject to the debts of Barney Hutchins, Sr., and Thomas Hutchins.

10. That all parties to this cause are adults, and that said real estate is not susceptible of division in kind among the parties in interest agreeable to their respective interest therein, without loss or injury.

TO THE END:

That a Trustee may be appointed to make sale of the said real estate and after the payment of all expenses incident to said sale, to divided the net proceeds of said sale among the parties interested agreeable to their respective interest therein.

May it please the Court to grant unto your orators the writ of subpoenas directed to the Sheriff of Queen Anne's County, Maryland, commanding him to summons Scott Hutchins and Dorothy Hutchins, his wife, of near Centreville, Florence Wilson and Samuel Wilson, her husband, of Gransonville, Dorothy Brown and Louis Brown, her husband, of Queenstown, Mary Griffin and Charles Griffin, her husband, Ethel Green and Clifford Green, her husband, of Queenstown, Cameron Hutchins and Lillian Hutchins, his wife, and Barney Hutchins and Anna C. Hutchins, his wife, of Queenstown, Md, and to the Sheriff of Talbot County, commanding him summons, Helen Skinner and John Edward Skinner, her husband, of Easton, Md, and to the Sheriff of Worcester County, commanding him to Summons Violet Hutchins of 309 Phila., Ave., Ocean City, Md., commanding them to be and appear in this Court on a day certain to be named therein, either in person or by solicitor, to answer the Amended Bill of Complaint; and The Order of Publication, setting forth the object and substance of this Amended Bill of Complaint and warning Mary L. Chestnut and Thomas Chestnut, her husband, of 1703 E. 20th. St., Phila., Pa., John Henry Hutchins and Edith Hutchins, his wife, of same address, Louise Gross of 205 E. 2nd. St., Wilmington, Del., James Hutchins of same address, Clarence Tilghman of 1221 N. 13th. St., Phila., Pa., Preston Tilghman and Margaret Tilghman, his wife, of 1409 N. 17th st., Phila., Pa., and Clifford Hutchins of 511 N. Hubert St., Phila., Pa., all non-residents of the State of Maryland, 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 Amended Bill of Complaint and to abide by and perform any decree or order that may be passed in the premises.

RICHARD T. EARLE
Atty. for Complainants.

Filed Jan. 5, 1953

Order of Publication on
Amended Bill of Complaint
Filed Jan. 5, 1953

ORDER OF PUBLICATION

Elva Gleaves, 1507 Girard St., Phila., Pa.,
Ethel E. Johnson, Queenstown, Md.,
Lillie Mae Wright, 1607 W. Diamond St., Phila. Pa.,
Elizabeth Minton and Edward Minton, Her husband,
1707 Columbia Ave., Phila., Pa.,
Georgianna Kennedy and Charles Kennedy, her husband,
1607 W. Diamond St., Phila., Pa.,
Susie Mills and Benjamin Mills, her husband,
1710 W. Master St., Phila., Pa.
Bernice Banks, 205 Fourth St., Ocean City, N.J.
Plaintiffs.

VS.

Mary L. Chestnut and Thomas Chestnut, her husband,
 1703 N. 20th. St., Phila., Pa.,
 John Henry Hutchins and Edith Hutchins, his wife,
 1703 20th., St., Phila. Pa.,
 Louise Gross, 205 E. Second St., Wilmington, Del.,
 Violet Hutchins, 308 Phila. Ave., Ocean City, Md.
 Scott Hutchins and Dorothy Hutchins, his wife,
 Centreville, R.R., Md.
 James Hutchins, 205 E. Second St., Wilmington, Del.,
 Florence Wilson and Samuel Wilson, her husband,
 Grasonville, Md.,
 Clarence Tilghman, 1221 N. 13th. St., Phila., Pa.,
 Dorothy Brown and Louis Brown, her husband,
 Grasonville, Md.,
 Helen Skinner and John Edward Skinner, her husband,
 Easton, Md.,
 Preston Tilghman and Margaret Tilghman, his wife,
 1409 E. 17th. St., Phila., Pa.,
 Florence E. Griffin and Lorenzo Griffin, her husband,
 Queenstown, Md.,
 Mary Griffin and Charles Griffin, her husband,
 Queenstown, Md.,
 Ethel Green and Clifford Green, her husband,
 Queenstown, Md.,
 Cameron Hutchins and Lillian Hutchins, his wife,
 Queenstown, Md.,
 Barney Hutchins, 3rd., and Anna C. Hutchins, his wife,
 Queenstown, Md.,
 Clifford Hutchins, 511 N. Hubert St., Phila., Pa.,
 Defendants.

The object of this suit is to sell for partition purposes the real estate of which Barney Hutchins, also known as Barnette and Berney Hutchins, died seized and possessed in 1914.

The amended Bill of Complaint states that Barney Hutchins died intestate seized and possessed of two tracts of land, totaling 8- $\frac{1}{2}$ acres situate near Carmichael in Queen Anne's County, Maryland, that the following are his heirs-at-law, and their respective interest therein, subject however to the debts of the said Barney Hutchins and the debts of his respective children: Mary L. Chestnut a 1/21 interest, John Henry Hutchins, a 16/105 interest; Elva Gleaves, Ethel E. Johnson, Lillie Mae Wright, Elizabeth Minton, Georgianna Kennedy, Susie Mills, Bernice Banks, Louise Gross, Violet Hutchins, Scott Hutchins, James Hutchins, Florence Wilson, and Barney Hutchins 3rd., are each seized and possessed of an undivided 1/65 interest; Clarence Tilghman an undivided 1/21 interest, Dorothy Brown, Helen Skinner and Preston Tilghman, each have an undivided 16/315 interest; that Florence E. Griffin has an undivided 1/5 interest; that Mary Griffin has an undivided 1/21 interest, Ethel Green, Cameron Hutchins and Clifford Hutchins each have a 16/315 interest in said real estate. That no letters of administration or Testamentary have been granted on the Estate of Barney Hutchins, Sr., or any of his sons and daughters. That all the parties to this cause are adults and that said land is not susceptible of division among the interest parties in accordance with their respective interests therein without loss or injury. IT IS THEREUPON this 5th day of January, 1953, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that notice be given by inserting a copy of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks before the 9th day of February, 1953, warning the said Mary L. Chestnut and Thomas Chestnut, her husband, John Henry Hutchins and Edith Hutchins, his wife, Louise Gross, James Hutchins, Clarence Tilghman, Preston Tilghman and Margaret Tilghman, his wife, and Clifford Hutchins, all non-residents of the State of Maryland, to be and appear in this Court either in person or by solicitor, on or before the 25th day of February, 1953, to show cause, if any they have, why the relief prayed should not be granted and to abide by and perform any order or decree that may be passed in the premises.

T. SORDEN PIPPIN
 Clerk

Filed Jan. 5, 1953

Answer
 Filed Jan. 5, 1953

ELVA GLEAVES et al.,

VS.

MARY L. CHESTNUT et al.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of the undersigned to the Amended Bill of Complaint filed in this cause, say:

That they admit the matters and facts set forth in said Amended Bill of Complaint and consent to the passing of a decree of sale for the real estate mentioned in this cause.

MARY L. CHESTNUT
 Mary L. Chestnut

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

Cause No. 3832.

THOMAS CHESTNUT
Thomas Chestnut

JOHN H. HUTCHINS
John H. Hutchins

EDITH HUTCHINS
Edith Hutchins.

Filed Jan. 5, 1953

ELVA GLEAVES et al.,

VS.

MARY L. CHESTNUT et al.

IN THE CIRCUIT COURT FOR QUEEN
ANNE'S COUNTY, IN EQUITY.
No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of the undersigned to the Amended Bill of Complaint against them et al exhibited, say:

That they admit the matters and facts set forth in said Amended Bill of Complaint and consent to the passing of a decree of sale for the real estate mentioned in these proceedings.

FLORENCE WILSON
Florence Wilson

SAMUEL WILSON
Samuel Wilson

Filed Jan. 5, 1953

Answer

Filed Jan. 5, 1953

ELVA GLEAVES et al.,

VS.

MARY L. CHESTNUT et al.

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

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of the undersigned to the Amended Bill of Complaint against him and others exhibited, says:

That he admits the matters and facts therein set forth and consents to the passing of a decree for the sale of the real estate mentioned in these proceedings.

CLIFFORD HUTCHINS
Clifford Hutchins

Filed Jan. 5, 1953

ELVA GLEAVES et al.

VS.

MARY L. CHESTNUT et al.

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

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of the undersigned Defendants to the Amended Bill of Complaint in this cause exhibited against them et al, says: That they admit the matters and facts alleged in said Amended Bill of Complaint and consents to the passing of a decree for the sale of the real estate mentioned and described in these proceedings.

ETHEL GREEN
Ethel Green

CLIFFORD GREEN
Clifford Green

CAMERON HUTCHINS
Cameron Hutchins

LILLIAN HUTCHINS
Lillian Hutchins

FLORENCE E. GRIFFIN
Florence E. Griffin

LORENZO GRIFFIN
Lorenzo Griffin

BARNEY HUTCHINS 3rd
Barney Hutchins 3rd.

ANNA C. HUTCHINS
Anna C. Hutchins

MARY GRIFFIN
Mary Griffin

CHARLES GRIFFIN
Charles Griffin

Filed Jan. 5, 1953

Answer
Filed Jan. 5, 1953

ELVA GLEAVES et al.,

VS.

MARY L. CHESTNUT et al.

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

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Scott Hutchins and Dorothy Hutchins, his wife, to the Amended Bill of Complaint filed against them et al. in this cause to your Honors respectfully shows:

That they admit the matters and facts set forth in said Amended Bill of Complaint and consent to the passing of a decree for the sale of real estate mentioned and described in these proceedings.

SCOTT HUTCHINS
Scott Hutchins

DOROTHY HUTCHINS
Dorothy Hutchins

Filed Jan. 5., 1953

Answer
Filed Jan. 5, 1953

ELVA GLEAVES et al.,

VS.

MARY L. CHESTNUT et al.

In the Circuit Court for Queen

Anne's County, in Equity.

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Violet Hutchins to the amended Bill of Complaint filed in this caused against her et al. says:

That she admits the matters and facts set forth in said amended bill of complaint and consents to the passing of a decree for the sale of the real estate mentioned and described in these proceedings.

Violet Hutchins.

VIOLET HUTCHINS

Filed Jan. 5, 1953

Subpoena
Filed Jan. 10, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Helen Skinner and John Edward Skinner,
her husband,
Easton, 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 Elva Gleaves, 1507 W. Girard St., Phila., Pa., Ethel E. Johnson, Queenstown, Md., Lillie Mae Wright, 1607 W. Diamond St., Phila., Pa., Elizabeth Minton and Edward

A. Minton, her husband, 1707 Columbia Ave., Phila., Pa., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila., Pa., Bernice Banks, 205 Fourth St., Ocean City, N.J. 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 5th. day of January, 1953.

Issued the 5th. day of January, 1953.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

I Hereby certify that on the 8th day of January 1953 I read the within Writ to the Defendants therein named and copy of process and Bill left with each.

A. RAYMOND CARROLL
Sheriff of Talbot County.

Filed Jan, 10, 1953

Subpoena
Filed Jan. 13, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Dorothy Brown and Louis Brown, her husband,
Grasonville, 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 Elva Gleaves, 1507 W. Girard St., Phila., Pa., Ethel E. Johnson, Queenstown, Md., Lillie Mae Wright, 1607 W. Diamond St., Phila., Pa., Elizabeth Minton and Edward A. Minton, her husband, 1707 Columbia Ave., Phila., Pa., Georgianna Kennedy and Charles Kennedy, her husband, 1607 W. Diamond St., Phila., Pa., Susie Mills and Benjamin Mills, her husband, 1710 W. Master St., Phila., Pa., Bernice Banks, 205 Fourth Street, Ocean City, N.J. 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 5th. day of January, 1953.

Issued the 5th. day of January, 1953.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Defendants summoned and copies of subpoena and bill of complaint left with each this 23rd. day of January, 1953.

FRANK Y. WHITELEY
Sheriff

Answer
Filed Feb. 27, 1953

ELVA GLEAVES et al.,
VS.

MARY L. CHESTNUT et al.

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

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of the undersigned to the Amended Bill of Complaint filed in this cause,
say:

That they admit the matters and facts set forth in the Amended Bill of Complaint
and consent to the passing of a decree of sale of the real estate mentioned in these
proceedings.

LOUISE GROSE
Louise Gross

JAMES HUTCHINS
James Hutchins

Filed Feb. 27, 1953

Answer
Filed Feb. 27, 1953

ELVA GLEAVES et al.,
VS.

MARY L. CHESTNUT et al.

IN THE CIRCUIT COURT FOR QUEEN

ANNE'S COUNTY, IN EQUITY.

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned, defendants, to the amended bill of complaint filed herein say:

That they admit the matters and facts set forth in said amended
bill of complaint and consent to the passing of a decree for the sale of real estate
mentioned in these proceedings.

PRESTON E. TILGHMAN
Preston E. Tilghman

MARGARET TILGHMAN
Margaret Tilghman

CLARENCE TILGHMAN
Clarence Tilghman

Filed Feb. 27, 1953

Petition for Decree Pro Confesso
Filed Feb. 27, 1953

ELVA GLEAVES at al.,
VS.

MARY L. CHESTNUT et al.

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

Cause No. 3832.

TO THE HONORABLE, the JUDGES OF SAID COURT:

The Petition of Elva Gleaves et al., Plaintiffs in above cause, by Richard T. Earle
their attorney, to your Honors respectfully shows:

That the Defendants, Dorothy Brown and Louis Brown, her husband, and Helen Skinner
and John Edward Skinner have been duly summoned to appear in this cause either in
person or solicitor within fifteen days after the First Monday in February, 1953,
and have failed to appear either in person or by solicitor as so commanded.

That the Plaintiffs are advised that they are entitled to take the Amended Bill of
Complaint as confessed against the said Defendants.
Wherefore your Petitioners pray that the said Amended Bill may be taken against as
confessed against the said Defendants and that the petitioners may be given leave to
take testimony before one of the regular examiners to prove the allegations of
the said Amended Bill of Complaint.

RESPECTFULLY SUBMITTED.

RICHARD T. EARLE
Atty. for Complaints.

Filed Feb. 27, 1953

ORDER OF COURT

The foregoing Petition having been read and considered and the Defendants having been duly summoned and failed to appear as alleged, IT IS THEREUPON this 27th day of February, 1953, ORDERED by The Circuit Court for Queen Anne's County, in Equity that the Amended Bill of Complaint be taken pro confesso against the said Dorothy Brown and Louis Brown, her husband, and against the said Helen Skinner and John Edward Skinner, her husband, an leave is hereby granted to the Complainants to take testimony before one of the regular examiners of this Court to prove the allegations of the said Amended Bill of Complaint.

WM. R. HORNEY
Judge.

Filed Feb. 27, 1953

Order of Publication
Filed March 18, 1953

ELVA GELAVES
1507 Girard St., Phila., Pa.,
Ethel E. Johnson,
Queenstown, Md.,
Lillie Mae Wright,
1607 W. Diamond St., Phila., Pa.,
Elizabeth Minton and Edward Minton,
her husband,
1707 Columbia Ave., Phila., Pa.,
Georgianna Kennedy and Charles Kennedy, her
husband, 1607 W. Diamond St., Phila., Pa.
Susie Mills and Benjamin Mills,
her husband,
1710 W. Master St., Phila., Pa.
Bernice Banks,
205 Fourth St., Ocean City, N.J.,
Plaintiffs

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY.

Chancery No.

VS.

Mary L. Chestnut and Thomas Chestnut,
her husband,
1703 N. 20th. St., Phila., Pa.,
John Henry Hutchins and Edith
Hutchins, his wife,
1703 20th. St., Phila., Pa.,
Louise Gross,
205 E. Second St., Wilmington, Del.
Violet Hutchins,
308 Phila., Ave., Ocean City, Md.
Scott Hutchins and Dorothy Hutchins, his wife,
Centreville R.R. Md.
James Hutchins,
205 E. Second St., Wilmington, Del.
Florence Wilson and Samuel Wilson, her
husband, Grasonville, Md.,
Clarence Tilghman,
1221 N. 13th St., Phila., Pa.,
Dorothy Brown and Louise Brown, her husband,
Grasonville, Md.,
Helen Skinner and John Edward Skinner, her husband,
Easton, Md.,
Preston Tilghman and Margaret Tilghman, his wife,
1409 E. 17th St., Phila., Pa.
Florence E. Griffin and Lorenzo Griffin,
her husband, Queenstown, Md.,
Mary Griffin and Charles Griffin,
her husband,
Queenstown, Md.,
Ethel Green and Clifford Green
her husband,
Queenstown, Md.,
Cameron Hutchins and Lillian Hutchins, his wife,
Queenstown, Md.,
Barney Hutchins, 3rd., and Anna C. Hutchins, his
wife, Queenstown, Md.,
Clifford Hutchins,
511 N. Hubert St., Phila., Pa.,
Defendants

The object of this suit is to sell for partition purposes the real estate of which Barney Hutchins, also known as Barnette and Berney Hutchins, died seized and possessed in 1914.

The Amended Bill of Complaint states that Barney Hutchins died intestate in Queen Anne's County, Maryland, that the following are his heirs-at-law, and their respective interest therein, subject however to the debts of the said Barney Hutchins and the debts of his respective children: Mary L. Chestnut a/21 interest, John Henry Hutchins, a 16/105 interest; Elva Gleaves, Ethel E. Johnson, Lillie Mae Wright, Elizabeth Minton, Georgianna Kennedy, Susie Mills, Bernice Banks,

Louise Gross, Violet Hutchins, Scott Hutchins, James Hutchins, Florence Wilson, and Barney Hutchins, 3rd., are each seized and possessed of undivided 1/65 interest; Clarence Tilghman and undivided 1/21 interest, Dorothy Brown, Helen Skinner and Preston Tilghman, each have an undivided 16/315 interest; that Florence E. Griffin has an undivided 1/5 interest; that Mary Griffin has an undivided 1.21 interest, Ethel Green, Cameron Hutchins and Clifford Hutchins each have a 16/315 interest in said real estate. That no letters of administration or Testamentary have been granted on the Estate of Barney Hutchins, Sr., or any of this sons and daughters. That all the parties to this cause are adults and that said land is not susceptible of division among the interested parties in accordance with their respective interests therein without loss or injury.

IT IS THEREUPON this 5th day of January, 1953, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that notice be given by inserting a copy of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks before the 9th day of February 1953, warning the said Mary Chestnut and Thomas Chestnut, her husband, John Henry Hutchins and Edith Hutchins, wife, Louise Gross, James Hutchins, Clarence Tilghman, Preston Tilghman and Margaret Tilghman, his wife, and Clifford Hutchins, all non-residents of the State of Maryland, to be and appear in this Court either in person or by solicitor on or before the 25th day of February, 1953, to show cause, if any they have, why the relief prayed should not be and appear in this Court either perform any order or decree that may be passed in the premises.

T. SORDEN PIPPIN,
Clerk.

True Copy:
Test: T. SORDEN PIPPIN,
Clerk.

Filed Jan. 5, 1953

THE QUEENSTOWN NEWS

Queenstown, Md. Feb. 28, 1953

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 estate of Elva Gleaves, vs. Mary L. Chestnut Chancery No. 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 Feb. 1953, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 9th day of Jan. 1953.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Mar. 18, 1953

Report of Examiner and Depositions
Filed Mar. 26, 1953

ELVA GLEAVES et al.,

VS.

MARY L. CHESTNUT et al.

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

Cause #3832.

REPORT OF EXAMINER AND DEPOSITIONS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned, one of the regular examiner of this Court, at the request of Richard T. Earle, Attorney for the Complainants, went to the office of the said attorney in the town of Centreville, on Wednesday, March 18th., 1953, at 2 o'clock P.M., and there were presents the said attorney, James DeCoursey and Joseph Rhyanes, and after swearing in said witnesses; their depositions were taken.

Again on Tuesday morning, March 24th., 1953, at 9 o'clock A.M. at the request of said attorney, the undersigned went to the office of the said Richard T. Earle and after swearing in said witness the deposition of Ethel Green was taken.

Respectfully submitted.

HARRY C. BUTLER
One of Regular Examiners

The First witness called by the Complainants being duly sworn, deposes and says:

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

A. Joseph Rhyan, 58, near Queenstown, School Bus Operator.

2nd. Int. This is a suit brought by part of the heirs-at-law of Barney Hutchins, who died in 1914, for the sale of the real estate of which he died seized and possessed, do you know the land of which he died seized and possessed, is it susceptible of division among the heirs about 25 or 30 of them without loss of injury, if not why not? And is the land that you know that Barney Hutchins died seized and possessed the same land as described

in Deeds, which I now hand you, marked Complainants exhibits 1 & 2?

A. Yes I do, I remember when Barney, Berney or Barnett Hutchins lived on the land as described in said deeds, and that said land is fully described in said deeds.

3rd.Int. Do you know the value of real estate in the neighborhood of the land in question, if so, what do you consider the fair value of the land of which Barney Hutchins died so seized and possessed.?

A. There are two houses on same but neither in shape to be lived in and I consider that the value of this land is \$450.00.

4th.Int. Do you own any real estate in the neighborhood of the land in question?

A. I own my home of 12 acres of land in that neighborhood and am familiar with the value of land in that neighborhood

Examiner's Special.

A. This land can not be divided among the heirs without loss to some of them.

Examiner's Special: No.

JOSEPH RHYANES

The next witness called by the Complainants, being duly sworn, deposes and says.

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

A. James E. DeCoursey, 75 years of age, farmer.

2nd.Int. Did you know Barney Hutchins? Is he living or dead, when did he die? I now hand you certified copies of deeds marked Complainants exhibit 1 & 2 is the land described therein the land that Barney Hutchins died seized and possessed?

A. I knew Barney Hutchins, he lived on the land described in said deeds at the time of

3rd.Int. Do you own any real estate in the neighborhood of the land formerly owned by Barney Hutchins and which he died seized and possessed?

A. I own 17 acres in that neighborhood, know the value of land in that neighborhood

4th.Int. Are you familiar with the value of land in the neighborhood of the Hutchins' land, if so, what do you consider the fair value thereof and give reasons for your answer?

A. I knew Barney, Berney or Barnett Hutchins, he lived on the land described in said deeds at the time of his death in 1914. I am familiar with value of real estate in that neighborhood and the value of this land is about \$450.00.

5th. Int. Is the land of Hutchins susceptible of division in kind among 25 or 30 heirs without loss or injury, if not, why not?

A. It is not for that about 8- $\frac{1}{2}$ acres of land would have to be divided between 25 or 30 heirs, and it could not well be done without loss to some of them.

EXAMINER'S SPECIAL. No.

JAMES E. DECOURSEY

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

My name is Ethel Green, 48 years of age, live at Queenstown, Housewife.

2nd.Int. This is a suit to sell for the purpose of partition the land of which Barney Hutchins died seized and possessed, did you know Barney Hutchins, is he living or dead, if dead, when did he die? Did he leave a Last Will and Testament or not? Has letters of administration been granted on his estate or not?

A. Barney Hutchins was my grandfather, he died about 1914, he left no will and no letters of Administration have been granted on his estate.

3rd.Int. Do you know the parties to this cause or any of them?

A. I know all the heirs of Barney Hutchins, their respective husbands and wives, some I know and some I do not, but I have heard them spoken off and know their names to be correct.

4th.Int. Did Barney Hutchins leave any children or wife surviving him?

A. Barney Hutchins left a wife, who died sometime in the 1920, without ever having married again.

5th.Int. Do you name the names of children Barney Hutchins left, are they living or dead and when did they die?

- A. He left the following children, to wit: Charles Hutchins, Barney Hutchins, Jr., Thomas Hutchins, Dan Hutchins, Medford Hutchins, Fanny Hutchins, and Effie Tilghman, they are all dead.
- 6th.Int. Is Fanny Hutchins living or dead, when did she die, was she married or single, did she leave a will or not, has letters of administration been granted on her estate, who are her heirs-at-law.
- A. She died in 1945, never married and never had any child, no will and no letters of administration have been granted on her estate, her heirs are her surviving brothers and sisters or children of said Brothers and Sisters.
- 7th. Int. Did you know Medford Hutchins, is he living or dead, if dead, when did he die, did he leave a Will or has letters of administration been granted on his estate, who are his heirs-at-law.
- A. He died in 1951, he never married, he left no Will and no Letters of Administration have been granted on his estate, his heirs-at-law are the children of his deceased brothers and sisters.
- 8th.,Int. Did you know Charles Hutchins, is he living or dead, if dead, when did he die? Did he leave a Will or not, was letters of administration granted on his estate or not, who are the heirs-at-law of Charles Hutchins?
- A. He died in 1918, he left no will and no letters of administration have been granted on his estate, he left a widow, who is now married to Thomas Chestnut, her name is Mary L. Chestnut, he left also a son by the name of John Henry Hutchins, who is married to Edith Hutchins.
- 9th.Int. Did you know Barney Hutchins, Jr., is he living or dead, when did he die, did he leave a Will or Not, has letters of administration been granted on his estate, who are his heirs-at-law.
- A. He die about 1925, he left no will and no Letters of Administration have been granted on his estate, he left the following children, to wit: Elva Gleaves a widow, Ethel E. Johnson, widow, Lillie Mae Wright who is married to Henry Wright, Elizabeth Minton, who is married to Edward Minton, Georgianna Kennedy, who is married to Charles Kennedy, Susie Mills, who is married to Benjamin Mills; Bernice Banks, widow Louise Gross, I do not know the name of her husband, if any; Violet Hutchins, single; Scott Hutchins is married to Dorothy Hutchins; James Hutchins; Florence Wilson, her husband's Name is Samuel Wilson; Barney Hutchins, 3rd., who is married to Anna C. Hutchins;
- 10th.Int. Did you know Effie Tilghman, is she living or dead, when did she die if she is dead, did she leave A Will or Not, has Letters of administration been granted on her estate, did she leave any heirs-at-law, who are they?
- A. She died in 1936, she left no Will and no Letters of Administration have been granted on her estate. She left a husband by the name of Clarence Tilghman; Who is still living. She left Dorothy Brown, a daughter, who is married to Louis Brown and they reside at Easton; Helen Skinner, who is married to John Edward Skinner and they reside at Grasonville, son, Preston Tilghman, who is married to Margaret Tilghman.
- 11th.Int. Did you know Dan Hutchins, is he living or dead, if dead, when did he die? Did he leave a Will or has letters of administration been granted on his estate? Who are his heirs-at-law?
- A. He die about 1949, he left no will nor have letters of administration been granted on his estate, he left only one Heir-at-law, Florence E. Griffin, who is married to Lorenzo Griffin.
- 12th.Int. Did you know Thomas Hutchins, is he living or dead, if dead, when did he die, did he leave a will or has letters of administration been granted on his estate. Who are his heirs-at-law?
- A. He was my father, he die in 1915, he left no Will nor have letters been granted on his estate. He left a widow, Mary Hutchins, my mother, who is now married to Charles Griffin, and the following Children, myself, and I am married to Clifford Green, Cameron Hutchins who is married, to Lillian Hutchins, and Clifford Hutchins, single,
- 13th.Int. Are all the parties to this cause adults.
- A. Yes.
- 14th.Int. I now hand you the two deeds that are filed in this exhibit, does the land described in said exhibits constitute the land of which Barney Hutchins died seized and possessed.
- A. It is the same land.

Examiner's Special

No.

ETHEL GREEN

Being advised by the attorney for the Complainants that he desired no further depositions, I am filing this report with depositions taken.
Witnesses waived fee and expenses
Harry C. Butler, Examiner-----\$10.00

HARRY C. BUTLER
One of Regular Examiners.

Petition to name omitted parties
Filed June 27, 1953

ELVA GLEAVES et al.

vs.

MARY L. CHESTNUT et al.

IN THE CIRCUIT COURT FOR QUEEN

ANNE'S COUNTY, IN EQUITY.

No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Richard T. Earle, Atty. for Plaintiffs, to your Honors respectfully shows:

That Henry E. Wright, husband of Lillie Mae Wright, one of the Plaintiffs was through oversight omitted as a party to this suit, as likewise Blanch Hutchins, wife of James Hutchins, a defendant in this cause; and also James Gross, husband of Louise Gross, a defendant in this cause and Wilbert L. Banks, husband of Bernice Banks, one of the plaintiffs in this cause; the aforesaid parties were not known by your petitioner at the time of filing of either the Original Bill or The Amended Bill of Complaint.

That all the above parties, are adults, and have been advised by reading a copy of said Amended Bill of Complaint as regards to the nature of this suit and also that depositions have been taken to prove the allegations as therein set forth and have signed answers admitting all the facts in said Amended Bill of Complaint and the facts set forth in said depositions and have consented to the immediate passage of a decree for the sale of the property described in these proceedings.

Your petitioner prays that this Honorable Court may pass an Order in this cause permitting your petitioner to name the same Henry E. Wright, Blanch Hutchins, James Gross and Wilbert L. Banks as parties defendants in this cause.

RICHARD T. EARLE
Atty. for Plaintiffs.

Filed June 27, 1953

ORDER OF COURT

The foregoing petition having been read and considered, IT IS THEREUPON this 29th day of June, 1953, ORDERED that the said Henry E. Wright, Blanch Hutchins, James Gross and Wilbert L. Banks be and they hereby are made additional parties defendants in this cause.

WM. R. HORNEY
Judge.

Filed June 29, 1953

Answer
Filed June 29, 1953

ELVA GLEAVES et al.,

vs.

MARY L. CHESTNUT et al.

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

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

I, Henry E. Wright, husband of Lillie Mae Wright, one of the Plaintiff's in this cause, having been omitted as a party to this cause, and having been made a party defendant in this cause after the taking of depositions herein to prove the allegations of the Amended Bill of Complaint: do hereby admit the matters and facts set forth in the Amended Bill of Complaint and do waive Notice of taking said depositions, and being an adult, do hereby consent that The Court may pass immediately a Decree for the sale of the real estate mentioned and described in these proceedings, waive hereby the ten days required that depositions must lie in Court before passing of a decree.

Respectfully submitted.

HENRY E. WRIGHT
Henry E. Wright

Filed June 29, 1953

Answer
Filed June 29, 1953

ELVA GLEAVES et al.,

vs.

MARY L. CHESTNUT et al.

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

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

I, James Gross, husband of Louise Gross, a defendant in above entitled cause, having been omitted as a party to this cause, and having been made a party defendant in this cause after the taking of depositions to prove the allegations of the Amended Bill of Complaint: I do hereby admit the matters and facts set forth in the Amended Bill of Complaint and waive notice of the taking of said depositions, and being an adult, do hereby consent that The Court may pass at once a decree for the sale of the property mentioned and described in the said Amended Bill of Complaint, waiving the usual ten days for said deposition to line in Court before the passing of a decree.

JAMES GROSS
James Gross

Filed June 29, 1953

Answer
Filed June 29, 1953

ELVA GLEAVES et al.

VS.

MARY L. CHESTNUT et al.

In the Circuit Court for Queen

Anne's County, in Equity.

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

I, Blanche Hutchins, wife of James Hutchings, a defendant in above entitled cause, having been omitted as a party to this cause, and having been made a party defendant after the taking of depositions to prove the allegations of the Amended Bill of Complaint, do hereby admit the matters and facts set forth in the said Amended Bill of Complaint and waive notice of the taking of said depositions, and being an adult, do hereby consent that the Court may pass at once a decree for the sale of the real estate mentioned and described in the said Amended Bill of complaint without the usual ten days notice for the depositions to remain in Court.

BLANCHE HUTCHINS
Blanche Hutchins

Filed June 29, 1953

Answer
Filed June 29, 1953

ELVA GLEAVES et al.

VS.

MARY L. CHESTNUT et al.

In the Circuit Court for Queen

Anne's County, In Equity.

Cause No. 3832.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

I, Wilbert Banks, husband of Bernice Banks, a party Plaintiff in above cause, having been omitted as a party to this cause and having been made now a party defendant in this cause, after the taking of depositions to prove the allegations of the Amended Bill of Complaint, do hereby admit the matters and facts set forth in the said amended bill of complaint and also in the depositions filed in this cause, and being an adult do hereby consent that the Court may pass at once a decree for the sale of the real estate mentioned and described in the said amended bill of complaint, without the same remaining in Court the usual ten days.

Wilbert Banks.

WILBERT L. BANKS

Filed June 29, 1953

Decree of Sale
Filed June 30, 1953

ELVA GLEAVES et al.

VS.

MARY L. CHESTNUT et al.

IN THE CIRCUIT COURT FOR QUEEN

ANNE'S COUNTY, IN EQUITY.

Cause No. 3832.

DECREE OF SALE.

The above cause standing ready for hearing and being submitted without argument and the proceedings having been read and considered-IT IS THEREUPON this 30th day of June, in the year nineteen hundred and fifty three, 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 these proceedings be sold for the purpose of partition and that Richard T. Earle be and he is hereby appointed Trustee to make said sale and that the course and manner of his proceedings shall be as follows: that he shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and surety or sureties thereon to be approved by this Court or the Clerk thereof, in the penalty of One Thousand Dollars, if a corporate bond be

given, or double that amount if personal surety or sureties be given, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order that may be passed in the premises; he shall then proceed to make said sale, having given at least three weeks previous notice by advertisement inserted in some newspaper or newspaper 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 one third of the purchase money in cash on day of sale, balance upon final ratification of sale, or all cash on day of sale at the option of the purchaser or purchasers, possession to be given on day of sale, title papers, documentary and revenue stamps to be at the expense of the purchaser, taxes to be adjusted to day of sale, and as soon as may be convenient after such sale, the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an annexed affidavit of the truth thereof and the fairness of said sale: and on obtaining a final ratification of said Sale by the Court and on the payment of the whole purchase money and not before, the said Trustee shall be a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claims of the parties hereto, and those claiming by, from or under them or any of them. And the said trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court after deduction of the costs of this suit and such commissions to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity where-with he shall appear to have discharge his trust.

And it is further ORDERED AND DECREED that at the time of the advertisement of said sale that Notice to Creditors of Barney Hutchins also known as Barnett Hutchins or Berney Hutchins, and Barney Hutchins, Jr., Charles Hutchins, Thomas Hutchins, Dan Hutchins, Medford Hutchins, Fanny Hutchins and Effie Tilghman be given, directing them to file their claims, with proper vouchers thereto attached with the Clerk of this Court, within ninety days from the date of the first insertion, which date shall be set forth in said notice, or else be barred from payment out of the proceeds of sale.

WM. R. HORNEY
Judge.

Filed June 30, 1953

CERTIFIED COPY OF BOND
Filed Aug. 27, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-seventh day of August in the year nineteen hundred and fifty three, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS: that we, Richard T. Earle of Queen Anne's County, State of Maryland, as Principal, and Glens Falls Indemnity Company, a body corporate, as Surety, are held and firmly bound unto the State of Maryland in the 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, for the whole and in the whole, firmly by these presents sealed with our seals and dated this 27th. day of August, 1953.

WHEREAS, the above bounden Richard T. Earle was by a Decree dated June 30th, 1953, of the Circuit Court for Queen Anne's County, in Equity, passed in a Cause in said Court entitled "Elva Gleaves et al. vs. Mary L. Chestnut et al", being cause No. 3832 in said Court, appointed Trustee to make sale of the real estate mentioned and described in said Cause.

NOW THE CONDITION OF THE ABOVE OBLIGATION is such that if the above bounden Richard T. Earle shall well and faithfully perform the duties reposed him by said decree or that may be reposed in him by any future order or decree that may be passed in the premises, then this obligation to be null and void; otherwise to be and remain in full force and virtue in law.

Witness our hands and seals.

Signed, sealed and delivered
in the presence of:

RICHARD T. EARLE (SEAL)
Richard T. Earle

VIRGIL R. FREENY

GLENS FALLS INDEMNITY COMPANY

By L. HERMAN MEREDITH
L. Herman Meredith, Attorney
Corporate Seal

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and bond filed Aug. 27, 1953.

T. SORDEN PIPPIN, Clerk

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

I hereby certify that the foregoing was truly taken and copied from Liber A.S.G.Jr. No. 1, folio 373, 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-seventh day of August in the year nineteen hundred and fifty three.

Clerk's Seal.

T. SORDEN PIPPIN
Clerk

Report of Sale
Filed Sept. 24, 1953

ELVA GLEAVES et al.,

IN THE CIRCUIT COURT FOR QUEEN

VS.

ANNE'S COUNTY, IN EQUITY.

MARY L. CHESTNUT et al.

Cause No. 3832.

REPORT OF SALE.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned Trustee, after compliance with all the prerequisite of the Decree of Sale passed in this Cause, after four insertions of the Advertisement of sale, as per certificate thereof, with a copy of said advertisement thereto attached, did at 1.30 P.M. on Tuesday, September the 22nd., in front of the Court house in Centreville offer for sale all that lot or tract of land situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, near Carmichael in said District, and containing eight and one half acres of land, more or less, being the same land of which Bernie, Barnette or Barney Hutchins died seized and possessed, and which was conveyed to him by two deeds from Thomas H. Callahan and wife, one being recorded in Liber W.H.C. No. 4, folio 6 & etc., and the other being recorded in Liber S.S. No. 10, folio 561 & etc., Land Record Book for Queen Anne's County, upon the terms as advertised, and sold the same to Elva Gleaves, she being then and there the highest bidder for same at and for the sum of One THOUSAND DOLLARS (\$1,000.00); and the said purchaser gave your Trustee a check on a bank in Pennsylvania for the sum of \$500.00, and has agreed to pay the balance due thereon upon the ratification of sale.

Respectfully submitted.

RICHARD T. EARLE
Trustee.

I hereby certify that on this 24th. day of September, 1953, personally appeared before me, the subscriber, The Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Trustee in the above entitled cause and made oath in due form of law that the matters and facts set forth in the foregoing report of sale are true as therein stated and that said sale was fairly made.

T. SORDEN PIPPIN
Clerk of the Circuit Court
for Queen Anne's County.

Filed Sept. 24, 1953

TRUSTEE'S SALE
OF VALUABLE REAL ESTATE
Sept. 24, 1953

TRUSTEE'S SALE OF VALUABLE
REAL ESTATE
Filed Sept. 24, 1953

The undersigned Trustee by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed in a cause in said Court entitled Elva Gleaves et al., vs. Mary L. Chestnut, et al. will offer at public sale on TUESDAY, SEPTEMBER 22, 1953 at 1:30 P.M. in front of the Court House in Centreville, Maryland, all that lot or tract of land situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, on the public road from Carmichael to Sallie Harris Mill; containing 8½ acres of land, more or less, improved by a frame dwelling house; being the same land of which Barney, Barnett or Bernie Hutchins, died seized and possessed and which was granted and conveyed to him by two deeds from Thomas H. Callahan and wife, said deeds being recorded in Libers W.H.C. No. 4, folio 6 etc., and S.S. No. 10, folio 561 and etc., land record Books for Queen Anne's County.

TERMS OF SALE--One third of the purchase money on day of sale, the balance with interest thereon payable upon ratification of sale, or all cash at day of sale; taxes to be adjusted to day of sale, possession to be given upon compliance with terms of sale. Title papers, revenue and recordations stams at the expense of the purchaser.

RICHARD T. EARLE
Trustee

J. Elmer Anthony, Auctioneer

THE QUEENSTOWN NEWS

Queenstown, Md. Sept. 23, 1953

THE QUEENSTOWN NEWS, and George J. Steinfelt, do hereby certify that the Trustee Sale of Valuable Real Estate in the case of Elva Gleaves et al., Vs. Mary L. Chestnut et al., 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 Sept. 1953, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 28th day of Aug. 1953.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Sept. 24, 1953

NISI

Elva Gleaves et al.

vs.

Mary L. Chestnut, Et al.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Chancery No. 3832

ORDERED, This 24th day of September A.D., 1953, 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 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 2nd day of November next.

The Report states the amount of sales to be \$1,000.00

T. SORDEN PIPPIN,
Clerk

True Copy:

Test: T. SORDEN PIPPIN, Clerk

Filed Sept. 24, 1953

THE QUEENSTOWN NEWS

Queenstown, Md. Dec. 3, 1953

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 Elva Gleaves et al. Vs. Mary L. Chestnut, et al., Chancery No. 3832 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 Nov. 1953, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 2nd day of Oct. 1953.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Dec. 7, 1953

NISI

Elva Gleaves Et al.

VS.

Mary L. Chestnut Et al.

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

Chancery No. 3832

ORDERED, This 24th day of September A.D., 1953, 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 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 2nd day of November next.

The Report states the amount of sales to be \$1000.00

T. SORDEN PIPPIN Clerk

Filed Sept. 24, 1953

NOTICE TO CREDITORS

All creditors of Barnette, Bernie or Barney Hutchins, Barney Hutchins, Jr., Charles Hutchins, Thomas Hutchins, Dan Hutchins, Medford Hutchins, Fanny Hutchins, and Effie Taylor are hereby notified to file their claims, with proper vouchers for same thereto attached with the Clerk of the Circuit Court for Queen Anne's County within Ninety (90) days from September 25th, or else they will be barred from Participation in the proceeds of sale of the real estate of which said Barney, Bernie or Barnette Hutchins died seized and possessed.

RICHARD T. EARLE
Trustee

THE QUEENSTOWN NEWS

Queenstown, Md. Dec. 3, 1953

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Notice to Creditors in the case of Barnette Bernie or Barney Hutchins Barney Hutchins, Jr., Charles Hutchins, Thomas Hutchins, Dan Hutchins, Medford Hutchins, Fanny Hutchins and Effie Taylor 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. 1953, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 25th day of Sept. 1953

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

ORDERED this 8th day of December, 1953, that the foregoing sale made and reported by Richard T. Earle, Trustee in this cause, 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 Order Nisi the certificate of publication of which is attached hereto, and the Trustee is allowed the usual commissions, it is further ordered that the papers be submitted to the regular auditor to state account in this cause between the said Richard T. Earle, Trustee and the proceeds of sale, the trustee to be allowed all expenses not personal.

WM. R. HORNEY
Judge.

Filed Dec. 8, 1953

AUDIT
Filed Dec. 28, 1953

Elva Gleaves, et al

vs.

Mary L. Chestnut, et al.

In the Circuit Court For
Queen Anne's County In
Equity #3832

To the Honorable, The Judges of Said Court:

The report of J. Thomas Clark, your auditor, unto your Honor respectfully set forth:

1. That this account is stated at the request of Richard T. Earle, Trustee, who was duly appointed by this Court to make the sale of the real estate and disburse the proceeds received from the same, pursuant to the order of this Court on June 30th, 1953.

2. That in the within account Richard T. Earle, Trustee, is charged with the proceeds of the real estate sold in these proceedings, the same being the real estate which one, Barney Hutchins, died seized and possessed, intestate, and on which no letters of administration had been granted on his personal estate, and under the bill filed herein was a suit for sale by way of partition. That in the within account the said trustee has been allowed all expenses, not personal, according to the order of ratification of the sale of this Honorable Court, the same being set forth in this audit.

3. That in the within account the distribution of the share of Fanny Hutchins and that part of the share of Medford Hutchins are set forth together, after first deducting the claim of the Welfare Board for Queen Anne's County, heretofore filed herein.

Respectfully submitted,

J. THOMAS CLARK
Auditor

December 28, 1953

Filed Dec. 28, 1953

CAUSE NO. 2832

The proceeds of the sale of land reported in this cause, in account with Richard T. Earle, Trustee, appointed by this honorable Court to make the sale herein reported in these proceedings (and vendor of said land)

| | | |
|---------|--|------------|
| 1953 | | |
| Sept 24 | By gross proceeds of the sale of said land, per report of said vendor, to wit:..... | \$1,000.00 |
| | By interest on unpaid balance, per oath of trustee..... | 7.50 |
| | By total proceeds of sale, the sum of..... | \$1,007.50 |

Sept 24

Dr.

| | | |
|--|--------------|---------------|
| To Richard T. Earle, trustee (and vendor) for his commissions for making the sale per order of court..... | \$67.95 | |
| To do., for court costs of this cause paid per Clerk's receipt for the same exhibited, as follows, to wit: | | |
| Costs of T. Sorden Pippin, Clerk .. | \$116.75 | |
| Sheriff of Queen Anne's County..... | 13.30 | |
| Sheriff of Talbot County..... | 3.80 | |
| Sheriff of Worchester County..... | .95 | |
| Fee of Harry C. Butler, Examiner.... | <u>10.00</u> | 144.80 |
| To Richard T. Earle, as his appearance fee..... | | 10.00 |
| To do., for sums paid The Queenstown News, per receipts for the same exhibited, to wit: | | |
| For publishing the order of publication..... | \$68.25 | |
| For publishing the notice of sale..... | 22.75 | |
| For publishing the nisi on sale..... | 5.00 | |
| For publishing the notice to creditors..... | <u>5.00</u> | 101.00 |
| To do., for an amount paid J. Elmer Anthony, auctioneer, for crying the sale, per receipt for the same exhibited..... | | 35.00 |
| To do., for an amount paid L. Herman Meredith, Agent, for the premium on the corporate surety bond, per receipt for same exhibited. | | 10.00 |
| To do., for an amount paid Claude Lowery, Treasurer of Queen Anne's County, for year 1953, on real estate sold in these proceedings..... | \$11.93 | |
| Less purchaser's share of same.. | <u>3.31</u> | 8.62 |
| To do., for costs of advertising the order nisi to be passed as to this audit in the Queen Anne's Record Observer..... | | 5.00 |
| To J. Thomas Clark, auditor, for stating this audit..... | | 27.00 |
| To balance for distribution to heirs at law of Barney Hutchins, and/or their heirs at law or creditors..... | | <u>598.13</u> |
| | \$1,007.50 | \$1,007.50 |

J. THOMAS CLARK
Auditor

December 28, 1953

CR.

| | |
|----------------------------|----------|
| By balance carried forward | \$598.13 |
|----------------------------|----------|

DR.

| | |
|---|---------|
| To Heirs at law of Charles Hutchins, deceased, a son of Barney Hutchins, deceased, a 1/7 share as follows: | |
| To Mary L. Chestnut, widow of Charles Hutchins, deceased, a 1/3 of 1/7 share of same or..... | \$28.48 |
| To John Henry Hutchins, son of Charles Hutchins deceased, a 2/3 of 1/7 share of same or..... | 56.96 |
| To heirs at law of Barney Hutchins, Jr., deceased a son of Barney Hutchins, deceased, a 1/7 share as follows; the same being children an only heirs at law of said Barney Hutchins, Jr, to wit: | |
| To Elva Gleaves, a 1/13 share of 1/7 share.... | 6.58 |
| To Ethel E. Johnson, a 1/13 of 1/7 share..... | 6.58 |
| To Lillie Mae Wright, a 1/13 of 1/7 share..... | 6.58 |
| To Elizabeth Minton, a 1/13 of 1/7 share..... | 6.58 |
| To Georgianna Kennedy, a 1/13 of 1/7 share.... | 6.57 |
| To Susie Mills, a 1/13 of 1/7 share..... | 6.57 |
| To Bernice Banks, a 1/13 of 1/7 share..... | 6.57 |
| To Louise Gross, a 1/13 of 1/7 share..... | 6.57 |
| To Violet Hutchins, a 1/13 of 1/7 share..... | 6.57 |
| To Scott Hutchins, a 1/13 of 1/7 share..... | 6.57 |
| To James Hutchins, a 1/13 of 1/7 share..... | 6.57 |

To Florence Wilson, a 1/13 of 1/7 share.....6.57
 To Barney Hutchins, 3rd, a 1/13 of 1/7 share.....6.57

To heirs at law of Effie Tilghman, deceased, a daughter of Barney Hutchins, deceased, a 1/7 share of same as follows:
 To Clarence Tilghman, widower of Effie Tilghman, deceased, a 1/3 of 1/7 share or.....28.48
 To Dorothy Brown, daughter, a 1/3 of 2/21 share 18.99
 To Helen Skinner, daughter, a 1/3 of 2/21 share 18.99
 To Preston Tilghman, son, a 1/3 of 2/21 share...18.98

To Florence E. Griffin, a daughter of Dan Hutchins, a deceased son of Barney Hutchins, deceased, and only heir at law of said Dan Hutchins, a 1/7 share of same or..... 85.45

To heirs at law of Thomas Hutchins, deceased, a son of Barney Hutchins, deceased, a 1.7 share of same as follows:
 To Mary Hutchins, widow of Thomas Hutchins, a 1/3 of 1/7 share..... 28.48
 To Ethel Green, daughter, a 1/3 of 2/21 share. 18.99
 To Cameron Hutchins, son, a 1.3 of 2/21 share 18.99
 To Clifford Hutchins, son, a 1/3 of 2/21 share 18.99

To balance carried forward, being 1/7 share of Medford Hutchins and 1.7 share of Fanny Hutchins, to be distributed to heirs at law and/or creditors of two named heirs, both of whom are deceased..170.90
\$598.13 \$598.13

J. THOMAS CLARK
Auditor

December 28, 1953

Cr.

| | |
|----------------------------|----------|
| By balance carried forward | \$170.90 |
|----------------------------|----------|

Dr.

| | |
|---|------------------------|
| To sum due heirs at law of Medford Hutchins and/or his creditors.....\$85.45 | |
| To Queen Anne's County Welfare Board, in full of its claim filed under oath of Mary H. Davis, Director, on open account against Medford Hutchins, deceased, a co-owner with others of the real estate sold in these proceedings and which descended to his heirs at law.....54.00 | \$54.00 |
| Amount to be distributed to heirs at law of said Medford Hutchins, deceased..... | \$31.45 |
| To amount to be distributed to heirs at law of Fanny Hutchins..... | 85.45 |
| | \$170.90 \$170.90 |

Cr.

| | |
|---|----------|
| By balance brought forward, the same being the undistributed parts of heirs at law of Medford Hutchins and Fanny Hutchins, both deceased, and being of a compositions as follows, to wit: | |
| To Heirs of Medford Hutchins, the sum of..... | \$31.45 |
| To Heirs of Fanny Hutchins, the sum of..... | 85.45 |
| | \$116.90 |

Dr.

| | |
|---|----------|
| To John Henry Hutchins, a son of Charles Hutchins, deceased, a brother of Medford Hutchins and Fanny Hutchins, and as such a heir at law, a 1/5 interest of the same or the sum of..... | \$ 23.38 |
| To the following children, heirs at law of Barney Hutchins, Jr., deceased, a brother of Medford Hutchins and Fanny Hutchins, both deceased, a 1/5 interest of the same or the sum of..... | |
| To Elva Gleaves, the sum of..... | 1.80 |
| To Ethel E. Johnson, the sum of..... | 1.80 |
| To Lillie Mae Wright, the sum of..... | 1.80 |
| To Elizabeth Minton, the sum of..... | 1.80 |
| To Georgianna Kennedy, the sum of..... | 1.80 |
| To Susie Mills, the sum of..... | 1.80 |
| To Bernice Banks, the sum of..... | 1.80 |
| To Louise Gross, the sum of..... | 1.80 |
| To Violet Hutchins, the sum of..... | 1.80 |

To Scott Hutchins, the sum of.....1.80
 To James Hutchins, the sum of.....1.80
 T. Florence Wilson, the sum of.....1.79
 To Barney Hutchins, 3rd, the sum of.....1.79

To the following children, heirs at law of Effie Tilghman,
 deceased, a sister of Medford Hutchins and Fanny
 Hutchins, deceased, a 1/5 interest of the same or the
 sum of:

To Dorothy Brown, the sum of;.....7.80
 To Helen Skinner, the sum of.....7.79
 To Preston Tilghman, the sum of.....7.79

J. THOMAS CLARK
 Auditor

December 28, 1953

To Florence E. Griffin, a daughter of Dan Hutchins,
 a deceased brother, of Medford Hutchins and Fanny
 Hutchins, deceased, and as such his only heir at
 law, the sum of, being a 1/5 share.....23.38

To the following children, only heirs at law of Thomas
 Hutchins, deceased brother of Medford Hutchins
 and Fanny Hutchins, deceased, the sum of, being
 a 1/5 share.....
 To Ethel Green, the sum of..... 7.80
 To Cameron Hutchins, the sum of..... 7.79
 To Clifford Hutchins, the sum of..... 7.79

\$116.90 \$116.90

RECAPITULATION OF DISTRIBUTION OF SUM OF \$598.13

| | | | |
|------------|---------------------------|----------|-----|
| 1. | Mary L. Chestnut..... | \$28.48 | Pd. |
| 2. | John Henry Hutchins..... | \$80.34 | Pd. |
| 3. | Elva Gleaves..... | \$ 8.38 | Pd. |
| 4. | Ethel E. Johnson..... | \$ 8.38 | Pd. |
| 5. | Lillie Mae Wright..... | \$ 8.38 | Pd. |
| 6. | Elizabeth Minton..... | \$ 8.38 | Pd. |
| 7. | Georgianna Kennedy..... | \$ 8.37 | |
| 8. | Susie Mills..... | \$ 8.37 | Pd. |
| 9. | Bernice Banks..... | \$ 8.37 | |
| 10. | Louise Gross..... | \$ 8.37 | |
| 11. | Violet Hutchins..... | \$ 8.37 | Pd. |
| 12. | Scott Hutchins..... | \$ 8.37 | Pd. |
| 13. | James Hutchins..... | \$ 8.37 | |
| 14. | Florence Wilson..... | \$ 8.36 | Pd. |
| 15. | Barney Hutchins, 3rd..... | \$ 8.36 | Pd. |
| 16. | Clarence Tilghman..... | \$28.48 | Pd. |
| 17. | Dorothy Brown..... | \$26.79 | Pd. |
| 18. | Helen Skinner..... | \$26.78 | Pd. |
| 19. | Preston Tilghman..... | \$26.78 | Pd. |
| 20. | Florence E. Griffin..... | \$08.83 | Pd. |
| 21. | Mary Hutchins..... | \$28.48 | Pd. |
| 22. | Ethel Green..... | \$26.79 | Pd. |
| 23. | Cameron Hutchins..... | \$26.78 | Pd. |
| 24. | Clifford Hutchins..... | \$26.78 | |
| | SubTOTAL | \$544.13 | |
| 25. | Welfare Board..... | 54.00 | Pd. |
| TOTAL..... | | \$598.13 | Pd. |

J. THOMAS CLARK
 Auditor

December 28, 1953

Filed Dec. 28, 1953

Nisi Ratification of Audit
 Filed Dec. 28, 1953

NISI RATIFICATION OF AUDIT

| | | |
|--------------------------|---|-------------------------|
| Elva Gleaves, et al. |) | IN THE CIRCUIT COURT |
| |) | |
| VS. |) | FOR QUEEN ANNE'S COUNTY |
| |) | |
| Mary L. Chestnut, et al. |) | IN EQUITY |
| |) | |
| | | Cause No. 3832 |

ORDERED, This 28th. day of December in the year nineteen hundred and fifty three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd. day of January, 1954; provided a copy of this order be pub-

lished once a week in each of two successive weeks before the 15th. day of January, 1954, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed Dec. 28, 1953.

Elva Gleaves, et al.

vs.

Mary L. Chestnut, et al.

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 3832

Ordered, this 28th day of December, in the year nineteen hundred and fifty-three, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of January, 1954, provided a copy of this order be published once a week in each of two successive weeks before the 15th day of January 1953, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy

Test: T. SORDEN PIPPIN, Clerk

Filed: Dec. 28, 1953.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Jan. 25, 1954

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 Elva Gleaves, et al vs. Mary. L. Chestnut, 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 15th day of Jan. 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 31 day of Dec. 1953, and the last insertion on the 7th day of Jan. 1954.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Jan. 25, 1954

ORDER OF COURT

The foregoing Audit is hereby ratified and confirmed this 25th day of January, 1954, no cause to the contrary having been shown although an Order Nisi thereon has been duly published as per certificate of publication filed herein and the Trustee is hereby directed to be distribution in accordance therewith.

WM. R. HORNEY
Judge.

Filed Jan. 25, 1954



QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twelfth day of May in the year nineteen hundred and forty nine, the following Bill of Complaint to Fore-close Right of Redemption was brought to be filed for record, to wit:

C A U S E N O. 3624

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

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, STATE OF MARYLAND; Centreville, Queen Anne's County, Md., PLAINTIFF,

VS.

WILLIAM HENRY SMALLWOOD (deceased), late of Queen Anne's County, Md.,

CHANCERY NO. 3624

AND OTHER UNKNOWN OWNERS OF PROPERTY DESCRIBED AS:

All that lot or parcel of land, known as the "Phil H. Smallwood Property", situate, lying and being in the Third Election District of Queen Anne's County, Maryland, near Starr, adjoining the Covey Farm, the property of Charles W. Mullikin and/or Oscar Drummer and wife, the lands of Frank Boyle, and the lands of Wm. Boyle, and containing Six (6) Acres of land, more or less, Assessed value \$460.00; 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.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

- 1. That on the 20th day of May, 1947, it attended the sale of the Treasurer of Queen Anne's County, Maryland, of property in said County on which taxes were in arrears and that being then and there the only bidder for the hereinafter described parcel of land, at the amount due thereon for taxes in arrears and costs, 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 part hereof.
2. That the description of said property is substantially the form as the description appearing on the Collector's Tax Roll, is as follows:
All that lot or parcel of land, known as the "Phil H. Smallwood Property", situate, lying and being in the Third Election District of Queen Anne's County, Maryland, near Starr, adjoining the Covey Farm, the property of Charles W. Mullikin, the lands of Frank Boyle, and the lands of Wm. Boyle, and containing Six (6) Acres of land, more or less; assessed value \$460.00. Being the same property conveyed unto William Henry Smallwood by The County Commissioners of Queen Anne's County, Maryland, by deed dated April 25, 1944, and recorded among the land records of Queen Anne's County in Liber A.S.G. Jr., No. 9, folio 457; and being the same property of which the said William Henry Smallwood, late of Queen Anne's County, Maryland, deceased, single-man, died seized and possessed to intestate, and who left no heirs at law as far as your Orator has been able to discover, although due diligence has been made to ascertain any heirs, by inquiry made of Charles W. Mullikin and Charles I. Boyle, his former neighbors.
3. That said parcel of land was assessed to William Henry Smallwood and that search of the records of this Court, of the land records of Queen Anne's County, reveal that said lot or parcel of land was conveyed to the said William Henry Smallwood as above set forth from The County Commissioners of Queen Anne's County by deed of conveyance dated April 25, 1944, and recorded in Liber A.S.G. Jr., No. 9, folio 457; see also preceding paragraph.
4. That said property has not been redeemed by any party in interest, although more than one year and a day from the date of said sale has expired.
5. That \$36.43 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 hereinbefore mentioned and described property.
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 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.,

JOHN PALMER SMITH
John Palmer Smith
Centreville, Maryland.
Solicitor for Complainant.

Filed May 12, 1949

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

JOHN PALMER SMITH, being first duly sworn, deposes and says:

1. That he is the attorney for The County Commissioners of Queen Anne's County, Maryland, the purchaser of the following parcel of land assessed to William Henry Smallwood (deceased) and sold by the Collector of Taxes for Queen Anne's County on the 20th day of May, 1947;

All that lot or parcel of land, known as the "Phil H. Smallwood Property", situate, lying and being in the Third Election District of Queen Anne's County, Maryland, near Starr, adjoining the Covey Farm, the property of Charles W. Mullikin and/or Oscar Drummer and wife, the lands of Frank Boyle, and the lands of Wm. Boyle, and containing SIX (6) Acres of land, more or less, assessed value \$460.00.

2. That he has made careful and diligent search for a period of more than fifty years (back to 1852) immediately prior to the institution of this suit of the land records of Queen Anne's County which disclose that the property which is the object of this suit was deeded to William Henry Smallwood by The County Commissioners of Queen Anne's County by deed dated April 25, 1944, and recorded among the land records of Queen Anne's County in Liber A.S.G. Jr., No. 9, folio 457; 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 William Henry Smallwood (deceased) heirs, and that said records, except as hereinabove set forth, fail to show the names of the present owners of said property, except the affiant inquired of Charles I. Boyle and Charles W. Mullikin through Mrs. Katherine Morris Chance Lewis and ascertained that said William Henry Smallwood died without heirs, that he was a single man, that he was an only child, that this father and mother are dead, that he had no brothers or sisters, that he left no will and made no conveyance of the property during his lifetime, and that he died in the year 1946; that there has been no administration on any estate of the deceased; that your affiant has examined the title to this property in this suit back to the year 1852, but found no prior conveyance to the original holder beyond J. Wm. Keith, County Treasurer, who conveyed said property in 1936 to the County Commissioners of Queen Anne's County.

JOHN PALMER SMITH

Subscribed and sworn to before me, a notary public of the State of Maryland, in and for Queen Anne's County, this 12th day of May, 1949.

J. WEST THOMPSON JR.
Notary Public.

Notary
Public
Seal.

Filed May 12, 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 17th, 1947, I sold to Queen Anne's County at public auction for the sum of Thirty-six Dollars and forty-three cents, of which Thirty-six 43 Dollars has been paid, the property in the Third Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land located near Starr adjoining the lands of Covey, assessed value \$460.00, consisting of a lot and assessed to William Henry Smallwood

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 purchase. 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 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 aforegoing Certificate of Sale to be his act.

Witness my hand and notarial Seal.

Notary
Public
Seal.

KATHERINE C. O'NEAL
Notary Public
My Commission Expires: 5/2/49

Filed May 12, 1949

Order of Publication
Filed May 13, 1949

ORDER OF PUBLICATION.

The County Commissioners of Queen
Anne's County, State of Maryland,
Centreville, Queen Anne's County, Md.,

Plaintiff,

vs.

Chancery NO. 3624

William Henry Smallwood, (deceased),
late of Queen Anne's County, Md.,

And other unknown owners of property
described as:

All that lot or parcel of land,
known as the "Phil H. Smallwood Property",
situate, lying and being in the Third
Election District of Queen Anne's County,
Maryland, near Starr, adjoining the Covey
Farm, the property of Charles W. Mullikin
and/or Oscar Drummer and wife, the lands of
Frank Boyle, and the lands of Wm. Boyle,
and containing Six (6) Acres of land, more
or less, assessed value \$460.00.;
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 redemption in the following property assessed to William Henry Smallwood (deceased) in the Third Election District of Queen Anne's County, Maryland, 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, known as the "Phil H. Smallwood Property", situate, lying and being in the Third Election District of Queen Anne's County, Maryland, near Starr, adjoining the Covey Farm, the property of Charles W. Mullikin and/or Oscar Drummer and wife, the lands of Frank Boyle, and the lands of Wm. Boyle, and containing Six (6) Acres of land, more or less, assessed value of \$460.00;

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 13th 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 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 20th day of July, 1949, and redeem the property assessed to William Henry Smallwood (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 May 13, 1949

Order of Publication

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

Chancery No. 3624

The County Commissioners of
Queen Anne's County, State of
Maryland, Centreville, Queen
Anne's County, Md.

Plaintiff,

Vs.

William Henry Smallwood, (deceased),
late of Queen Anne's County, Md.,
And other unknown owners of property
described as:

All that lot or parcel of land, known
as the "Phil H. Smallwood Property",
situate, lying and being in the Third
Election District of Queen Anne's County,
Maryland, near Starr, adjoining the
Covey Farm, the property of Charles W.
Mullikin and or Oscar Drummer and
wife, the lands of Frank Boyle, and
the lands of Wm. Boyle, and containing
Six (6) Acres of land, more or less, assessed
value \$460.00; his and their heirs, de-
visees 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 redemption in the following property assessed to William Henry Small-
wood (deceased) in the Third Election District of Queen Anne's County, Maryland, 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, known as the "Phil H.
Smallwood Property", situate, lying and being in the Third Election District District
of Queen Anne's County, Maryland, near Starr, adjoining the Covey Farm, the pro-
perty of Charles W. Mullikin and or Oscar Drummer and wife, the lands of Frank Boyle,
and the lands of Wm. Boyle, and containing Six (6) Acres of land, more or less, assessed
value of \$460.00;

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 13th 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 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 20th day of
July, 1949, and redeem the property assessed to William Henry Smallwood (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.

WILLIAM R. HORNEY
Judge.

True Copy:
Test: NELLIE B. WHITELEY
Clerk

Filed May 13, 1949

THE QUEENSTOWN NEWS

Queenstown, Md. Feb. 15, 1953

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 The County
Commissioners of Queen Anne's County, State of Md., Centreville, Plaintiff Vs.
William Henry Smallwood, Deceased, late of Queen Anne's County, Md., etc., Chan-
cery No. 3624 a true copy of which is annexed hereto, was published in THE QUEENS-
TOWN NEWS, a weekly newspaper printed and published at Queenstown, in Queen Anne's
County, Maryland, once a week for 4 successive weeks before the 20th day of July
1949, and that the first insertion of said advertisement in said THE QUEENSTOWN
NEWS was on the 20th day of May 1949

THE QUEENSTOWN NEWS
By GEORGE J. STEINFELT

Filed Feb. 16, 1954

Decree
 Filed Feb. 19, 1954

| | | |
|--------------------------|---|--------------------------|
| THE COUNTY COMMISSIONERS | * | IN THE CIRCUIT COURT FOR |
| OF QUEEN ANNE'S COUNTY | * | QUEEN ANNE'S COUNTY |
| vs. | * | IN EQUITY |
| WILLIAM HENRY SMALLWOOD | * | No. 3624 |

DECREE

It appearing that the Defendant and all persons claiming by, through or under him having been dully summoned or notified to appear and answer the Bill of Complaint filed in this cause on or before the 20th day of July, 1949, and it further appearing that no such person has appeared and answered, and this cause having been submitted and the proceedings thereon having been read and considered, IT IS THEREUPON, this 19th day of February, 1954, 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 accruing prior to the date of this order, 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 said property is subject, in and to all that lot or parcel of land described in these proceedings, is vested in The County Commissioners of Queen Anne's County.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, In Equity, that Claude Lowery, Treasurer of Queen Anne's County, and Collector of taxes for said County, shall execute a deed to The County Commissioners of Queen Anne's County, in fee simple, in and to all that lot or parcel of land described in these proceedings, upon payment to the Collector of the balance of the purchase price due on account, together with all taxes, interest and penalties thereon, if any, accruing subsequent to the date of sale.

WM. R. HORNEY
 Judge

Filed Feb. 19, 1954



.....
QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourteenth day of September in the year nineteen hundred and forty nine, the following Bill of Complaint was filed for record, to wit:

C A U S E N O. 3646

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

CHANCERY NO. 3646

| | | |
|---------------------------------|---|---------------------|
| PERRY BONDS | * | |
| Also known as PERRY BARNES, | * | IN THE |
| Centreville, Maryland | * | CIRCUIT COURT |
| PLAINTIFF | * | |
| | * | FOR |
| VS. | * | QUEEN ANNE'S COUNTY |
| MARY E. BONDS | * | IN EQUITY |
| Also known as MARY E. BARNES | * | Chancery No. 3646 |
| Also known as MARY E. WILLIAMS, | * | |
| 3953 North Smedley Avenue | * | |
| Philadelphia, Pennsylvania | * | |
| DEFENDANT | * | |

***** * *****

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your ORATOR, complaining, says:-

1. That your Orator and Edward William Bonds, also known as Edward William Barnes, and both and each of them acquired an undivided one-half (1/2) interest as tenants in common in and to the following described parcel of land by deed from The Male and Female Beneficial Association of Color People, of Burrisville, Queen Anne's County, Maryland, dated December 8, 1936, and recorded among the Land Records of Queen Anne's County, Maryland, in Liber W.H.C. No. 4A, folio 217, which parcel is more fully described as follows:

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, State of Maryland, located on the Burrisville-Poplar Grove Road, adjoining the lands of George Kennedy on the north, the lands of Al Burke on the east, the lands of the Cator Burke heirs on the south, and the property of the Robert Short heirs on the west, containing approximately One (1) Acre of land, more or less, and known as "The Nellie Kennedy Lot".

A certified copy of this deed is attached hereto and marked "Plaintiff's Exhibit No. 1".

2. That the said Edward William Bonds departed this life, intestate, on or about the 23rd day of October, 1947, seized and possessed of an undivided one-half (1/2) interest in the above described property, leaving surviving his only heirs at law, his wife, Mary E. Bonds, the Defendant, who is unmarried at present, and his son, Perry Bonds, the Plaintiff. At the time of his demise, the decedant owned no personal property subject to administration by the Orphan's Court of Queen Anne's County, or any other Surrogate's Court, Orphan's Court or Probate Court in any jurisdiction whatsoever.

3. That one-third (1/3) of the undivided interest of the said Edward William Bonds descended unto his widow, Mary E. Bonds, the defendant, while the remaining two-thirds of said undivided one-half interest of the intestate became the property of your Orator, who now has sole and absolute title to a five-sixth undivided interest in the whole parcel of ground above described, the remaining one-sixth interest in the said whole parcel being the sole and absolute property of his mother, Mary E. Barnes, the Defendant.

4. That both the Plaintiff and the Defendant in the above entitled cause are adults over the age of twenty-one (21) years.

5. That the Plaintiff is a resident of Queen Anne's County, State of Maryland, while the Defendant is a non-resident of this State now residing at 3953 North Smedley Street, Philadelphia, Pennsylvania.

6. That the said real estate and land aforesaid is not susceptible of partition and cannot be divided between your Orator and the Defendant hereto according to their respective interest without material loss or injury to them.

7. That your Orator is entitled to have said real estate sold for the purpose of partition and the proceeds of the sale divided between them.

TO THE END, THEREFORE:

1. That a decree may be passed for the sale of said real estate.
2. That the proceeds of said sale may be distributed between your Orator and the Defendant according to their respective rights and interests.
3. That your Orators may have such other and further relief as their case may require.

MAY IT PLEASE YOUR HONORS to grant unto your Orator an Order of Publication giving notice unto the said Mary E. Bonds, also known as Mary E. Barnes, also known as Mary E. Williams, adult, who resides in the County of Philadelphia, State of Pennsylvania, as aforesaid, who is a non-resident of this State, of the object and substance of this Bill and warning her 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 be named therein, to show cause, if any they have, why a decree ought not be passed as prayed.

AND AS IN DUTY BOUND, etc.

JOHN PALMER SMITH

VACHEL A. DOWNES JR.
Solicitors for the Plaintiff.

Filed Sept. 14, 1949

Plaintiff's Exhibit No. 1

Filed Sept. 14, 1949

#18,038. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Eighth day of December, in the year nineteen hundred and thirty six, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this 8th day of December, in the year nineteen hundred and thirty-six, by and between the body corporate, the Male and Female Beneficial Association of Colored People, of Burrirstown, Queen Anne's County (of the State of Maryland), party of the first part; and Edward William Barnes and Perry Barnes (his son), both of Queen Anne's County, State of Maryland, parties of the second part;

WITNESSETH, that in consideration of the sum of Ten Dollars and other valuable considerations, the receipt of which is hereby acknowledged, the said body corporate, the Male and Female Beneficial Association of Colored People, of Burrirstown, Queen Anne's County, does hereby grant and convey unto the said EDWARD WILLIAM BARNES and PERRY BARNES, their heirs and assigns, in fee simple, the following described real estate, to wit:

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located on the Burrisville-Poplar Grove Road, adjoining the lands of George Kennedy on the north, the lands of Al Burke on the east, the lands of the Cator Burke heirs on the south and the property of the Robert Short heirs on the west, consisting of a lot of land known as "The Nellie Kennedy Lot".

BEING the same lot of land described as Parcel No. 2 in the deed from the County Commissioners of Queen Anne's County to the said parties of the first part, said deed bearing date December 8th, 1936, and intended to be recorded among the land record books for Queen Anne's County immediately preceding the recording of these presents, to which said deed and the references therein contained, reference is hereby specially made.

TOGETHER with the improvements thereon, and all the rights, roads, ways, waters, privileges and advantages thereto belonging or in anywise appertaining.

AND the said body corporate, the Male and Female Beneficial Association of Colored People, of Burrisville, Queen Anne's County, does hereby covenant that it will warrant specially the property hereby conveyed, and that it will execute such further assurances to said land as may be requisite.

AND THIS DEED FURTHER WITNESSETH, that the said body corporate, the Male and Female Beneficial Association of Colored People, of Burrirstown, Queen Anne's County, does hereby constitute and appoint Clarence J. Deaton, of Queen Anne's County, Maryland, to be its attorney, for it and in its name, and as and for its corporate act and deed, to acknowledge this DEED before any person having authority by the laws of the State of Maryland to take such acknowledgment, to the intent that the same may be duly recorded.

AS WITNESS the corporate seal of the said body corporate, the Male and Female Beneficial Association of Colored People, of Burrirstown, Queen Anne's County, and the signature of Jeremiah Kennedy, Sr., the President of said body corporate, the day and year first above written.

Corporate
Seal's
Place.

ATTEST:-

PHILLIP S. DEATON
Secretary.

MALE AND FEMALE BENEFICIAL ASSOCIATION OF COLORED PEOPLE, OF BURRISTOWN; QUEEN ANNE'S COUNTY

By JEREMIAH KENNEDY SR.
President.

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

I HEREBY CERTIFY, that on this 8th day of December, in the year nineteen hundred and thirty-six, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, duly commissioned and

qualified, personally appeared Clarence J. Deaton, the attorney named in the foregoing DEED, and by virtue and in pursuance of the authority therein conferred upon him, acknowledged the said DEED to be the act of the said body corporate, the Male and Female Beneficial Association of Colored People, of Burrstown, Queen Anne's County.

Witness my hand and Notarial Seal.

Notary
Public
Seal.

MARY M. PARKS
Notary Public.
My commission expires: May 3, 1937

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

This is to certify that the foregoing is truly taken and copied from Liber W.H.C. No. 4A, Folios 127, 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 9th day of September in the year nineteen hundred and forty nine.

Filed Sept. 14, 1949

NELLIE B. WHITELEY
Clerk

Order of Publication
Filed Sept. 14, 1949

ORDER OF PUBLICATION

| | | |
|--------------------------------|-------|---------------------|
| PERRY BONDS | * | |
| Also known as Perry Barnes | * | IN THE |
| Centreville, Maryland | * | |
| PLAINTIFF | * | CIRCUIT COURT |
| | * | |
| Vs. | * | FOR |
| | * | |
| MARY E. BONDS | * | QUEEN ANNE'S COUNTY |
| Also known as Mary E. Barnes | * | |
| Also known as Mary E. Williams | * | IN EQUITY |
| Philadelphia, Pennsylvania | * | |
| DEFENDANT | * | Chancery No. 3646 |
| | * | |
| | ***** | ***** |

The object of this suit is to procure a decree for the sale of a certain parcel of ground in Queen Anne's County, Maryland, of which Edward William Bonds, also known as Edward William Barnes, died seized and possessed owning an undivided interest therein, and to divide the proceeds thereof to those entitled thereto.

The bill recites that Edward William Bonds, also known as Edward William Barnes, and Perry Barnes, the Plaintiff, were tenants in common of the property hereinafter described, each owning a one-half undivided interest therein, by virtue of a deed to them from the Male and Female Beneficial Association of Colored People, of Burrsville, Queen Anne's County, Maryland, by deed dated December 9, 1936, and recorded among the Land Records of Queen Anne's County in Liber W.H.C. No. 4A, folio 127, and described as follows: ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, State of Maryland, located on the Burrsville-Poplar Grove Road, adjoining the lands of George Kennedy on the north, the lands of Al Burke on the east, the lands of the Cator Burke heirs on the south, and the property of the Robert Short heirs on the west, containing approximately One (1) Acre of land, more or less, and known as "The Nellie Kennedy Lot"; and that the said Edward William Barnes died intestate, seized and possessed of such one-half undivided interest in said whole parcel, on or about the 23rd day of October, 1947, leaving as his only survivors and heirs at law his wife, Mary E. Bonds, the Defendant, who is unmarried at present, and his son, Perry Bonds, the Plaintiff, both adults; that the said Mary E. Bonds inherited one-third of the interest of the said deceased, while the said Perry Bonds received under the intestate laws two-thirds of said undivided interest; one-sixth of said whole parcel being the property of said Mary E. Bonds, the remaining five-sixth of said whole parcel being the property of the said Perry Bonds; that the said real estate is not susceptible of partition and cannot be divided between the parties to this suit without material loss to them.

That Mary E. Bonds is a non-resident of the State of Maryland.

It is thereupon this 14th. day of September, 1949, ordered by the Circuit Court of Queen Anne's County, in Equity, that the Plaintiff, by causing a copy of this Order to be inserted in some newspaper published in Queen Anne's County, once in each of four successive weeks before the 15th day of October, 1949, giving notice to the said absent Defendant of the object and substance of this bill, warning them to appear in this court in person or by solicitor, on or before the 31st day of October, 1949, next, to show cause, if any they have, why a decree ought not to be passed as prayed.

Filed: Sept. 14, 1949

NELLIE B. WHITELEY Clerk

Order to Renew
Order of Publication
Filed Nov. 23, 1949

PERRY BONDS,
VS.
MARY E. BONDS, ETC.,

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY,
IN EQUITY.
CHANCERY NO. 3646

Clerk of the Court:-

Kindly renew the Order of Publication in this Cause,
and send copy of The Queenstown News for publication.

JOHN PALMER SMITH
Solicitor for Plaintiff.

Filed Nov. 23, 1949

Order of Publication
Filed Nov. 23, 1949

ORDER OF PUBLICATION

| | | |
|--------------------------------|---|---------------------|
| PERRY BONDS | * | IN THE |
| Also known as Perry Barnes | * | CIRCUIT COURT |
| Centreville, Maryland | * | FOR |
| PLAINTIFF | * | QUEEN ANNE'S COUNTY |
| Vs. | * | IN EQUITY |
| MARY E. BONDS | * | Chancery No. 3646 |
| Also known as Mary E. Barnes | * | |
| Also known as Mary E. Williams | * | |
| Philadelphia, Pennsylvania | * | |
| DEFENDANT | * | |

***** * *****

The object of this suit is to procure a decree for the sale of a certain parcel of ground in Queen Anne's County, Maryland, of which Edward William Bonds, also known as Edward William Barnes, died seized and possessed owning an undivided interest therein, and to divide the proceeds thereof to those entitled thereto.

The bill recites that Edward William Bonds, also known as Edward William Barnes, and Perry Barnes, the Plaintiff, were tenants in common of the property hereinafter described, each owning a one-half undivided interest therein, by virtue of a deed to them from the Male and Female Beneficial Association of Colored People, of Burrisville, Queen Anne's County, Maryland, by deed dated December 8, 1936, and recorded among the Land Records of Queen Anne's County in Liber W.H.C. No. 4A, folio 127, and described as follows: ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, State of Maryland, located on the Burrisville-Poplar Grove Road, adjoining the lands of George Kennedy on the north, the lands of Al Burke on the east, the lands of the Cator Burke heirs on the south, and the property of the Robert Short heirs on the west, containing approximately One (1) Acre of land, more or less, and known as "The Nellie Kennedy Lot"; and that the said Edward William Barnes died intestate, seized and possessed of such one-half undivided interest in said whole parcel, on or about the 23rd day of October, 1947, leaving as his only survivors and heirs at law his wife, Mary E. Bonds, the Plaintiff, both adults; that the said Mary E. Bonds inherited one-third of the interest of the said deceased, while the said Perry Bonds received under the intestate laws two-thirds of said undivided interest; one-sixth of said whole parcel being the property of the said Perry Bonds; that the said real estate is not susceptible of partition and cannot be divided between the parties to this suit without material loss to them.

That Mary E. Bonds is a non-resident of the State of Maryland.

It is thereupon 23rd. day of November, 1949, ordered by the Circuit Court of Queen Anne's County, in Equity, that the Plaintiff, by causing a copy of this Order to be inserted in some newspaper published in Queen Anne's County, once in each of four successive weeks before the 31st. day of December, 1949, giving notice to the said absent Defendant of the object and substance of this bill warning them to appear in this court in person or by solicitor, on or before the 16th. day of January, 1950, next, to show cause, if any they have, why a decree ought not to be passed as prayed.

Filed: November 23, 1949

NELLIE B. WHITELEY Clerk

Order of Publication
Filed Nov. 23, 1949

ORDER OF PUBLICATION

PERRY BONDS
Also known as Perry Barnes
Centreville, Maryland,
PLAINTIFF

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

Vs.

IN EQUITY

MARY E. BONDS
Also known as Mary E. Barnes,
Also known as Mary E. Williams,
Philadelphia, Pennsylvania
DEFENDANT

Chancery No. 3646

The object of this suit is to procure a decree for the sale of a certain parcel of ground in Queen Anne's County, Maryland, of which Edward Williams Bonds, also known as Edward William Barnes, died seized and possessed owning an undivided interest therein, and to divide the proceeds thereof to those entitled thereto.

The bill recites that Edward William Bonds, also known as Edward William Barnes, and Perry Barnes, the Plaintiff, were tenants in common of the property hereinafter described, each owning a one-half undivided interest therein, by virtue of a deed to them from the Male and Female Beneficial Association of Colored People, of Burrisville, Queen Anne's County, Maryland, by deed dated December 8, 1936, and recorded among the Land Records of Queen Anne's County in Liber W. H.C., No. 4A, folio 127, and described as follows: ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, State of Maryland, located on the Burrisville-Poplar Grove Road, adjoining the lands of George Kennedy on the north, the lands of Al Burke on the east, the lands of the Cator Burke heirs on the south, and the property of the Robert Short heirs on the west, containing approximately One (1) Acre of land, more or less, and known as "The Nellie Kennedy Lot"; and that the said Edward William Barnes died intestate, seized and possessed of such one-half undivided interest in said whole parcel, on or about the 23rd day of October, 1947, leaving as his only survivors and heirs at law his wife, Mary E. Bonds, the Plaintiff, both adults; that the said Mary E. Bonds inherited one-third of the interest of the said deceased, while the said Perry Bonds received under the intestate laws two-thirds of said undivided interest; one-sixth of said whole parcel being the property of the said Perry Bonds; that the said real estate is not susceptible of partition and cannot be divided between the parties to this suit without material loss to them.

That Mary E. Bonds is a non resident of the State of Maryland.

It is thereupon 23rd day of November, 1949, ordered by the Circuit Court of Queen Anne's County, in Equity, that the Plaintiff, by causing a copy of this Order to be inserted in some newspaper published in Queen Anne's County, once in each of four successive weeks before the 31st day of December, 1949, giving notice to the said absent Defendant of the object and substance of this Bill warning them to appear in this Court in person or by solicitor on or before the 16th day of January, 1950, next, to show cause, if any they have, why a decree ought not be passed as prayed.

NELLIE B. WHITELEY
Clerk.

True Copy:
Test: NELLIE B. WHITELEY
Clerk

Filed November 23, 1949

THE QUEENSTOWN NEWS

Queenstown, Md. May 23, 1950

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 Perry Bonds, also known as Perry Barnes, Centreville, Md. Plaintiff vs. Mary E. Bonds, also known as Mary E. Barnes and Mary E. Williams, of Philadelphia, Pa. Defendant. Chancery No. 3646 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 Dec. 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 2nd day of Dec. 1949

THE QUEENSTOWN NEWS

BY GEORGE J. STEINFELT

Filed May 25, 1950

Military Affidavit
Filed May 25, 1950

AFFIDAVIT

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

I HEREBY CERTIFY, that on this 23rd day of May, in the year 1950 before me the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Perry Bonds or Perry Barnes, and made oath in due form of law that after diligent inquiry it has been found that Mary Bonds, otherwise known as Mary Barnes, and otherwise known as Mary E.

Williams, is his mother, and is about 60 years of age. The said Mary Bonds, otherwise Mary Barnes, is otherwise Mary E. Williams Philadelphia, Pennsylvania a house wife, and resides in State of Pennsylvania The said Defendant is are not now in the military service of the United States as defined by the Soldier's 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.

J. WEST THOMPSON JR.
Notary Public

Filed May 25, 1950

Decree Pro Confesso
Filed May 25, 1950

Decree Pro Confesso
Filed May 25, 1950

PERRY BONDS
plaintiff

IN THE CIRCUIT COURT

FOR

VS.

QUEEN ANNE'S COUNTY

MARY E. BONDS
Defendant

In Equity.

Chancery No. 3646

* * * * *

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

The Petition of Perry Bonds, also known as Perry Barnes the Plaintiff in this Cause, by John Palmer Smith, his Solicitor, to your Honors, respectfully shows:

1. That the Defendant Mary E. Bonds, also known as Mary E. Barnes, and also known as Mary E. Williams, has been duly served by the publication of the Order of Publication as evidenced by the certificate of its publication filed in this Cause.

2. That although said publication has run and the said Defendant commanded to appear before this Court on or before the 16th day of January, 1950, to answer the complaint of the said Perry Bonds, also known as Perry Barnes, the said Defendant has not entered her appearance either in person or by solicitor, nor filed any answer herein.

3. That your Plaintiff, is advised and advises that he has a right to secure a Decree Pro Confesso against the Defendant and that the papers be submitted to an Examiner so that your Plaintiff may offer testimony to support the allegations of the Bill of Complaint.

TO THE END, THEREFORE:

1. That a Decree Pro Confesso may be granted by this Honorable Court against Mary E. Bonds, also known as Mary E. Barnes, also known as Mary E. Williams, an adult Defendant.

2. That the papers in this cause may be submitted to one of the Standing Examiners of this Court so that the Plaintiff may take testimony in support of the allegations of the Bill of Complaint.

3. That your Plaintiff may have such other and further relief as his case may require.

JOHN PALMER SMITH
Solicitor for Plaintiff

Filed May 25, 1950

ORDER OF COURT

The aforesaid Petition, having been read and considered, and it appearing that the adult Defendant, Mary E. Bonds, also known as Mary E. Barnes, and also known as Mary E. Williams, has been given due notice by Order of Publication in this Cause, and failed to appear, either in person or by Solicitor to the Bill of Complaint filed herein, IT IS thereupon this 26th day of May, 1950, by the Circuit Court of 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 the same is hereby taken Pro Confesso against the adult Defendant, Mary E. Bonds, also known as Mary E. Barnes, and also known as Mary E. Williams; 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 anyone of the Standing Examiners of this Court to support the allegations of the Bill of Complaint.

WM. R. HORNEY
judge.

Filed May 26, 1950

Testimony
Filed June 30, 1950

Perry Bonds,
also known as Perry Barnes

versus

Mary E. Bonds, et. al.

* IN THE CIRCUIT COURT
* FOR
* QUEEN ANNE'S COUNTY
* IN EQUITY
* LAW NO. 3646

*** * ***

The above cause being at issue, and notice having been given by the solicitor of the Plaintiff of a desire to take testimony in the same, I, Harry C. Butler, one of the standing examiners for the Circuit Court of Queen Anne's County, State of Maryland, duly appointed, qualified and sworn met on the 22nd day of June, 1950, at the office of John Palmer Smith, Esquire, in the town of Centerville, State of Maryland, at 7:30 o'clock, p.m. for the examination of the following witnesses in said cause at which time I was present in the presence of the solicitor for the Plaintiff.

HARRY C. BUTLER
HARRY C. BUTLER, EXAMINER

Filed June 30, 1950

State your name, age, residence and occupation?

My name is Perry Bonds, I am 40 years old, I live at Burrsville, Queen Anne's County, Maryland, on my little farm, and I farming.

In this case you are the Plaintiff and Mary E. Bonds, known as Mary E. Barnes, and sometimes known as Mary E. Williams, is the Defendant. Where does your mother live. Where is the property located. How did you acquire title to it. Where does your mother now live. How did your mother come to change her name to Mary E. Williams. Who was your father, and who was your mother. Did your father die, and if so when and where. Did he leave a will or not? Who were his heirs. Was he single, unmarried married or divorced at the time of his death.

My mother lives at 3953 North Smedley St., Philadelphia, Pa. She has lived in Philadelphia for a long time. She left hom when I was a young man. She went by the name of Mary E. Williams, as she went to live with a man by the name of Williams. She and my father were never divorced. She attended his funeral when he died in October, 1947, and he was buried from the Church. At the time of my father's death, my mother was still his wife. I sent her notice of his death. She would come down every year, and I used to visit her in Philadelphia quite often. My father and mother were friendly, but never lived together after she left him, but they just decided never to get a divorce. My mother is 56 years old. The property was purchased by my father and me in December, 1936. It is located in Burrsville, on the south side of the Burrsville-Poplar Grove Road, opposite Clarnece Wilson's place, and it has an acre of land with a 2 story frame dwelling house on it. It has been rented since my father died. I consider its value to be around \$800.00 to \$1,000.00. It might bring more than \$1,000.00 but I doubt it. I own a half interest in this property. When my father died, he left me and my mother as his only heirs. I have 2/3 s interest in his 1/2 part, and my mother has 1/3 interest in his 1/2 part.

Is the property described in this cause as the Nellie Kennedy Lot susceptible of partition, or can it be divided between you and your mother according to your respective interests without matieral loss or injury to both of you?

This property is not susceptible of partition or division between the parties to this suit according to our respective interests without material loss or injury to us, as the property sets in the middle of an one acre lot, and it is impossible to divide the house or the land according to our respective interests, and you can ^{only} sell the property and divide the money.

Examiner's Special.

No. sir.

PERRY BONDS

State your name, age, residence and occupation?

My name is Clarence H. Wilson, I am 75 tears old, I live at Burrsville, Queen Anne's County, Maryland, and I farm.

This case is one of Perry Bonds, also known as Perry Barnes, who lives near Centerville, Maryland, at or near Burrsville, against one Mary E. Bonds, also known as Mary E. Barnes, and also known as Mary E. Williams, now of Philadelphia, Pa. I also want to know something about Edward Bonds, who died several years ago, Edward being the father of Perry?

Do you know the parties to this suit, and if so, which, and what relation are they to each other, and just give the family history, of Perry, Mary, and Edward Bonds.

Yes, I know all of these parties. Perry Bonds is the son of Edward William Bonds and of Mary E. Bonds. Edward William Bonds also went under the name of Edward William Barnes, but most of the time he was known as Edward Bonds. Edward William Bonds or Barnes married Mary E. Bonds, or Barnes, but she later went under the name of Mary E. Williams and she left here and went to live in Philadelphia. Edward Bonds or Barnes died sometime in the Fall of 1947, we were Lodge members, and

I remembered when he died and was buried as I attended the funeral, I was a pallbearer. Edward Bonds, the father of Perry Bonds never remarried, and when he died, that is, when Edward Bonds, died, he died leaving one son, Perry Bonds, and his widow, Mary E. Bonds also known as Mary Williams.

Do you know the property described in the copy of the deed which I have read to you. Do you know where it is located. Do you know its value, or are you able to give its value?

Yes, this property is known as the Nellie Kennedy lot. I remember when Nellie owned it. I own property right across the road from it. I have been living across from this property for the past 35 or 40 years, see it every day. It has a two story house on it. The house has 4 rooms. The land is about one acre. I consider the fair value of this property to be \$1,000.00.

Is this property susceptible of partition among the parties entitled thereto without loss or injury to them. In other words, can partition or division of this property be made without loss or injury to the parties entitled to the property if you tried to divide the property among them according to their several interest without the aid of the Equity Court?

This property cannot be partitioned among the parties entitled thereto according to their several interests therein without loss or injury to them, and the only way you can possibly divide among them is to sell the property and divide the money. The property has a dwelling house on it and a small lot, and it would just be impossible to divide it between Perry and his mother without hurting it and its value and their interests.

Examiner's Special.

CLARENCE H. WILSON

State your name, age, residence and occupation?

My name is Henrietta M. Teat, I am 55 years old, I live at Burrsville, Maryland, where I have lived all my life, and I am a housewife?

This case is one in which Perry Bonds is the Plaintiff and Mary E. Bonds, is the Defendant. It is a case involving real estate in or near Burrsville, Queen Anne's County, Maryland, where Edward William Bonds, sometimes known as Edward Williams Barnes, lived at the time of his death. Do you know the parties or any of them, and how long have you known them?

I knew Edward William Bonds, or Edward William Barnes, all my life. He lived in Burrsville all his life and so have I. He was about 57 when he died. He died 3 years ago this October. I remember when he died. I attended his funeral. He left a son, Perry Bonds, or Perry Barnes, as he is sometimes called. Perry is 40 years old, and I have known him all his life. I know Mary E. Bonds, or Mary E. Barnes, or known also as Mary E. Williams. She is Perry Bonds' mother. She left here years ago and when to live in Philadelphia, where she took the name of Mary E. Williams. Perry Bonds was the only son of Edward Bonds and Mary E. Bonds.

Do you know the property known as the Nellie Kennedy Lot where Edward William Bonds lived at the time of his death in Burrsville, Queen Anne's County, Maryland, located on the south side of the road leading from Burrsville towards Poplar Grove Road or Poplar Grove Farm, bounded by the lands of George Kennedy on the north, the lands of Al Burke on the east, the lands of Cator Burke heirs on the south and the property of Robert Short heirs on the west, containing about 1 acre of land, with a frame, 2 story dwelling house on it.

Yes, I have known the property all my life.

Do you know the property well enough to testify as to its value, and if so, what do you consider to be its fair value.

I have known the property all my life. I live about a quarter of a mile from it. I consider it worth \$1,000.00, as it is a nice little home and nicely located.

Is this property susceptible of partition among the parties entitled thereto without loss or injury to them. In other words, can partition or division of this property be made without loss or injury to the parties entitled to the property if you tried to divide the property among them according to their several interests without the aid of a Court of Equity?

I don't see how anyone could divide this property between Perry and his mother or anyone else. The property has a house on it, and it cannot be divided or the land or house partitioned between them according to each interest, and I would say that the real estate and land described is not susceptible of partition and cannot be divided between the parties according to their respective interests without material loss or injury to them. There would just no way to do it.

Examiner's Special.

No sit.

HENRIETTA M. TEAT

No other witnesses being named or produced to me I then at the request of the solicitor for the Plaintiff, closed the depositions taken in said cause and now returned them closed under my hand and seal on this _____ day of _____, 1950 at Centreville, Maryland.

Examiner fee \$8.00 Paid

Witness fee No charge

HARRY C. BUTLER (SEAL)
HARRY C. BUTLER, Examiner

Filed June 30, 1950

Decree
Filed July 11, 1950

| | | |
|---------------------------------|---------|---------------------|
| PERRY BONDS | * | IN THE |
| Also known as PERRY BARNES, | * | CIRCUIT COURT |
| PLAINTIFF | * | |
| VS. | * | FOR |
| MARY E. BONDS | * | QUEEN ANNE'S COUNTY |
| Also known as MARY E. BARNES | * | IN EQUITY |
| Also known as MARY E. WILLIAMS, | * | |
| DEFENDANT | * | Chancery No. 3646 |
| | ***** * | ***** |

THIS CAUSE being ready for hearing, and being submitted for final Decree, the Bill of Complaint, Exhibits, Testimony and all other proceedings having been read and duly considered, IT IT THEREUPON, this 11th day of July, in the year nineteen hundred and fifty, by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED AND DECREED, That the real estate described in the above entitled proceedings be sold for the purpose of partition.

And that John Palmer Smith of Centreville, Queen Anne's County, Maryland, be and he is hereby appointed Trustee to make sale thereof; And that the course and manner of his proceeding shall be as follows: he shall, before he proceeds to make such sale, first file with the Clerk of the Circuit Court for Queen Anne's County, a bond to the State of Maryland, executed by him and a surety or sureties in the penalty of One Thousand Dollars corporate surety and 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 this decree or which may be reposed in him by any future order or decree passed in the premises, which said Bond shall be approved by one of the Judges of the said Circuit Court, or by the Clerk of the Circuit Court for Queen Anne's County. The said Trustee shall then proceed to make said sale, having given at least three weeks' previous notice by advertisement inserted in some newspaper or newspaper printed and published in Queen Anne's County, and such other manner as he shall think proper, of the time, place, manner and terms of sale, which terms shall be as follows: One-third of the purchase money to be paid in cash on the day of sale, one-third thereof in six months and the residue in twelve months, from the day of sale, or all cash on day of sale at the option of the purchaser; the credit payments to bear interest from the day of sale, and to be secured by the notes or bonds of the purchaser, with surety to be approved by the said Trustee. That as soon as convenient after such sale, the said Trustee shall return to this Court a full and particular account of his proceedings in the premises, with an affidavit thereto annexed of the truth thereof, and of the fairness of such sale. And on the final ratification thereof, and the full payment of the whole purchase money (and not before) the said Trustee is hereby authorized, by a good and sufficient deed, acknowledged and recorded according to law, to convey to the purchaser, his, or her their heirs, the property and estate, to him, her or them sold, free, clear and discharged from all claims of the parties to this Cause.

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

That at the time of the advertisement of said sale, the Trustee is hereby directed to give notice to the creditors of Edward William Bonds, also known as Edward William Barnes, deceased, said deceased person being mentioned in the proceedings in this Cause, to file their claims against said deceased person with the proper vouchers thereof within 90 days from the 15th day of July, 1950.

WM. R. HORNEY
Judge.

Filed July 11, 1950

Certified Copy of Bond
Filed July 11, 1950

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eleventh day of July, in the year nineteen hundred and fifty, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS: THAT we, John Palmer Smith, of Centreville, Queen Anne's County, Maryland, as Principal, and Glens Falls Indemnity Company, a body corporate of the State of New York and duly authorized to transact business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland in the full and just sum of 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 eleventh day of July, 1950.

WHEREAS, by a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the eleventh day of July, 1950, in a Cause pending in said Court in which Perry Bonds is the Plaintiff and Mary Bonds is the Defendant, the same being Cause No. 3646 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, then the above obligation to be null and void; otherwise to be and remain in full force and virtue in law.

TEST:-

Shirley T. Freestate
Shirley T. Freestate

ATTEST:-

Shirley T. Freestate
Shirley T. Freestate

JOHN PALMER SMITH (SEAL)
John Palmer Smith

GLENS FALLS INDEMNITY COMPANY

BY: L. Herman Meredith.
L. Herman Meredith.
Attorney in Fact.

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

Security approved and Bond filed July 11, 1950

Nellie B. Whitley, 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 175, 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 11th. day of July, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY Clerk

Seal's Place.

Report of Sale
Filed Oct. 13, 1953

PERRY BONDS

vs.

MARY E. BONDS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY No. 3646

* * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of the Sale of the real estate made in this cause by John Palmer Smith, trustee appointed to make such sale, unto your Honors respectfully represents:

1. That pursuant to a decree of this Honorable Court passed on the 11th day of July, 1950, 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 newspaper printed and published in Queen Anne's County, Maryland, for more than three (3) successive weeks prior to the 8th day of August, 1950, as will appear by reference to a Certificate of Advertisement of Sale attached hereto and

made 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 house of 1:30 P.M. DST o'clock, p.m. (Daylight Saving time), on Tuesday, August 8, 1950, and sold all that lot or parcel of land situate, lying and being in the Third Election District of Queen Anne's County, State of Maryland, located on the Burrisville-Poplar Grove Road, adjoining the lands of George Kennedy, on the north, the lands of Al Burke on the east, the lands of the Cator Burke heirs on the south and the property of the Robert Short heirs on the west, containing approximately one (1) acre of land, more or less, unto Perry Bonds and Grace L. Bonds, his wife, they being then and there the highest bidders therefore, at and for the sum of Nine Hundred Fifty Dollars (\$950.00), which said purchase money has been fully paid unto your trustee.

4. That at the time of the first insertion of said advertisement of sale in said newspaper, and each subsequent advertisement of sale, your trustee published in the same newspaper a Notice to the Creditors of Edward William Bonds, also known as Edward William Barnes, requiring them to file their claims against said deceased person with the Clerk of Court within ninety days from the 15th day of July, 1950, or be excluded from participating in the proceeds of the sale of the real estate left by said deceased person, as will appear by reference to the Certificate of Publication of said Notice to Creditors, hereto attached and made a part hereof.

Respectfully submitted,

JOHN PALMER SMITH
John Palmer Smith, Trustee

STATE OF MARYLAND

to wit:

QUEEN ANNE'S COUNTY

This is to certify that on the 13th day of October, 1951, before me, the undersigned, Clerk of the Circuit Court for Queen Anne's County, aforesaid, personally appeared John Palmer Smith, Trustee in Chancery No. 3646, 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.

T. SORDEN PIPPIN
Clerk of the Circuit Court for
Queen Anne's County, Maryland

Filed Oct. 13, 1953

Trustee's Sale of
of
HOUSE & LOT
NEAR CENTREVILLE, MD.

By virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed in Case No. 3646 entitled Perry Bonds, also known as Perry Barnes, vs. Mary E. Bonds, also known as Mary E. Barnes, and also known as Mary E. Williams, the undersigned as Trustees named in said decree will sell at public sale to the highest bidder in front of the Court House Door in the Town of Centreville, Queen Anne's County, Maryland, on TUESDAY, AUGUST 8, 1950 At the hour of 1:30 o'clock P.M. D.S.T.

All that lot or parcel of land, improved by a frame dwelling house, lying and being in the Third Election District of Queen Anne's County, Maryland, located in or near Burrisville, on the Burrisville-Poplar Grove Road, adjoining the lands of George Kennedy on the north, the lands of Al Burke on the east, the lands of Cator Burke heirs on the south and the property of Robert Short heirs on the west, containing approximately 1 acre of land, more or less, and formerly known as "The Nellie Kennedy Lot".

TERMS OF SALE: One-Third of the purchase money to be paid in cash day of sale, one-third thereof in six months and the residue in twelve months from day of sale, or all cash on day of sale at the option of the purchaser, the credit payments to bear interest from date of sale and to be secured by the notes or bonds of the purchaser, with surety to be approved by the Trustee.

Possession will be given by September 1st, 1950. Other announcements day of sale.

JOHN PALMER SMITH
Trustee.

J. Elmer Anthony, Auctioneer.

NOTICE TO CREDITORS

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

Chancery Cause No. 3646

Pursuant to the Decree of said Court passed in said Cause, NOTICE is hereby given to the creditors of Edward William Bonds, also known as Edward William Barnes, deceased, to file their claims against him, with the proper vouchers thereof, with the Clerk of the Circuit Court for Queen Anne's County, within 90 days

from the 15th day of July, 1950.

JOHN PALMER SMITH
Trustee.

QUEEN ANNE'S RECORD-OBSERVER

CENTREVILLE, MD. Oct. 13, 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Notice to Creditors Trustee's Sale in the case/estate of Perry Bonds, also known as Perry Barnes vs. Mary E. Bonds, also known as Mary E. Barnes, also known as Mary E. Williams 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 Aug. 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 13th day of July 1950 and the last insertion on the 3th day of Aug. 1950

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Oct. 13, 1953

Order Nisi
Filed October 13, 1953

N I S I

PERRY BONDS
VS.
MARY E. BONDS

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

CHANCERY NO. 3646

ORDERED, This 13th. day of October A.D., 1953, 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 15th. 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 14th. day of November next.

The Report states the amount of sales to be \$950.00.

T. SORDEN PIPPIN Clerk

Filed October 13, 1953

NISI

Perry Bonds,
vs.
Mary E. Bonds

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

Chancery No. 3646

ORDERED, This 13th day of October A.D., 1953, 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 15th 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 14th day of November next.

The Report states the amount of sales to \$950.00.

T. SORDEN PIPPIN, Clerk

Filed: October 13, 1953

True Copy:

Test: T. Sorden Pippin, Clerk.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Nov. 28, 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of PERRY BONDS VS MARY E. BONDS 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 15th day of Dec. 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER, was on the 15th day of Oct. 1953, and the last insertion on

the 5th day of Nov. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By A. L. MILLS

Filed Dec. 29, 1953

Final Order of Ratification
Filed Dec. 30, 1953

FINAL ORDER OF RATIFICATION

ORDERED, this 29th day of December, in the year nineteen hundred and fifty three, 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 John Palmer Smith is allowed the usual commissions upon the sale of real estate and for all expense, not personal, upon producing the Vouchers therefore before the Auditor.

WM. R. HORNEY
Judge.

Filed Dec. 30, 1953

Audit
Filed Jan. 4, 1954

Perry Bonds, etc. In The Circuit Court For
vs. Queen Anne's County In
Mary E. Bonds, etc. Equity No. 3646

To the Honorable, The Judge of Said Court;

The report of J. Thomas Clark, auditor, unto your Honors respectfully represents:

1. That this account is stated at the request of J. Palmer Smith, Trustee, who was duly appointed by this Court to make the sale of the real estate and disburse the proceeds received from the same, pursuant to the order of this Court of July 11, 1950.

2. That in the within account, John Palmer Smith, said trustee, is charged with the proceeds of the sale of certain real estate which was owned by Perry Bonds and his father, Edward William Bonds, deceased, as tenants in common after a suit in the nature of partition of real estate, wherein the sale of the same was asked since the said real estate was not susceptible of division. The sale netted proceeds of \$696.36, which after payment of all costs of these proceedings was directed to be paid to the co-owner and the heirs at law of the said decedent, as well as the inheritance taxes of the State of Maryland on one of the heirs at law interest. In these proceedings, although due notice to the deceased creditor's appears to have been given, no claims were filed.

Respectively submitted,

J. THOMAS CLARK
Auditor

January 4, 1954

Filed Jan. 4, 1954

Cause No. 3646

The proceeds of the sale of land reported in this cause, in account with John Palmer Smith, Trustee, appointed by this honorable Court to make the sale in these proceedings (and vendor of said land)

Cr.

1950
Aug. 8 By gross proceeds of the sale of said land
per report of said vendor, to wit:.....\$950.00

Dr.

Aug. 8 To John Palmer Smith, trustee (and vendor)
for his commissions for making the sale
per order of court..... \$64.25

To do., for cour costs of this cause,
per clerk's statement for same exhibited, to wit:
Costs of T. Sorden Pippin, Clerk....\$44.50
Appearance fee of John Palmer Smith
and Vachel A. Downes, Jr..... 10.00 54.50

| | | |
|---|-----------------|-----------------|
| To do., for an amount paid L. Herman Meredith, (agent), for the premium on the corporate surety bond filed in this cause by said trustee, per receipt for the same exhibited..... | 10.00 | |
| To do., for an amount due The Queenstown News for publishing the order of publishing in this cause, per statement for the same exhibited..... | 18.14 | |
| To do., for amounts paid the Queen Anne's Record-Observor, per receipts for the same exhibited, as follows, to wit: | | |
| For publishing the notice of sale.... | \$33.75 | |
| For publishing the notice to creditors..... | 7.50 | |
| For publishing the nisi of sale..... | <u>7.50</u> | 48.75 |
| To do., for costs of advertising the order nisi to be passed to this audit in the Queen Anne's Record-Observor..... | 5.00 | |
| To do., for an amount paid J. Elmer Anthony, auctioneer, for cying said sale, per receipt for the same exhibited..... | 25.00 | |
| To do., for an amount paid Kathryn A. Summers, for attempting to personally serve papers of this cause on out of state defendant, per receipt for same exhibited..... | 10.00 | |
| To J. Thomas Clark, auditor, for stating this audit..... | 18.00 | |
| To balance carried forward prior to distribution..... | 696.36 | |
| | <u>\$950.00</u> | <u>\$950.00</u> |

J. THOMAS CLARK
Auditor

January 4, 1954

Cr.

| | |
|---------------------------------|----------|
| By balance carried forward..... | \$696.36 |
|---------------------------------|----------|

Dr.

| | | |
|---|-----------------|-----------------|
| To Perry Bonds, the following shares: 1-a one half interest of the same, as co-owner in common with heirs at law of William Bonds..... | \$348.18 | |
| 2-a two sixths interest of the same as sole child of Edward Williams Bonds, deceased, who was a co-tenant of a 1/2 share, and as such child, a heir at law, the sum of \$232.12, less the sum \$2.32, which represents the inheritance tax due the State of Maryland on said interest, or the sum of..... | <u>229.80</u> | \$577.98 |
| To Mary E. Bonds, a one sixth interest of the same, as surviving spouse and heir at law of Edward William Bonds, deceased, or the sum of..... | | 116.06 |
| To Edward E. Coursey, Register of Wills for Queen Anne's County, Maryland, one per cent of the sum of \$232.12, the amount inherited by Perry Bonds, as heir at law of Edward William Bonds, and which charge is the amount due the State of Maryland as inheritance taxes on the same or the sum of..... | | <u>2.32</u> |
| | <u>\$696.36</u> | <u>\$696.36</u> |

J. THOMAS CLARK
Auditor

January 4, 1954

Filed Jan. 4, 1954

Nisi Ratification of Audit
Filed January 4, 1954

NISI RATIFICATION OF AUDIT

| | | |
|---|---|-------------------------|
| Perry Bonds, also known as Perry Barnes |) | IN THE CIRCUIT COURT |
| |) | |
| vs. |) | FOR QUEEN ANNE'S COUNTY |
| |) | |
| Mary E. Bonds, also known as Mary E. Barnes, also known as Mary E. Williams |) | IN EQUITY |
| |) | CAUSE NO. 3646 |

ORDERED, This 4th. day of January in the year nineteen hundred and fifty-four, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 29th. day of January, 1954; provided a copy of this order be published once a week in each of two successive weeks before the 22nd. day of January, 1954, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed January 4, 1954

Nisi Ratification of Audit

| | | |
|---|--|--------------------------|
| Perry Bonds, also known as Perry Barnes | | In the Circuit Court for |
| | | Queen Anne's County |
| vs. | | in Equity |
| | | Cause No. 3646 |
| Mary E. Bonds, also known as Mary E. Barnes, also known as Mary E. Williams | | |

Ordered, This 4th day of January, in the year nineteen hundred and fifty-four, that the Report and Account filed in these proceedings, by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 29th day of January, 1952; provided a copy of this order be published once a week in each of two successive weeks before the 22nd day of January 1954, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy
Test:

Filed: Jan. 4, 1954

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. March 1954

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 Perry Bonds, also known as Perry Barnes Mary E. Bonds, also known as Mary E. Barnes, Mary E. Williams 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 22nd day of Jan. 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 7th. day of Jan. 1954, and the last insertion on the 14th. day of Jan. 1954.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By A. L. MILLS

Filed March 24, 1954

Ratification of Audit
Filed March 24, 1954

| | | |
|------------------------|--|--------------------------|
| PERRY BONDS | | IN THE CIRCUIT COURT FOR |
| | | QUEEN ANNE'S COUNTY |
| vs. | | |
| | | IN EQUITY No. 3646 |
| MARY E. BONDS, et. al. | | |

* * * * *

ORDERED, this 24th day of March, 1954, by the Circuit Court for Queen Anne's County, that the Report and Account of J. Thomas Clark, Auditor, be and the same is hereby ratified and confirmed no cause to the contrary thereof having been shown although it appears that notice has been given as required by the preceding Order Nisi, and the said John Palmer Smith, Trustee, is hereby directed to apply the proceeds of the sale in accordance with and in the manner set forth in said audit.

J. DeWEESE CARTER
Judge

Filed March 24, 1954



QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this 31st day of March in the year nineteen hundred and fifty-four, the following Fi Fa was returned, to wit:

J. Noble Hardesty

Law No. 402

vs.

Julian F. Coleman and
Margaret A. Coleman, his wife

(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 3rd Monday of July in the year of our Lord, one thousand nine hundred and fifty one a certain J. Noble Hardesty, Sudlersville, Maryland by judgement of the same Court, recovered against a certain Julian F. Coleman and Margaret A. Coleman, Crumpton, Maryland as well the sum of Four thousand fifty six dollars and twenty six cents, with interest from the Twenty sixth day of July 1951 and Fifteen dollars and twenty five cents for his costs and \$405.63 attorney's commissions charges by him about his suit laid out and expended, whereof the said Julian F. Coleman and Margaret A. Coleman, Crumpton, Maryland are convict, as it appears of record: with all exemptions

THEREFORE, you are hereby commanded, that of the goods and chattels, lands and tenements of the said Julian F. Coleman and Margaret A. Coleman 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 J. Noble Hardesty 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 25th day of January in the year of our Lord, nineteen hundred and fifty four.

Issued this 27th day of March 1954

T. SORDEN PIPPIN Clerk

Attorney for Plaintiff
Thos. J. Keating, Jr.
Centreville, Maryland

A SCHEDULE of the goods and chattels, lands and tenements of Julian F. Coleman and Margaret A. Coleman, 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, and to me directed at the suit of J. Noble Hardesty vs. Julian F. Coleman and Margaret A. Coleman I have seized and levied upon all of the right, title, interest and estate of the Defendants in and to the following described real estate:

LAND

ALL that lot or parcel of ground situate and lying in the Seventh Election District of Queen Anne's County, in the State of Maryland, on the west side of the State Road, which leads from Crumpton to Crumpton's Cemetery, bounded on the north by the property of Leslie Nickerson and the property called or known as "The Biddle Property" on the east by the road mentioned above, on the south by the property of Edward C. Porter and bounded on the west by the land called "The Mark Rogers Property" and Containing Twenty (20) Acres of land, more or less. Being the same property which was conveyed to Julian F. Coleman and Margaret A. Coleman, his wife, by Elwood F. Coleman and Mary E. Coleman, his wife, by Deed dated October 19, 1946, recorded in Liber ASG, Jr., No. 15, folio 573, a Land Record Book for Queen Anne's County.

BUILDINGS

The improvements on said real estate consist of a nice modern dwelling and outbuildings.

Levied as per schedule by going upon the lands and tenements of the Defendants described in said schedule on the 22 day of March 1954, and Albert C. Day, occupant of said premises, was notified as occupant of the levy. Property advertised for sale to be held April 27, 1954, after which further return will be made.

Filed Mar. 31, 1954

FRANK Y. WHITELEY
 Sheriff of Queen Anne's County

SHERIFF'S SALE
 OF VALUABLE
 REAL ESTATE

Under and by virtue of a writ of fieri facias issued out of the Circuit Court for Queen Anne's County, and to me directed in a certain suit in said Court entitled (J. Noble Hardesty, Plaintiff, versus Julian F. Coleman and Margaret A. Coleman, Defendants," being Law No. 402 in said Court. I have seized and levied upon all of the right, title, interest and estate of the said Defendants in and to the following described real estate:

LAND

ALL that lot or parcel of ground situate and lying in the Seventh Election District of Queen Anne's County, in the State of Maryland, on the west side of the State Road, which leads from Crumpton to Crumpton's Cemetery, bounded on the north by the property of Leslie Nickerson and the property called or known as "The Biddle Property" on the east by the road mentioned above, on the south by the property of Edward C. Porter and bounded on the west by the land called "The Mark Rogers Property" and containing Twenty (20) Acres of land, more or less. Being the same property which was conveyed to Julian F. Coleman and Margaret A. Coleman, his wife, by Elwood F. Coleman and Mary E. Coleman, his wife, by Deed dated October 19, 1946, recorded in Liber ASG, Jr., No. 15, folio 573, a Land Record Book for Queen Anne's County.

BUILDINGS

The improvements on said real estate consist of a nice modern dwelling and outbuildings.

I hereby give notice that pursuant to said writ of fieri facias I will sell the Defendants' right, title, interest and estate in said real estate (being subject to the priority of a mortgage to the First National Bank of Chestertown, dated the 15th day of July, 1949, recorded in Liber N.B.W. No. 3, folio 461, and a mortgage to E. S. Adkins and Company, dated July 17, 1951, recorded in Liber T.S.P. No. 2, folio 214, a Land Record Book for Queen Anne's County), in front of the Court House door in the town of Centreville, Queen Anne's County, Maryland, at 2 o'clock p.m., on TUESDAY, APRIL 27, 1954

TERMS OF SALE-CASH

FRANK Y. WHITELEY,
 Sheriff of Queen Anne's
 County

J. Elmer Anthony, Auct.

This is to certify, that the annexed Sheriff's Sale was inserted in The Record Observer, a newspaper printed and published in Queen Anne, Md. once in each of four successive weeks before the 24th day of April.

First insertion was on April 1st. last April 22.

Mr. A.L. Mills

Filed May 7, 1954

After advertising the real estate levied on for sale in the Queen Annes Record Observer a newspaper printed and published in Queen Annes County for more than 20 days before the day of sale as per copy attached and setting up said advertisement at Court house door, I sold the defendants right, title and interest on April 27th 1954 to Edwood F. Coleman and Mary E. Coleman, his wife, for Fifteen Hundred Dollars (\$1500.00)

May 7, 1954

FRANK Y. WHITELEY, Sheriff

Filed May 7, 1954

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourteenth day of September in the year eighteen hundred and ninety-one, the following Petition was brought to be recorded, to wit:

| | | |
|--|---|--------------------------|
| B. Palmer Keating next friend &c. Plaintiff |) | In the Circuit Court for |
| |) | Queen Anne's County |
| vs. |) | |
| |) | in Equity. |
| Elizabeth F. Keating & others Defendants |) | |

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, respectfully represents:

1st That in execution of the authority vested in them by said decree they did on the 28th day of September 1886, sell that parcel of said real estate, designated in their Report of Sales and in Plat, accompanying same as Lot No. 14 to a certain Walter F. Harman of said County, at and for the sum of Two Hundred and Sixty-Three Dollars (\$263.00/100) to be paid by the terms of sale as follows, one-fourth in cash on the day of sale, and the balance in three equal instalments in one, two and three year thereafter, the deferred payments to bear interest from the day of sale and to be served by the notes of the purchaser with sureties approved by the Trustees

2nd That said sale has been duly reported to and ratified and confirmed by this court; as by the said report, and the proceedings thereon, now remaining in this court will appear

3rd That the said Walter F. Harman departed this life some time in the month of January 1890 and letters of Administration upon his personal estate were granted and committed by the Orphans Court of Queen Anne's to Charles E. Harman of said County.

4th. That the said Walter F. Harman did not in this life time pay nor has the said Charles E. Harman, paid said purchase money, although each were notified of the ratification of said sale, so made to the said Walter F. Harman as aforesaid and requested by your petitioners to pay the balance remaining due as hereinafter set forth

5th. That the said Walter F. Harman in his life time made the following payments to your petitioner on o/c of said purchase money, to wit:-

| | | |
|----------------|-----------|----------|
| September 30th | 1886 Cash | \$ 65.75 |
| April 20th | 1889 Cash | 100.00 |

but there still remains due after applying said payments a balance in accordance with this statement

| | |
|--|-----------------|
| September 28th 1886 Purchase Money | \$263.75 |
| Less Payment above of Sept. 30th 1886 | 65.75 |
| | <u>\$198.00</u> |
| Interest from Sept. 30/86 to April 20/89 | 30.54 |
| | <u>228.54</u> |
| April 20th 1889 Paid as above | 100.00 |
| Balance still due | <u>\$128.54</u> |

with interest from April 20th 1889

Your petitioners pray

1. That the said Charles E. Harman Administrator of Walter F. Harman, deceased, may be directed by decree or order of this Court, to pay the said balance of purchase money of \$128.54/100 with interest from April 20th 1889 And in default thereof, that the said Lot or parcel of real estate may be decreed to be sold at the risk of the said Walter F. Harman for the payment of the same

2. For other and further relief as their case may require

Thos. J. Keating
B. Palmer Keating
Trustees

On the foregoing petition it is ordered this 14th day of September 1891 by John M. Robinson, Chief Judge of the 2nd Judicial Circuit of Maryland and by the authority of the Circuit Court for Queen Anne's County, as a Court of Equity that the said Charles E. Harman Administrator of Walter F. Harman, deceased, bring into this Court the sum of \$128.54/100 with interest thereon from the 20th day of April 1889, on show good cause to the contrary thereof on or before the 30th day of September 1891 provided a copy of this order, together with a copy of the foregoing petition, be served on the said Charles E. Harman, Administrator, as aforesaid on or before 25th day of September 1891.

JNO. M. ROBINSON

Filed July 1896

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

No. 831 Chancery Docket

| | | |
|--------------------------------|---|------------|
| B. P. Keating, next friend &c. |) | Plaintiffs |
| vs. |) | |
| E. F. Keating &c |) | Defendants |

To the Hon. Judges of said Court

The Petition of Elizabeth F. Keating, Mary E. Keating and William T. Keating of Queen Anne's County, respectfully sets forth

1st. That as will appear by proceedings in this case the order of this Court of the 27th day of March 1896 passed an answer to a preceding Petition of your Petitioners was duly served on Thomas J. Keating and R. Palmer Keating, Co Trustees in this case.

2nd. That Thomas J. Keating one of said Trustees filed an answer thereto admitting his liability as Trustee for the proper discharge of the duties of the trust which he has altogether committed to the management of B.P. Keating, his Co-Trustee

3rd That B. Palmer Keating, the other of said Trustees filed an answer thereto admitting that he has received and collected of the Principal sales of lots reported sold (\$6,842.99) that two of the lots sold has only been in part paid for that several of the lots reported sold has not been paid for in whole or in part. That several lots have never been sold at all. Your Petitioners submit herewith a statement marked W7KNO/c to be taken in connection with the answer of B. P. Keating Trustee

4th. That the order referred to was that Thomas J Keating and B. Palmer Keating, Trustees thereto not only report and disclose the condition of the trust property and Trust funds in the case but thereto brings into the Court the aforesaid trust funds and all bonds or other evidences of debt among them the sale thereof.

5th That said Thomas J. Keating and B. Palmer Keating trustees as aforesaid while reporting the condition of said Trust and Trust funds have utterly failed to bring into Court said moneys admitted to have been received by them in the person of B. P. Keating and that your Petitioners are advised that the said Trustees are unable and incapable of bringing into the Court said trust funds or any part thereof and that said funds so as aforesaid received and collected by them have been expended.

6th That it is important for the interests of your Petitioners that the said Thomas J. Keating and B. Palmer Keating should be removed from said trust and that a new Trustee should be appointed by this Court to enter on the discharge of the duties of said trust with power to take such steps as may be necessary to collect and realize the trust funds which have already come into their hands as such trustees and with full power to proceed to manage and close said trust.

J. B. & E. H. Brown

Attys. for Petitioners

ORDERED, on this 24th day of July 1896 by the Circuit Court for Queen Annes County in Equity and by the authority thereof, on the aforesaid Petition of Elizabeth F. Keating, Mary E. Keating and William T. Keating, That Thomas J. Keating and B. Palmer Keating, Trustees, be and they are hereby removed from the office of Trustee conferred on them by the original Decree in this case, they having failed to bring unto the Court the sum of \$6,842.99 admitted to have been received and collected by them from the sales of Trust property reported sold by them and being unable to do so having misused, expended or wasted the same that Edwin H. Brown of Queen Annes County be and he hereby is appointed Trustee on the place and stead of the said Thomas J & B P. Keating, Trustee removed by this order and that on giving Bond as hereinafter provided the said Edwin H. Brown and he hereby is invested and clothed with all the powers and duties of Trustees in this case and that he be and hereby is authorized, empowered and ordered to call upon, demand, receive and collect by legal proceedings or otherwise all real and personal property effects, funds and moneys in the hands of Thomas J. Keating and B. Palmer Keating them or either of them as Trustees as aforesaid and all bonds notes, securities or evidence of debt belonging to said Trust Estate held or controlled by them or either of them as Trustees as aforesaid and to take and institute, initial and prosecute all proper legal and necessary proceedings and suits for the recovery of all property, money or effects belonging to or constituting a part of said Trust Estate and the said Edwin H. Brown, Trustee hereby named and appointed is authorized empowered and directed to take such legal and equitable proceedings against the said Trustees so removed as aforesaid, their official Bond and the Surties thereto and appoint Purchasers and property in order that the Trust may be enforced and concluded. that the said Edwin H. Brown before he proceeded to act as Trustee shall give Bond to the State of Maryland conditioned for the true and faithful discharge of the duties of said trust and to obey all orders of this or any other Court having jurisdiction in this matter and with security to be approved according to law in the penalty of Two thousand dollars at the present time- Another and additional Bond to be hereafter given under the order of this Court in case it shall appear that the Trustees is about to secure or realize the trust funds which had come unto the hands of the former Trustees of which he shall at once make report to that Court

FREDERICK STUMP

TRUSTEE'S BOND
Filed March 25 1897

KNOW ALL MEN BY THESE PRESENTS, THAT WE Edwin H. Brown of Queen Anne's County, State of 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 Two 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 25th day of March in the year of our Lord one thousand eight hundred and ninety-seven.

WHEREAS, by an order of the Circuit Court for Queen Anne's County in Equity bearing date on the 24th day of July eighteen hundred and ninety-six and passed in a cause in the said Court, wherein B. Palmer Keating next friend ne is Complainant, and Elizabeth F. Keating et al are Defendants, the above bound Edwin H. Brown has been appointed Trustee in the place and stead of Thomas J. Keating and B. Palmer Keating Trustees removed by said order and with the powers and authority therein set forth.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Edwin H. Brown do and shall well and faithfully perform the trust reposed in him by said order, 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

EDWIN H. BROWN (SEAL)

L. HERMAN MEREDITH

FIDELITY AND DEPOSIT COMPANY OF
MARYLAND

Corporate Seal

Per L.M. WARFIELD
President

ATTEST:

A. E. BULER
Secretary

B. Palmer Keating, next
friend,

In The Circuit Court For
Queen Anne's County In
Equity Cause No. 831

vs.

Elizabeth F. Keating,
et. al.

To The Honorable, The Judge of Said Court:

The petition of Harry B. Rhodes, by J. Thomas Clark, his attorney, respectfully represents:

1. That heretofore, in this Cause, Thomas J. Keating and B. Palmer Keating, trustees, sold at public sale on the 28th day of September, 1886, lot No. 14 of the Davidson Lots to one W. F. Harman, at and for the sum of \$263.00.
2. That thereafter the said sale was duly reported and finally ratified by this Court by its order dated June 6th, 1888; and thereafter on July 24, 1896, Edwin H. Brown was duly appointed and then qualified as trustee in the place and stead of the former trustees in this cause.
3. That the said W. F. Harman, who had never received a deed for the lot he had purchased, died intestate, leaving surviving him a widow one A.C. Harman and a daughter, Blanche F. Harman, and another daughter, Emma Harman, who died intestate prior to any deed of this lot.
4. That thereafter, the said Edwin H. Brown, trustee, and A.C. Harman and Blanche F. Harman, all joining in as grantors of one deed conveyed said Lot #14 to one Charles F. Rich for the sum of \$178.00, which represented the amount unpaid on the purchase price, said deed bearing date the 2nd day of August, 1902, and being duly recorded among the land records for Queen Anne's County in Liber J.E.G., No. 3, Folio 540.
5. That when the said trustee conveyed the said lot as afore-said, he had failed to obtain from this Court to convey to anyone other than the said W.F. Harman.

Wherefore your petitioner prays this Honorable Court to pass an order nunc pro tunc substituting the said Charles F. Rich as purchaser of Lot No. 14 of the Davidson Lots in the place and stead of W. F. Harman.

Respectively submitted,
J. THOMAS CLARK
Attorney for Petitioner

ORDER OF COURT

ORDERED by the Circuit Court of Queen Anne's County, in Equity, this 11th day of ^{May} 1954, Nunc Pro Tunc Agsut 2, 1902, that Charles F. Rich is made a substitute purchaser in the place and stead of W. F. Harman and that a deed for Lot #14 of the Davidson Lots to said Charles F. Rich in the place and stead of W. F. Harman should be ratified as given.

WM. R. HORNEY
Judge

Filed May 11, 1954

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Second day of September in the year nineteen hundred and fifty-three, the following Bill of Complaint was filed for record, to wit:

C A U S E N O. 3877

| | | |
|--------------------------------|---|--------------------------|
| ALICE M. LEGAR | : | |
| Sudlersville, Maryland | : | |
| | : | |
| MAXINE L. O'NEAL and | : | IN THE |
| CHARLES F. O'NEAL, her husband | : | |
| Barclay, Maryland | : | |
| | : | |
| WILLARD P. LEGAR and | : | CIRCUIT COURT |
| BERNICE F. LEGAR, his wife, | : | |
| Smyrna, Delaware | : | |
| | : | |
| M. ISADORE LEGAR and | : | FOR |
| MADelyn LEGAR, his wife, | : | |
| Clayton, Delaware | : | |
| | : | |
| LILLIAN PHYLLIS LUFF | : | QUEEN ANNE'S COUNTY |
| Barclay, Maryland | : | |
| | : | |
| ARTHUR LANDERS LEGAR, Single | : | |
| Sudlersville, Maryland | : | IN EQUITY |
| Plaintiffs | : | |
| | : | |
| vs. | : | |
| | : | CHANCERY NO. <u>3877</u> |
| PATSY ANN CROSSLEY, Infant | : | |
| Roseville Park, | : | |
| Newark, Delaware | : | |
| | : | |
| BLANCHE BAYNUM, Wife | : | |
| RONALD BAYNUM | : | |
| ERNEST BAYNUM | : | |
| JAMES BAYNUM, 3 Infant | : | |
| children of James Baynum, | : | |
| deceased, | : | |
| Lewes, Delaware. | : | |
| | : | |
| Defendants | : | |

BILL OF COMPLAINT

TO THE HONORABLE, the Judges of said Court:

Your Orators, complaining, say:

1. THAT Joseph Merritt Legar, late of Queen Anne's County, Maryland, deceased, departed this life intestate on the 20th day of July, 1952, seized and possessed of a farm or tract of land situate in the First Election District of Queen Anne's County, Maryland, on the road from the Sudlersville-Peters Corner Road to the Dixons Tavern-Templeville Road, known as the "Richard M. Legar Farm" or the "J. Merritt Legar Farm", containing 106 acres of land, more or less, and being the same land conveyed to the said Joseph Merritt Legar by Mary E. Smith et al, by Deed dated August 22, 1938 recorded in Liber WHC No. 7A, folio 128, a Land Record Book for Queen Anne's County, a certified copy of which is filed herewith as a part hereof marked "Plaintiffs' Exhibit No. 1".
2. THAT the said Joseph Merritt Legar, so dying intestate as aforesaid, left surviving him as his next-of-kin and only heirs-at-law, your Orator, Alice M. Legar, his widow, and your Orators, Maxine L. O'Neal, Willard P. Legar, M. Isadore Legar, Lillian P. Luff, and Arthur Landers Legar, his children, who are all adults.
3. THAT the personal estate of the said Joseph Merritt Legar is being administered in the Orphans' Court of Queen Anne's County by Alice M. Legar and Maxine L. O'Neal, Administratrices, and is more than sufficient to pay all of the decedent's debts and the costs of administration and there will be a surplus for distribution.
4. THAT your Orators are seized of the aforesaid real estate as tenants in common and are entitled to the distribution of the personal estate.
5. THAT it has been brought to the attention of your Orators that certain other persons claim an interest in the aforesaid real estate and the distribution of the personal estate, they being;
 - (a) The Defendant, Patsy Ann Crossley, an infant female child, who resides with her mother at Roseville Park, Newark, Delaware, and who claims to be a child of the said Joseph Merritt Legar, deceased.
 - (b) The Defendants, Blanche Baynum, and her three infant male Children, Ronald Baynum, Ernest Baynum and James Baynum who reside with their mother, said Blanche Baynum at Lewes, Delaware, who claim that one James Baynum, who was the husband of said Blanche Baynum and father of said infant children, was a son of the deceased James Merritt Legar and survived him but has since died leaving said Blanche Baynum and children as his only heirs-at-law.

6. THAT your Orators deny the claims of the Defendants.

7. THAT THE aforesaid real estate cannot be divided without loss or injury to the parties owning same or interested therein; and it would be to the interest and advantage of all of said parties, including the infant Defendants, if it should be determined that said infants have any interest therein, to have said real estate sold and the proceeds divided amongst the parties according to their respective rights therein.

8. THAT in order to quiet the title to said land and to make sale thereof the claims and interest of the Defendants, if any, in said real estate should be determined by this Honorable Court.

9. THAT all of the Defendants are non-residents.

To the end therefore:

(1) THAT the claims of the Defendants and any rights, titles or interests that said Defendants might have in the real estate or the personal estate of the deceased Joseph Merritt Legar, may be adjudged and determined;

(2) THAT the real estate hereinbefore described may be sold and the proceeds thereof distributed among the parties, according to their respective rights therein;

(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 Order of Publication against the non-resident Defendants warning them to appear on or before a certain date to be named therein to answer the premises and show cause, if any they have, why a decree should not be passed as prayed.

AND as in duty bound, etc.

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)
ATTORNEY FOR PLAINTIFFS

Filed Sept. 2, 1953

PLAINTIFF'S EXHIBIT NO. 1
Filed Sept. 2, 1953

.....

#19,027. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty-third day of August, in the year nineteen hundred and thirty eight, the following Deed was brought to be recorded, to wit: -

THIS DEED made this 22 day of August, in the year nineteen hundred and thirty-eight, by Mary E. Smith and J. Merritt Legar, of Queen Anne's County, State of Maryland, Executors of the last will and testament of Richard M. Legar, late of Queen Anne's County, aforesaid, deceased;

WHEREAS Richard M. Legar, late of Queen Anne's County aforesaid, departed this life some time in the month of October, in the year nineteen hundred and thirty seven, seized and possessed of certain real estate, and leaving a last will and testament bearing date the 22nd day of August, nineteen hundred and thirty-five, which said last will and testament, was admitted to probate by the Orphan's Court of Queen Anne's County aforesaid and is recorded in Liber N.S.D. No. 1, Folio 34, a will record book in the office of the Register of Wills of Queen Anne's County, aforesaid;

AND WHEREAS the said Richard M. Legar did, by his said last will and testament, name, constitute and appoint as the Executors thereof the said Mary E. Smith and J. Merritt Legar, to whom letters testamentary under said will were on the 19th day of October nineteen hundred and thirty seven, granted and committed by the Orphan's Court of Queen Anne's County aforesaid;

AND WHEREAS, the said Richard M. Legar, by the said last will and testament, authorized, empowered and directed the said Executors to sell all his real estate of which he died, seized and possessed;

AND WHEREAS, the said Mary E. Smith and J. Merrick Legar, Executors as aforesaid, by virtue and in execution of the power and authority so as aforesaid conferred upon them by said last will and testament, did, on the 24th day of May in the year nineteen hundred and thirty eight, sell at public sale the parcels of real estate, or farm, hereinafter described unto J. Merritt Legar, of Queen Anne's County aforesaid, he being then and there the highest bidder therefore, at and for the sum of Thirty-five hundred dollars;

AND WHEREAS, the said sale, having been by the said Executors duly reported to the Orphan's Court of Queen Anne's County aforesaid, on the 31st day of May, nineteen hundred and thirty-eight, has been, after order nisi and the due publication thereof, finally ratified and confirmed by said Court by its order passed on the 9th day of August, nineteen hundred and thirty-eight;

AND WHEREAS the said J. Merritt Legar has fully paid the said purchase money and is entitled to a deed granting and conveying unto him the said parcel of real estate so sold to him as aforesaid;

NOW, THEREFORE, THIS DEED WITNESSETH, that in consideration of the

premises and of the said sum of thirty-five hundred dollars (\$3500.00) the receipt of which is hereby acknowledged and by virtue of the power and authority conferred upon them by said last will and testament as aforesaid, the said Mary E. Smith and J. Merritt Legar, Executors of the last will and testament of Richard M. Legar late of Queen Anne's County, aforesaid, deceased, do hereby bargain and sell, grant and convey unto the said J. Merritt Legar, his heirs and assigns in fee simple, the following described parcel of real estate sold to him as aforesaid, to wit:

ALL that tract of land or farm, composed of two parcels of land now reduced into one, known as the "Back Farm of the late Benjamin Coppage, deceased", and the "Richard M. Legar Farm", situated lying, and being in the First Election District of Queen Anne's County, State of Maryland on the public road leading from the Sudlersville-Peter's Corner public road to the Dixon's-Templeville public road, and more particularly described by metes and bounds, courses and distances, according to a plat thereof (recorded among the land records of Queen Anne's County aforesaid immediately prior to this deed made in August, 1912), as follows; to wit: BEGINNING for the same on the east side of said public road at the point where this property corners with that of I.M. Redden and running from thence by and with said public road South $9\text{-}\frac{3}{4}$ degrees East, 30 perches; thence South $13\text{-}\frac{3}{4}$ degrees East 75.5 perches to the Sudler Farm; thence North $84\frac{1}{2}$ degrees East 68.3 perches; thence South $20\frac{1}{2}$ degrees East 58 perches; thence North $51\text{-}\frac{3}{4}$ degrees East 36 perches; thence North $11\frac{1}{2}$ degrees West 42 perches; thence North $26\text{-}\frac{3}{4}$ degrees East 20 perches; thence North $2\text{-}\frac{3}{4}$ degrees East 20 perches; thence North $14\text{-}\frac{3}{4}$ degrees East 24 perches; thence North $5\frac{1}{2}$ degrees West 7 perches; thence North $10\text{-}\frac{3}{4}$ degrees East 6 perches; thence North $\frac{1}{2}$ degrees West 6 perches, thence North $10\text{-}\frac{3}{4}$ degrees East 10 perches; thence North $9\frac{1}{2}$ degrees West 7.2 perches; thence North $73\frac{1}{2}$ degrees East 6 perches; thence North $7\frac{1}{2}$ degrees West 7 perches; thence North $34\frac{1}{2}$ degrees West 18 perches; thence North $16\frac{1}{2}$ degrees West 16 perches; thence North $31\frac{1}{2}$ degrees West 8 perches, thence North $60\frac{1}{2}$ degrees West 6 perches; thence North $33\frac{1}{2}$ degrees West $12\frac{1}{2}$ perches; thence North $81\text{-}\frac{3}{4}$ degrees West 11.2 perches; thence South $8\frac{1}{2}$ degrees East 3 perches, thence South $10\text{-}\frac{3}{4}$ degrees West 66.4 perches; thence South $84\text{-}\frac{3}{4}$ degrees West 28 perches; thence West 64.25 perches to the said place of beginning containing 106 acres and 95 square perches of land, more or less; being the same land granted and conveyed unto Richard M. Legar by deed dated August 22, 1899, and executed by W. Scott Roberts, Trustee, said deed being recorded in Liber W.H.C. No. 9, folio 501, a land record book for Queen Anne's County, State of Maryland, and by deed executed by John B. Felton and Mary Felton to Richard M. Legar dated the 26th day of January 1900 and recorded in Liber W.H.C. No. 10, 307, a land record book for Queen Anne's County, State of Maryland.

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

Witness the hands and seals of the said grantors:

Test: L. P. WALRAVEN

MARY E. SMITH (SEAL)

J. MERRITT LEGAR (SEAL)
Executors of the last will
and Testament of Richard M.
Legar.

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

I hereby certify that on this 22 day of August, in the year nineteen hundred and thirty eight, 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 Mary E. Smith and J. Merritt Legar, Executors of the last will and testament of Richard M. Legar late of Queen Anne's County, State of Maryland, deceased and did each acknowledge the foregoing

and Maxine L. O'Neal, Administrators, and is more than sufficient to pay all of the decedent's debts and the costs of administration and there will be a surplus for distribution; that the Plaintiffs are seized of the real estate as tenants in common and are entitled to the distribution of the personal estate; that it has been brought to the attention of the Plaintiffs that certain other persons claim an interest in the aforesaid real estate and in the distribution of the personal estate, they being:

(a) The Defendant, Patsy Ann Crossley, an infant female child who resides with her mother at Roseville Park, Newark, Delaware, and who claims to be a child of the said Joseph Merritt Legar, deceased.

(b) The Defendants, Blanche Baynum, and her three infant male children, Ronald Baynum, Ernest Baynum and James Baynum who reside with their mother, said Blanche Baynum at Lewes, Delaware, who claim that one James Baynum, who was the husband of said Blanche Baynum and father of said infant children, was a son of the deceased James Merritt Legar and survived him but has since died leaving said Blanche Baynum and children as his only heirs-at-law.

That the Plaintiffs deny the claims of the Defendants; that the real estate cannot be divided without loss or injury to the parties owning same or interested therein; and it would be to the interest and advantage of all parties, including the infant Defendants, if they have any interest, for the farm to be sold and the proceeds divided; that in order to quiet title to said land and to make sale thereof of the claims and interests, if any, of the Defendants should be determined by this Honorable Court; and that all of the Defendants are non-residents.

It is thereupon this 2nd day of September 1953, ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Plaintiffs, by causing a copy of this Order to be inserted in some newspaper printed and published in Queen Anne's County, once in each of four successive weeks before the 10th day of October 1953, give notice to the said absent Defendants of the object and substance of this Bill of Complaint, warning them to appear in this Court in person or by Solicitor, on or before the 26th day of October 1953 to answer the Bill and show cause, if any they have, why a decree ought not be passed as prayed.

T. SORDEN PIPPIN
CLERK

Filed Sept. 2, 1953

ORDER OF PUBLICATION
Filed Nov. 6, 1953

ALICE M. LEGAR
Sudlersville, Maryland
MAXINE L. O'NEAL and
CHARLES E. O'NEAL, her husband
Barclay, Maryland
WILLARD P. LEGAR and
BERNICE F. LEGAR, his wife,
Smyrna, Delaware
M. ISADORE LEGAR and
MADELYN LEGAR, his wife,
Clayton, Delaware
LILLIAN PHYLLIS LUFF
Barclay, Maryland
ARTHUR LANDERS LEGAR, Single
Sudlersville, Maryland
Plaintiffs

IN THE

CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

vs.

PATSY ANN CROSSLEY, Infant
Roseville, Park,
Newark, Delaware
BLANCHE BAYNUM, Wife
RONALD BAYNUM
ERNEST BAYNUM
JAMES BAYNUM, 3 Infant
children of James Baynum, deceased,
Lewes, Delaware
Defendants

CHANCERY NO. 3877

ORDER OF PUBLICATION

The object of the Bill of Complaint is to determine the rights of the parties in the real and personal estate of one Joseph Merritt Legar, late of Queen Anne's County, Maryland, deceased, and to have said real estate sold for division of the proceeds thereof among the parties entitled thereto.

The Bill states that Joseph Merritt Legar, late of Queen Anne's County, Maryland, departed this life intestate on July 20, 1952, seized and possessed of a farm situate in the First Election District of Queen Anne's County, Maryland, known as "The Richard M. Legar Farm" or "The J. Merritt Legar Farm" containing 106 Acres of land, more or less; that the said Joseph Merritt Legar left surviving him as his next-of-kin and only heirs-at-law a widow, Alice M. Legar, and Maxine L. O'Neal Willard P. Legar, M. Isadore Legar, Lillian P. Luff and Arthur Landers Legar, his children, all of whom are adults; that the personal estate of said decedent is being

administered in the Orphans' Court of Queen Anne's County by Alice M. Legar and Maxine L. O'Neal, Administrators, and is more than sufficient to pay all of the decedent's debts and the costs of administration and there will be a surplus for distribution; that the Plaintiffs are seized of the real estate as tenants in common and are entitled to the distribution of the personal estate; that it has been brought to the attention of the Plaintiffs that certain other persons claim an interest in the aforesaid real estate and in the distribution of the personal estate, they being:

(A) The Defendant, Patsy Ann Crossley, an infant female child, who resides with her mother at Roseville Park, Newark, Delaware, and who claims to be a child of the said Joseph Merritt Legar, deceased.

(b) The Defendants, Blanche Baynum, and her three infant male children, Ronald Baynum, Ernest Baynum and James Baynum, who reside with their mother, said Blanche Baynum, at Lewes, Delaware, who claim that one James Baynum, who was the husband of said Blanche Baynum and father of said infant children, was a son of the deceased James Merritt Legar and survived him but has since died leaving said Blanche Baynum and children as his only heirs-at-law.

That the Plaintiffs, deny the claims of the Defendants; that the real estate cannot be divided without loss or injury to the parties owning some or interested therein; and it would be to the interest and advantages of all parties, including the infant Defendants, if they have any interests for the farm to be sold and the proceeds divided; that in order to quiet title to said land and to make sale thereof the claims and interest, if any, of the Defendants, should be determined by this Honorable Court; and that all of the Defendants are non-residents.

It is thereupon this 2nd day of September, 1953, ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Plaintiffs, by causing a copy of this Order to be inserted in some newspaper printed and published in Queen Anne's County, once in each of four successive weeks before the 10th day of October, 1953, give notice to the said absent Defendants of the object and substance of this Bill of Complaint, warning them to appear in this Court in person or by Solicitor on or before the 26th day of October, 1953, to answer the Bill and show cause, if any they have, why a decree ought not be passed as prayed.

T. SORDEN PIPPIN, Clerk

True Copy

Test: T. SORDEN PIPPIN, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. November 23, 1953

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 Alice M. Legar, et al vs. Patsy Ann Crossley, 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 10th day of Oct. 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 10th day of Sept. 1953, and the last insertion on the 1st day of Oct. 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MYRTLE F. CAHALL

Filed Nov. 6, 1953

PETITION AND ORDER FOR APPOINTMENT
OF GUARDIAN AD LITEM
Filed Nov. 23, 1953

Alice M. Legar, et al
Plaintiffs

vs

Patsy Ann Crossley, infant, et al
Defendants

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY
IN EQUITY

Chancery #3877

PETITION TO APPOINT GUARDIAN AD LITEM

To the Honorable, the Judges of said Court:

The Petition of Alice M. Legar, and others, Plaintiffs, by Thomas J. Keating, Jr., their attorney, respectfully shows:

1. That the Defendants, being all non-residents of the State of Maryland, have been summoned by order of publication and the time for appearance has expired and none of the defendants have appeared or answered.

2. That four of the defendants are infants and so far as your petitioners know they have no guardians, and therefore are unable to answer for themselves.

Wherefore your Petitioners pray your Honors to appoint a Guardian ad Litem to appear and answer for the infant Defendants.

Respectfully submitted,

THOS. J. KEATING JR.
Attorney for Plaintiffs

Filed Nov. 23, 1953

ORDER OF COURT

UPON the foregoing Petition it is, by the Circuit Court for Queen Anne's County, in Equity, this 23rd day of November 1953, ORDERED that J. Thomas Clark be and he is hereby appointed Guardian Ad Litem for the infant defendants, Patsy Ann Crossley, Ronald Baynum, Ernest Baynum and James Baynum, to appear and answer for them the Bill of Complaint filed against them in this cause.

WM. R. HORNEY
JUDGE

Filed Nov. 23, 1953

DECREE PRO CONFESSO
Filed Nov. 23, 1953

ALICE M. LEGAR, et al

versus

PATSY ANN CROSSLEY, infant, et al

X
X
X
X
X
X
X
X
X
X

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY, IN EQUITY.

CHANCERY NO. 3877

DECREE PRO CONFESSO

IT appearing that the adult Defendant has failed to appear and has failed to file an Answer to the Bill of Complaint, although notice appears to have been given as required by the Order of Publication; AND it further appearing that the Plaintiffs are entitled to relief, but because it does not certainly appear to what relief they may be entitled, IT IS, thereupon, this 23rd day of November, 1953, by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED and DECREED that the Bill of Complaint be taken pro confesso against the adult Defendant and that leave be, and it is hereby granted to the Plaintiffs to take testimony in support of the allegations in the Bill.

WM. R. HORNEY
JUDGE

Filed Nov. 23, 1953

ORDER OF COURT

It is ordered this 27th day of November, 1953, by the Circuit Court for Queen Anne's County, in Equity that Betty Ann Brown be and she is hereby appointed Guardian Ad Litem for the infant defendants, Patsy Ann Crossley, Ronald Baynum, Ernest Baynum and James Baynum, to appear and answer for them the Bill of Complaint filed against them in this Court; This order supercedes the order of this court filed November 23, 1953 appointing J. Thomas Clark as said Guardian Ad Litem.

WM. R. HORNEY
JUDGE

Filed Nov. 27, 1953

ANSWER OF GUARDIAN AD LITEM
Filed Nov. 30, 1953

ALICE M. LEGAR, et al

vs.

RONALD BAYNUM,
ERNEST BAYNUM,
JAMES BAYNUM, Infants.

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IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY, IN EQUITY.

CHANCERY NO. 3877

ANSWER OF GUARDIAN AD LITEM

TO THE HONORABLE, the Judges of said Court:

Ronald Baynum, Ernest Baynum and James Baynum, Infant Defendants, by Betty Ann Brown, their Guardian Ad Litem duly appointed by the Order of this Honorable Court, answering the Bill of Complaint filed against them, respectfully sets forth:

1. THAT said Defendants, being infants, can neither admit nor deny the allegations of the Bill of Complaint but submit their rights hereunder to the protection of this Honorable Court.

AND as in duty bound, etc.

BETTY ANN BROWN
Guardian ad Litem

THIS IS TO CERTIFY that I served a copy of the foregoing Answer upon Thomas J. Keating, Jr., Attorney for the Plaintiffs, by leaving same with him at his office on the 30th day of November 1953.

BETTY ANN BROWN
Guardian ad Litem

Filed Nov. 30, 1953

ANSWER OF GUARDIAN AD LITEM
 Filed Nov. 30, 1953

| | | | |
|-----------------------------------|---|---|---------------------------------|
| ALICE M. LEGAR, et al | : |) | IN THE CIRCUIT COURT FOR |
| vs. | : | | QUEEN ANNE'S COUNTY, IN EQUITY. |
| PATSY ANN CROSSLEY, infant, et al | : | | CHANCERY NO. 3877 |

ANSWER OF GUARDIAN AD LITEM

TO THE HONORABLE, the Judges of said Court:

Patsy Ann Crossley, infant Defendant, by Betty Ann Brown, her Guardian ad Litem duly appointed by the Order of this Honorable Court, answering the Bill of Complaint filed against her, respectfully sets forth;

1. THAT said Defendant being an infant can neither admit nor deny the allegations of the Bill of Complaint but submits her rights hereunder to the protection of this Honorable Court.

AND as in duty bound, etc.

BETTY ANN BROWN
 Guardian ad Litem

THIS IS TO CERTIFY that I served a copy of the foregoing Answer upon Thomas J. Keating, Jr., Attorney, for the Plaintiffs, by leaving same with him at his office on the 30th day of November 1953.

BETTY ANN BROWN
 GUARDIAN AD LITEM

Filed Nov. 30, 1953

| | | |
|--|---|---------------------|
| ALICE M. LEGAR Sudlersville, Maryland | : | |
| MAXINE L. O'NEAL and CHARLES P. O'NEAL, her husband Barclay, Maryland | : | IN THE |
| WILLARD P. LEGAR and BERNICE E. LEGAR, his wife, Smyrna, Delaware | : | CIRCUIT COURT |
| M. ISADORE LEGAR and MADELYN LEGAR, his wife, Clayton & Delaware | : | FOR |
| LILLIAN PHYLLIS LUFF Barclay, Maryland | : | QUEEN ANNE'S COUNTY |
| ARTHUR LANDERS LEGAR Sudlersville, Maryland Plaintiffs | : | |
| vs. | : | IN EQUITY |
| PATSY ANN CROSSLEY, Infant Roseville Park Newark, Delaware | : | |
| BLANCHE BAYNUM, wife RONALD BAYNUM ERNEST BAYNUM JAMES BAYNUM, 3 Infant children of James Baynum, Deceased, Lewes, Delaware. | : | CHANCERY NO. 3877 |
| Defendants | : | |

After having been duly sworn as stenographer by the Clerk of the Court, there being present the Honorable William R. Horney and Thomas J. Keating, Jr., Attorney for the Plaintiffs, I did take down the following testimony at an adjourned hearing at the Court House in Centreville, Maryland, on Tuesday, December 15, at 2 o'clock P.M. and at that time there was produced Roy Marvel and did depose and say as follows:

- Q. Mr. Marvel, will you state your name, age, place of residence and occupation?
- A. Roy Marvel, Sudlersville, Farmer, Age - 53.
- Q. How long have you lived in the vicinity of Sudlersville?
- A. Sudlersville, Maryland - About 42 years.

- Q. Did you know the late Joseph Merritt Legar during his lifetime?
A. Well I knew Mr. Legar for 35 years I guess. We lived not too far apart.
- Q. Do you remember about when he died?
A. Yes, I remember about when he died.
- Q. When was that?
A. It was '52, August.
- Q. July
A. Yes, July
- Q. Do you know whether or not he left a widow surviving him?
A. He left a widow and she is living.
- Q. Did you know her name?
A. Well I knew her first name and her last name. Her first name was Alice and her last name was Legar.
- Q. Do you know how many children Mr. Legar left surviving him?
A. Five is as many as know, the five that stayed at home.
- Q. Can you name them?
A. Well, Maxine, Landers and Pete is what I known him by that is not his right name, Isadore is his right name and Phyllis her name is Luff and Pierce.
- Q. Are those children whom you have named all adults at this time, over 21 years of age to the best of your knowledge?
A. I think they would be. I think Pierce is the youngest boy and I would say he is right around 21. He is somewhere right around that but all of the rest are older.
- Q. How near did you reside to Mr. Joseph Merritt Legar during the 35 years that you knew him.
A. Well, in a radius of about three miles and part of the time two miles.
- Q. Could you state approximately how many times a month you saw him during those years that you knew him?
A. Well, lots of times I saw him almost every day to the cooling station. Sometimes it might be a week in between that I did not see him after I changed going to the cooling station where he went. Practically every week I saw him.
- Q. As far as you know did Mr. Legar ever hold out to the public or to his friends any other children as being his own children except the ones that you have mentioned hereinbefore.
A. No sir.
- Q. Did you know the farm known as the Richard M. Legar farm or the Joseph Merritt Leager lived at the time of his death.
A. Yes sir.
- Q. Are you generally familiar with the values of farm land in the First Election District of Queen Anne's County.
A. Well not too much but I know the way they have been selling.
- Q. What is your opinion of the present market value of the Joseph Merritt Legar farm which, according to the record, has approximately 106 Acres of land in it.
A. Well, at the present time I would say about \$8,000 or \$9,000.00.
- Q. Do you think that that farm could be divided among the widow and the other parties owning same without loss or injury to those parties that is divided in kind, acreage and so forth?
A. No, I do not think it could be divided without damaging some of them.
- Q. What are some of the reasons for that opinion?
A. Well, it isn't big enough to be any good for farming by the time it is divided in five parts and there would be a lot of inconvenience for all of them and it only has one set of buildings on it.
- Q. Now these parties that you have mentioned as being the only children that you know of Mr. Joseph Merritt Legar being Mrs. Maxine L. O'Neal, Willard Pierce Legar, M. Isadore Legar, Lillian Phyllis Luff and Arthur Landers Legar, I would like to ask you if you know of any deceased children that Mr. Legar might have had who died before he did.
A. I never hear of any.
- Q. Did you know a child by the name of Patsy Ann Crossley?
A. No sir.
- Q. Do you know a person by the name of Blanche Baynum?
A. No sir.
- Q. Do you know the following three children, Ronald Baynum, Ernest Baynum and James Baynum, infant children of one James Baynum, deceased.
A. No sir. I did not know them.
- Q. Did you ever hear him refer to any of those people as being relatives of his.
A. No sir.
- Q. Did you ever hear him state whether or not one James Cranor was any relative of his.
A. No sir not of his.
- Q. As far as you know in your association with Mr. Joseph Merritt Legar did he ever hold out as his children, grandchildren or relatives of his Patsy Ann Crossley, Blanche Baynum, Ronald Baynum, Ernest Baynum, James Baynum, jr., James Baynum, Sr., or James Cranor.

A. Not that I ever knew of.

The second witness produced on the part of the Plaintiffs being Elmer Clough did depose and say as follows:

Q. Mr. Clough, will you state your name, age, residence and occupation?

A. Elmer Clough, Sudlersville, Farming, 51.

Q. Did you know the late Joseph Merritt Legar who lived near Sudlersville?

A. Yes sir.

Q. Do you know about the time that he died?

A. Somewhere about I guess.

Q. When was that?

A. About '52, July of '52.

Q. Did or not he live on the Joseph Merritt Legar farm or the Richard M. Legar farm at Sudlersville at the time of his death?

A. Yes.

Q. Are you familiar with that farm?

A. Yes a right good bit. I lived neighbors with him for a right good while.

Q. What size farm is it?

A. Well I would say about 190 acres.

Q. 106

A. Yes 106

Q. Are you generally familiar with farm land values in the First Election District of Queen Anne's County?

A. Well not too much.

Q. You have hear of sales and you have discussed values of land have you not up there?

A. Yes sir.

Q. Could you express an opinion as to the value of the Joseph Merritt Legar farm which is the subject of this suit?

A. Well, I would say it is \$9,000.00 myself.

Q. Do you know any of the parties to this suit whose names I will now read to you and ask you to indicate if you know them or not, Alice M. Legar, his wife.

A. No sir I did not know her.

Q. Maxine L. O'Neal.

A. Yes sir.

Q. What relationship is she to Mr. Joseph Merritt Legar?

A. His daughter.

Q. Willard Pierce Legar

A. Yes sir

Q. What is his relationship to Mr. Legar?

A. His son.

Q. M. Isadore Legar

A. Yes sir.

Q. What relationship is he?

A. A son.

Q. Lillian Phyllis Luff

A. Yes sir.

Q. What relationship is she?

A. She is a daughter.

Q. Arthur Landers Legar

A. That is his son.

Q. You know all of them?

A. I know them five.

Q. As far as you know were there any other children that Mr. Joseph Merritt Legar had?

A. Not as far as I know.

Q. Did he hold out to the public, as far as you know, any other children than the ones I have named?

A. No sir.

Q. Do you know the Defendants to this suit or any of them whose names are as follows: Patsy Ann Crossley, Blanche Baynum, Ronald Baynum, Ernest Baynum James Baynum Jr., James Cranor Baynum or James Cranor.

A. No sir.

Q. As far as you know did Mr. Joseph Merritt Legar ever hold out any of the last above mentioned peoples as children or relatives of his.

A. No sir.

Q. I forgot to ask you how long you knew Mr. Joseph Merritt Legar before his death.
 A. I knew him about 18 years. I lived neighbors to him right across the road.

Q. Then you have seen him frequently.
 A. Yes sir.

Q. Are you related to any of the parties to this suit.
 A. No sir.

BETTY ANN BROWN

Filed Dec. 21, 1953

Decree
Filed Dec. 29, 1953

| | | |
|-----------------------------------|---|--------------------------|
| ALICE M. LEGAR, et al | : | IN THE CIRCUIT COURT FOR |
| Plaintiffs | : | |
| | : | QUEEN ANNE'S COUNTY |
| vs. | : | |
| | : | IN EQUITY |
| PATSY ANN CROSSLEY, Infant, et al | : | |
| Defendants | : | CHANCERY NO. 3877 |

D E C R E E

The cause standing ready for hearing and being submitted, without argument, it is, by the Circuit Court for Queen Anne's County, in Equity, this 29th day of December, 1953, in conformity with the memorandum opinion heretofore filed in this cause, ADJUDGED, ORDERED and DECREED that the title to the farm or tract of land described in the proceedings, being the farm known as "The Richard Legar Farm" or "The Joseph Merritt Legar Farm" situate in the First Election District of Queen Anne's County, Maryland, and more particularly described in a Deed to Joseph Merritt Legar from Mary E. Smith, et al, dated August 22, 1938, recorded in Liber W.H.C. No. 7A, folio 128, a Land Record Book for Queen Anne's County, be and the same is hereby vested in Alice M. Legar, Widow, Maxine L. O'Neal, Willard P. Legar, M. Isadore Legar, Lillian Phyllis Luff, and Arthur Landers Legar, as tenants in common; and it is further ADJUDGED, ORDERED and DECREED that said farm be sold for partition among the parties owning same according to their respective interests therein and Thomas J. Keating, Jr., 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 the Clerk of this Court in the penalty of \$10,000.00 if corporate surety be given and double said amount if personal surety be given, condition for the faithful performance of the trust reposed in him by this Decree or to be reposed in him by any future Order or Decree in the premises; he shall then proceed to make said sale having given at least three (3) weeks previous notice by advertisement inserted in a newspaper or newspapers published in Queen Anne's County, Maryland, and such other notice as he shall think proper, of the time, place and manner and terms of sale, which terms shall be one-third in cash on the day of sale and the balance in cash upon ratification of the same by this Court, and as soon as may be convenient after such sale, the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale with an affidavit of the truth thereof and of the fairness of said sale; and on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money, and not before, the said Trustee shall, by a good and sufficient deed, to be executed, acknowledged and delivered for recording according to law convey to the purchaser or purchasers, his, her or their heirs, the property and estate so sold unto him, her or them, free, clear and discharged from all claim of the parties hereto, Plaintiff and Defendant, and those claiming by, from or under them, or either of them; and the said Trustee shall bring into this Court the money arising from said sale to be distributed under the direction of this Court after deducting the costs of this suit and such commission to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

WM. R. HORNEY
JUDGE

Filed Dec. 29, 1953

TESTIMONY
Filed Jan. 7, 1954

| | | |
|-------------------------------|---|----------------------|
| ALICE M. LEGAR, et al | : | IN THE CIRCUIT COURT |
| | : | |
| vs. | : | FOR |
| | : | |
| PATSY ANN CROSSLEY, Infant, | : | QUEEN ANNE'S COUNTY |
| BLANCHE, (Wife) | : | |
| RONALD BAYNUM, ERNEST BAYNUM, | : | No. 3877 Chancery |
| JAMES BAYNUM | : | |

The above entitled cause having come on for hearing on Friday, December 11th, 1953, at 11:00 o'clock, A.M., (E.S.T.) in the Circuit Court for Queen Anne's County, in Chancery, at Centreville, Maryland, before the Honorable William Raymond Horney, Chief Judge of said Court, and Thomas J. Keating, Jr., Esq., representing certain parties in interest, being present, a record of the proceedings and testi-

mony at said hearing, as taken down and transcribed by Ernest J. Gretzinger, Official Stenographer to said Court is as follows:

MRS. ALICE M. LEGAR, produced as a witness in her own behalf, she being one of the plaintiffs herein, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Keating.

- Q. Your name is Mrs. Alice M. Legar?
- A. Yes.
- Q. You are the widow of Mr. Joseph Merritt Legar?
- A. Yes.
- Q. You were Mr. Legar's second wife, were you not?
- A. Yes.
- Q. Did Mr. Legar have some children by his first wife?
- A. Yes.
- Q. I will call over the names of these parties and ask you to state what relationship they bore to your deceased husband, Joseph Merritt Legar. The first one is Maxine L. O'Neal.
- A. That's his daughter.
- Q. Daughter by his first wife?
- A. Yes, first wife.
- Q. Willard P. Legar.
- A. That's a son by his first wife.
- Q. M. Isadore Legar?
- A. That's a son by his first wife.
- Q. Mrs. Lillian Phyllis Luff?
- A. That's a daughter by his first wife.
- Q. And Arthur Landers Legar?
- A. A son by his first wife.
- Q. Do you know Mrs. O'Neal's husband's name?
- A. Yes.
- Q. What is that?
- A. Charlie O'Neal.
- Q. Where do they live; what's their Post Office address?
- A. Barclay.
- Q. Do you know Willard Legar's wife's name?
- A. Bernice.
- Q. Bernice?
- A. Bernice.
- Q. Where do they live?
- A. Well, they live over at Smyrna.
- Q. Smyrna, Delaware?
- A. Yes.
- Q. Do you know whether Mr. Isadore M. Legar is married?
- A. Yes.
- Q. What's his wife's name; is it Madeline?
- A. Yes.
- Q. Now state, if you know, the marital status of Mrs. Lillian Phyllis Luff; that is, whether she is married or divorced?
- A. She is divorced.
- Q. Divorced in the Circuit Court of Queen Anne's County, was she?
- A. Yes.

- Q. And Mr. Arthur Landers Legar, do you know whether he is married or not?
- A. He is single.
- Q. Now in this suit, the subject of it is a certain farm; do you know where that farm is located?
- A. Yes. Two miles this side of Sudlersville.
- Q. On what road is it?
- A. Well, it's on a little short dirt road coming from Sudlersville going on the road to Kenton.
- Q. Known as the road between the Sudlersville-Peter's Corner and Dixon's Tavern road?
- A. Yes.
- Q. State whether you resided on that farm with your deceased husband, Mr. Merritt Legar, before his death?
- A. Yes.
- Q. How many years did you all live there?
- A. Nine years.
- Q. I would like to show you a certified copy of a deed from Mary E. Smith, and others, to Joseph Merritt Legar, and ask you if you could identify this farm. The deed is dated August 22nd, 1938, and is recorded among the Land Records of Queen Anne's County in Liber W.H.C. No. 7 A, folio 128, and it has been filed in this case as Plaintiff's Exhibit No. 1. Would you look at that and read the description, brief description of the farm, and tell me whether or not that is the farm in question?
- A. Yes.
- Q. Is that the farm in question?
- A. Yes.
- Q. As far as your recollection goes, is it a fact that it has about 106 acres of land in it?
- A. Yes.
- Q. Briefly describe to his Honor the farm, if you will, as to the kind of improvements and what kind of farming was done on it.
- A. Well, it is known to be a good farm as far as that goes and it has four fields, woodland, large tract of woodland, and the house is nice, in good condition. The outbuildings are all right, as far as that goes.
- Q. It made a pleasant home for you while you lived there?
- A. Yes, a wonderful home.
- Q. Now I don't suppose that you are very familiar with prices of real estate, so I won't ask you about the value of the farm, but I would like to ask several other questions in reference to it. Is it being tilled at the present time and, if so, how?
- A. No, not at the present time. Charles O'Neal rented the ground for this past Fall.
- Q. The land is being tilled under a rental agreement with Mr. O'Neal?
- A. That's right.
- Q. But the house itself is not occupied, is that correct, or is it occupied?
- A. There's a fellow and girl living in it.
- Q. He has someone living there?
- A. Yes.
- Q. It is not being tilled by the heirs but is being rented to Mr. O'Neal?
- A. That's right, and the people living in it are just to look after the house, look after the place.
- Q. Now who are the administrators of the personal estate of Mr. Legar, your husband, in the Orphans Court of Queen Anne's County?
- A. Myself and Miss O'Neal.
- Q. Are both; you are joint administrators?
- A. Yes.
- Q. State whether or not you have yet made any distribution of the personal estate?
- A. No.

- Q. You have never stated your final account in the Orphans Court?
- A. No.
- Q. State whether or not there is sufficient money in the personal estate to pay all of Mr. Legar's debts and costs and leave some more for distribution?
- A. I think there is, Mr. Keating.
- Q. In other words, the farm won't have to bear any part of his debts as far as you know?
- A. It shouldn't, no.
- Q. Now one of the purposes of this suit is to quiet the title to this farm. There's a defendant infant named Patsy Ann Crossley of Roosevelt Park, Newark, Delaware. Did you ever hear that she claimed an interest in this farm, or that somebody claimed an interest for her?
- A. I did hear that her mother had put in an interest for her, but that's all I know.
- Q. Now as far as you know, did Mr. Joseph Merritt Legar claim any relationship to her or, as a matter of fact, did you know Patsy Ann Crossley's mother?
- A. Only as a young girl in school.
- Q. Was she Mr. Legar's first wife?
- A. Yes, she was.
- Q. Did this child live with you and him after you married him?
- A. No, she did not.
- Q. But her mother is Mr. Legar's first wife?
- A. Yes.
- Q. Her name is Crossely. Is that the name of Mr. Legar's first wife's present husband?
- A. Mr. Keating, I can't answer that because I don't know anything about them.
- Q. I see. As far as you know, Mr. Legar didn't have a child named Patsy Ann Crossley?
- A. That's right.
- Q. Nor any grandchild named Patsy Ann Crossley?
- A. No.
- Q. Another one of the purposes of this bill of complaint is to have the farm sold in order to divide the proceeds among the people who own it. Can you state to the Court why it would be more advisable and to the interest and advantage of the parties who own the farm to sell it and divide the proceeds rather than to divide the property in all these parts that the different owners share in?
- A. Well, the best way to answer that is I think we would like all to sell the farm as soon as possible because we all need the money, as far as that goes.
- Q. You need the money worse that you need a small slice of land, is that correct?
- A. That's right.
- Q. Would it be practical to divide the farm among six people the way it is situated?
- A. Mr. Keating, I can't answer that question. I don't know.
- Q. Could you make six small farms out of it?
- A. Oh, no.
- Q. It's got only one set of buildings on it, hasn't it?
- A. That's right.
- Q. And only one dwelling house?
- A. Yes.
- Q. And an unequal acreage of cleared land and woodland?
- A. Yes.
- Q. In your opinion, could you divide it by chopping it up in six small pieces?
- A. No.
- Q. Everybody would be hurt, wouldn't they?
- A. Yes.

- Q. You are entitled to express, if you have an opinion, what the farm is presently worth. Would you want to express an opinion what you think it is worth?
- A. Well, Mr. Keating, I should think that it should be worth between ten and eleven thousand dollars.
- Q. I want to ask you one more question. As far as you know are you and Mrs. O'Neal and Willard Pierce Legar and M. Isadore Legar and Lillian Phyllis Luff and Arthur Landers Legar all the heirs at law of Joseph Merritt Legar?
- A. As far as I know, yes.
- Q. Do you know the Baynum children?
- A. Yes, I know them, but they are no relation to me, and I have no relations by the name of Baynum.
- Q. Do you know Blanche Baynum?
- A. Yes, I know her.
- Q. Is she any relation to Joseph Merritt Legar?
- A. None whatever.
- Q. Have they ever discussed this farm with you?
- A. No.
- Q. Do you know personally whether they claim any interest in the farm or not?
- A. No, I do not.
- Q. The only thing that you know is that I got a letter from Blanche Baynum?
- A. That's right.
- Q. By which she said that she claimed an interest for herself and children, is that correct?
- A. Yes.
- Q. But you have never discussed it with her?
- A. No.
- Q. Do you know where they live?
- A. They did live in Lewes, Delaware. I don't know right now.
- Q. Do you know whether or not this Mrs. Blanche Baynum's husband is living or dead?
- A. He's dead.
- Q. Do you know whether or not these children, Roland Baynum, Ernest and James, whether there is any guardian, whether they have any legally appointed guardian?
- A. No, I don't.
- Q. Do they live with their mother?
- A. They did. Now, I don't know.
- Q. As far as you know, have they always lived in Delaware?
- A. That's right.
- Mr. Keating: That's all.

(Questions propounded by the Court)

- Q. Did I understand you to say, Mrs. Legar, that Mr. Legar was divorced from his first wife?
- A. Yes.
- Q. Do you know on or about when he was divorced?
- A. No, I just can't say, but it is in Court in the records here.
- Q. Was the proceeding here?
- A. Yes.
- Q. Do you know when Patsy Ann Crossley was born?
- A. No, I don't.
- Q. Did you ever hear Mr. Legar mention the name of Patsy Ann Crossley?
- A. Yes, but she didn't belong to him. She wasn't his child, that's all I know.
- Q. He never held her out as his child?

A. No, at no time to me.

Q. Why did he say it wasn't his child; what reason did he give that it wasn't his child?

A. Well, he said this girl belonged to a fellow that he had working for him and that his wife went away with. That's all I know.

(Further questions propounded by Mr. Keating)

Q. And that fellow's name was Crossley?

A. That's right.

Q. And that is the same Crossley who is the present husband of the mother of Patsy Ann Crossley?

A. Yes.

Q. Will you state whether or not the person to whom you have referred as being the mother, or reputed mother of Patsy Ann Crossley, whether her name was Emma?

A. Yes, it was.

Q. I will hand you a certified copy of a State of Maryland Health Department certificate of birth. Will you look at that; well, maybe I had better get the Stenographer to identify it, and it is marked Plaintiff's Exhibit A. Now it says, "Full name of child - Patsy Ann Crossley", and it says, "Father of child - Elias C. Crossley." Is Elias C. Crossley the man to whom your husband referred as having worked for him?

A. Yes.

Q. And it says here the maiden name of the mother of the child, Emma A. Taylor. You have stated that you knew her as a child. Was that her name?

A. Yes.

Q. Was she the first wife of Joseph Merritt Legar?

A. Yes.

Q. She was?

A. Yes.

Mr. Keating: I would like at this point to offer the Decree of Divorce between Joseph Merritt Legar and Emma A. Legar, or Emma Taylor Legar.

The Court: It will be admitted and will be identified as Plaintiff's Exhibit B.

MAXINE L. O'NEAL, produced as a witness in behalf of the plaintiffs, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Keating.

Q. Your name is Mrs. Maxine L. O'Neal?

A. Yes, sir.

Q. You are one of the plaintiffs in this case, are you not?

A. Yes, sir.

Q. Now will you please state the names of your brothers and sisters?

A. Merritt Isadore Legar, Willard P. Legar, Arthur Landers Legar and Lillian Phyllis Luff.

Q. Your husband's name is Mr. Charles F. O'Neal?

A. Charles F. O'Neal.

Q. Is he at the present time tilling the Joseph Merritt Legar farm under a rental agreement?

A. Yes, sir.

Q. Until the termination of this suit?

A. Yes, sir.

Q. Where is that farm located, Mrs. O'Neal?

A. It is between Sudlersville and Peter's Corner and it is on an off road that leads to Dixon's Tavern.

Q. You heard me previously read the description and an acreage of the farm and refer to the deed. Is that the farm that's the subject of this suit?

A. Yes, sir.

Q. Did you live there with your father ever?

A. Yes, sir.

Q. How many years did you reside on that farm before you were married?

A. 15 years.

Q. Now will you state whether or not Joseph Merritt Legar, your father, left any other heirs at law that Alice M. Legar, his Widow, and the children that you have mentioned in the previous answer?

A. No, sir, not as I know of.

Q. Did he ever recognize one Patsy Ann Crossley as his child?

A. No, sir, I never heard him say so.

Q. Did you know Patsy Ann Crossley's mother?

A. Yes.

Q. She was also your mother?

A. Also my mother, yes.

Q. And her second husband was Elias Crossley?

A. Yes, sir.

Q. And as far as you know; do you know Patsy Ann Crossley?

A. Yes, I know her.

Q. As far as you know, has she always been held out as the child of Elias Crossley and your mother?

A. As far as I know. That's all I ever heard.

Q. Do you know Elias Crossley?

A. Yes, I know him.

Q. Did you ever hear him refer to Patsy Ann Crossley?

A. No, I can't say I have because I never talked of anything like that.

Q. You don't know him that well?

A. Not exactly. Of course, I went to school with him some and know him but not personally to talk or anything of that sort.

Q. There are four other defendants in this case; Blanche Baynum, do you know her?

A. No, I can't say I know her.

Q. You have heard of her, is that correct?

A. I have heard the name but I mean I don't know her.

Q. And how about Roland Baynum, do you know him?

A. No.

Q. Or Ernest Baynum?

A. No, I don't.

Q. Or James Baynum?

A. No.

Q. You don't know them?

A. No.

Q. You do know why they were made parties to this suit, do you not?

A. I don't know them, but they may know. I don't.

Q. You know that you heard some claim that they made that they had an interest in this farm?

A. Yes, I heard they had an interest.

Q. Do you know upon what basis they made such claim? In other words, what did they claim?

A. That I don't know; not in that name. I don't know the Baynums.

Q. You never discussed it with them?

A. No, I haven't.

Q. And don't know them that well?

A. No, sir.

Q. Well, I will ask you this. Did you not hear that Mrs. Blanche Baynum claimed that her deceased husband was an illegitimate son of your father?

A. No, not that name, no. I never understood no Baynum name.

Q. Well, explain your answer then, if you will.

A. The boy, Mrs. Legar's boy, is dead, but I don't know his name. I mean I positively don't know the right name, but I don't know the Baynum name.

The Court: You mean the person that's referred to was not named Baynum?

A. I never heard the name of Baynum, no.

Q. What did you hear his name to be?

A. Mrs. Legar's name, I guess.

Q. Cranor?

A. Cranor, yes.

Q. You heard of a man named Cranor?

A. I have heard of him but I don't personally know him.

Q. Did your father ever hold out any other people as being his children, whether legitimate or illegitimate than the ones named as follows: yourself, Maxine L. O'Neal, Willard P. Legar, M. Isadore Legar, Lillian Phyllis Luff and Arthur Landers Legar?

A. That's all I know of. I never heard of no more.

Q. Did anybody named Cranor or Crossley or Baynum ever live with your or live with your father?

A. Now that I don't know. I don't think so. To my knowledge, no. Of course, I was away before the Cranor child was born. I was married and gone.

Q. You have lived close by there all your life, haven't you?

A. No, sir. I moved in Delaware when I was married.

Q. How far from home?

A. Up around Towns End and Clayton.

Q. You used to visit home frequently, did you not?

A. Oh, as a rule, like a person generally visits.

Q. This Patsy Ann Crossley, she did reside there or didn't reside at one time on the farm as far as you know?

A. My father taken her on March 19th, 1937.

Q. Your mother was her mother also?

A. I mean they left the house at that time because my father told me they left, that she had gone.

Q. With that exception, did anybody named as you said, Cranor, or Baynum, ever live there?

A. No, sir.

Q. You are positive of that?

A. I am positive of that.

Q. Did your father ever hold out anybody named Cranor or Baynum as being any illegitimate children of his?

A. No, sir, I never heard him mentioned anything like that.

Q. Now you and your husband are in the farming business and you are familiar with this farm that you have an interest in. Would you wish to express an opinion about what you think the farm is worth?

A. Mr. Keating, I really don't know. I mean I don't know the valuation of farms. No, I really don't.

Q. Is it in fair condition?

A. It is fair.

Q. The house is a frame house, is it not?

A. Yes.

Q. Has it got any modern conveniences in it?

A. Running water and electricity.

Q. Running water and lights; electric lights?

A. Yes.

Q. And how much of the farm, approximately, is tillable?

A. Around 95 acres, I believe. I am not positive about that. I do know there is four fields there, and some woodland.

Q. Has it any modern dairy barn or just the usual buildings?

A. It has a small barn, yes.

Q. Now can you state whether or not this farm could be divided; that is, the farm itself, among the people who own it, without loss or injury to them?

A. Well, the six of them, you are including all?

Q. Yes, six parts.

A. Well, it would be a loss if you divided it among six.

Q. Will you express an opinion why?

A. Well, because I don't see, well, it would be a small share maybe. It wouldn't be too much. Six of us couldn't live there and have property and all like that, I mean, on that farm.

Q. There is only one set of buildings?

A. That's right.

Q. And if you divided it into six parts there would be five parts without any buildings on them, is that right?

A. Yes, sir.

Mr. Keating: I think, your Honor, that's all I have to ask.

(Questions propounded by the Court)

Q. Mrs. O'Neal, I am confused as to this name, Cranor. Was the person that you referred to a man by the name of Cranor or a body by the name of Cranor?

A. Yes, sir.

Q. What was his first name; could it be James?

A. It may be. I really don't know.

Q. Well, who was his mother?

Mr. Keating: I can clear that up, I think, your Honor,

Q. There was a man by the name of James Cranor that you met after your father's death, did you not?

A. Yes.

Q. And have you heard that he has since died?

A. Yes, sir.

Q. Now he was the son, or claimed to be the son of Mrs. Alice M. Legar?

A. Yes.

Q. Your father's second wife and who was just on the witness stand?

A. Yes, sir.

Q. Did you ever hear him called by the name of Baynum or Bynum?

A. I don't know.

Q. You don't know him that well?

A. I don't know them that well, no, I don't. I can't say because I don't know.

Q. And you don't know whether he's living or dead?

A. I have heard that he has died, yes, that he is dead. Of course, Now I didn't see him or anything like that.

Q. Did you hear how he died and the cause of his death?

A. I can't say that. I really don't know.

Q. You didn't hear that he died as a result of an automobile accident?

A. In an accident, I don't know how.

The Court: I still don't understand who his mother was, Mr. Keating. I am confused.

Mr. Keating: I have no doubt you are, your Honor, I will try to clear that up, your Honor.

The Court: Do you have a birth certificate?

Mr. Keating: Yes, I think I have that too, your Honor.

(Mr. Keating couldn't find the birth certificate and the Court stated that he could obtain a certified copy and it would be admitted in evidence and marked as Plaintiff's Exhibit C)

Mr. Keating: That's all.

MRS. ALICE M. LEGAR, having previously been sworn, examined and testified, was here recalled, was further examined, and further testified as follows:

Direct Examination. By Mr. Keating.

Q. The questions I am about to ask you will be perhaps somewhat embarrassing, but you need have no hesitancy in answering. State whether or not many years ago and before you were married you had a child?

A. Yes.

Q. Was that child issued a birth certificate?

A. Yes.

Q. In what name was he issued a birth certificate?

A. The birth certificate at that time was issued in my name, Alice M. Cranor, and a son born, that's all.

Q. And what was the child's name, given name?

A. James T. Cranor.

Q. That was your maiden name?

A. Yes.

Q. Your maiden name was Cranor?

A. Yes.

Q. What became of that child as an infant after it was born?

A. Mr. Keating, under circumstances I couldn't work and raise the boy myself, I let people take him to raise for me.

Q. And where did you take him?

A. Lewes, Delaware.

Q. Did he then go into the home of certain foster parents?

A. Yes.

Q. What was their last name?

A. Baynum.

Q. Baynum?

A. Yes.

Q. Thereafter from time to time, did you see him?

A. I made a promise with Mrs. Baynum that I would let her raise him. I wouldn't confuse him. I wrote him all the time, but I didn't go to see him until he was 21, and then I saw him.

Q. Now what name did he go by over there?

A. He went by the name of Baynum.

Q. James Baynum?

A. Yes.

Q. Is he living or dead?

A. He's dead.

Q. How did he meet his death?

A. In an automobile accident.

Q. Do you know the date of his death?

A. Mr. Keating, off-hand, I am not sure. You have it anyway.

Q. I will hand you a death notice signed by or issued in the name of Mrs. Blanche Baynum and sons, announcing the death of James T. Baynum and will have it marked for identification, "Plaintiff's Exhibit D". Would you look at that? It announces his death on October 31st, 1952.

A. Yes.

Q. Did you hear about it at that time?

A. No, I did not. His wife didn't even notify me. This was sent to my daughter who sits down there.

Q. Did this child, who was your child and who was raised in the name of Baynum, marry, as far as you know?

A. He married this woman he's married to. Her maiden name was Lynch.

Q. Was her name Blanche?

A. Yes.

Q. Now since October 31st, 1952, have you made inquiry whether he had died as a result of an automobile accident?

A. We went to his funeral

Q. You did attend his funeral?

A. Yes, my daughter and I.

Q. But you were not formally notified?

A. No.

Q. Was the funeral held in the Melvin Funeral Home?

A. Yes, that's in Lewes, Delaware. We even went to the hospital and stayed with him before he died, my daughter and I.

Q. Now you at that time of this boy's birth were familiar with Mr. Joseph Merritt Legar, were you not?

A. Yes.

Q. Did you ever make claim against Mr. Joseph Merritt Legar that he was the father of this boy?

A. No.

Q. And ask him to support it?

A. No.

Q. Did he ever acknowledge this child?

A. No, he did not, not even to me.

Q. Did this child ever live in Mr. Joseph Merritt Legar's home?

A. No.

Q. While he was alive, and before Mr. Joseph Merritt Legar's death, did this James Cranor Baynum, as he was known, ever make claim against Mr. Joseph Merritt Legar or claim to be his son?

A. No, Mr. Keating, not that I know of. He never even acknowledged him as his son. His children by his first wife, they knew nothing of it, which they will all tell you. He acknowledged him to no one that I know of as his son.

Mr. Keating: I can't think of anything else, your Honor.

The Court: You may step down.

WILLARD PIERCE LEGAR, produced as a witness in behalf of the plaintiffs, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Keating.

Q. Now will you state your name, age, residence and occupation?

A. Willard Pierce Legar, residence, Smyrna, Delaware, age, 24, occupation, Philadelphia Dairy Products.

Q. You are one of the plaintiffs in this case, are you not, Mr. Legar?

A. That's correct.

Q. And you know all of the other plaintiffs, including Mrs. Alice M. Legar?

A. That's correct.

Q. What relation was she to Joseph Merritt Legar?

A. She was his second wife.

Q. And Maxine L. O'Neal?

A. His daughter.

Q. And your sister?

A. That's right.

Q. And M. Isadore Legar?

A. His son and my brother.

Q. Lillian Phyllis Luff?

A. His daughter, my sister.

Q. And Arthur Landers Legar?

A. My brother and his son.

Q. One other question that I failed to ask the other witnesses; are they or not all adults?

A. They are all adults.

Q. Do you know the Joseph Merritt Legar farm which is the subject of this suit?

A. I do.

Q. Did you ever live there?

A. Yes, sir.

Q. How many years?

A. 17 years and 11 months.

Q. Helped your father cultivate it, did you?

A. I did.

Q. Tell his Honor, Judge Horney, please, something of the description of the farm?

A. It consists of a seven room frame dwelling, 106 acres in all the farm, 96 acres tillable, four fields. It is situated about a quarter mile off the road, which is a lane. It has a cow stable, horse stable, barn and outbuildings.

Q. What is the state of fertility of the soil?

A. It is fair, fair condition.

Q. Now you, being one of the joint owners, can express an opinion of its value if you care to.

A. Well, I am hardly in position to do that. I mean I don't know the valuation of property that well, especially farm property.

Q. One of the purposes of this suit is to have the farm sold and divide the proceeds among the people who own it. State whether or not it would be more advantageous to try to divide the land up itself?

A. Well, with six heirs, I don't see how six people could make a living on 106 acres of ground. I mean that's impossible. That would be less than 22 acres a piece, which would be an impossibility to do with six families or five families.

Q. And it only has one set of buildings on it?

A. That's right, one dwelling and one set out outbuildings.

Q. Do you consider it advantageous to have it sold?

A. I do.

Q. You are also one of the distributees and one of the persons entitled to the personal estate, are you not?

A. That's right.

Q. And you have not yet received any portion of the distribution of that?

A. I have not.

Q. Now the reason that you have not received any of the personal estate and have not been able to join with your brothers and sisters and your step-mother in making a sale of the farm is because certain people have made rumors of a claim of an interest in it, isn't that true?

A. That is right.

Q. Now I would like to ask you, do you know Patsy Ann Crossley?

A. I know her, yes.

Q. State whether or not her mother and your mother are the same person, as far as you know?

A. As far as I know, they are the same person.

Q. Did your father, Joseph Merritt Legar, ever indicate to you or anybody else that this child was his child?

A. He never said any words to me claiming the child whatsoever.

The Court: Did you ever hear him say it to anyone else that he was the father of the child?

A. No, sir. In fact, I never heard him mention her any.

Q. As far as you know, she has always gone by the name of Patsy Ann Crossley?

A. As far as I know, yes, sir.

Q. And did you know Elias Crossley?

A. I know him when I see him. I don't know him too well.

Q. Did he live and work for your father at the time you were living at home?

A. At that time, yes. I think I was six years old, but I can remember it.

Q. You can remember it?

A. A vague interest in his face, similarity anyhow.

Q. His name was Elias Crossley?

A. I don't know that for sure. I think so. I do know his last name was Crossley.

Q. You say you do know Patsy Ann Crossley? Is it your knowledge that she's an infant under the age of 21 years, the way you have recollected her?

A. Yes, she is.

Q. Now the other parties to this suit, Blanche Baynum, do you know her?

A. I don't know her, no.

Q. Roland Baynum?

A. No.

Q. Ernest Baynum?

A. No.

Q. James Baynum?

A. No.

Q. Did you ever know a man by the name of James Baynum?

A. No, sir.

Q. Did you ever know a man by the name of James Cranor?

A. No, sir.

Q. State whether or not your father, as far as you know, ever recognized as his son a man by the name of James Cranor or James Baynum?

A. Not as I know of. He never said anything to anybody.

Q. How long ago did you leave to go make your own living and leave your home?

A. The Fall of 1946.

Q. Do you know the date of your father's death?

A. No, I can't, not right off-hand.

Q. It is stated in the bill of complaint as July 20th, 1952, is that correct?

A. It was in July. I don't know just what day.

Q. Between the time that you left home in 1946 and the time of your father's death in July of 1952, did you visit home on occasions?

A. Yes, sir, occasionally.

Q. Did you ever see anybody living there by the name of James Cranor or James Baynum?

A. No, sir.

Q. To the best of your knowledge, are the plaintiffs in this case, Alice M. Legar, the widow, and Maxine L. O'Neal, Willard P. Legar, M. Isadore Legar, Lillian Phyllis Luff and Arthur Landers Legar, the only wife and children your father ever had or recognized as having had?

A. They are.

Mr. Keating: That's all.

LILLIAN PHYLLIS LUFF, produced as a witness in behalf of the plaintiffs, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Keating.

Q. Mrs. Luff, state whether or not you are the daughter of Mr. Joseph Merritt Legar?

A. Yes.

Q. Who died in July, 1952?

A. Yes.

Q. Are you married or single?

A. Single.

Q. You have been divorced, have you not?

A. Yes, sir.

Q. Divorced in the Circuit Court of Queen Anne's County?

A. Yes, sir.

Q. Now did you live with your father up until the time you were married?

A. I did.

Q. When were you married?

A. I don't know. I can't remember what year it was. I was almost 19 when I got married.

Q. And how old are you now?

A. Thirty.

Q. And did or not you visit with your father frequently after you got married?

A. I used to come home once in a while, yes.

Q. Now you know his second wife, Mrs. Alice M. Legar?

A. Yes.

Q. Did you ever hear your father acknowledge or discuss the fact of whether or not Patsy Ann Crossley or one James Cranor or James Baynum were his children?

A. I did not.

Q. Did they ever live in the house with him?

A. No.

Q. Your mother was Mr. Legar's first wife, was she not?

A. Yes.

Q. And she is the mother of Patsy Ann Crossley?

A. Yes.

Q. Do you remember Patsy Ann Crossley?

A. Yes.

Q. How old would you think she is at this time?

A. How old she is now?

Q. Yes.

A. Sixteen.

Q. She is 16?

A. Yes, sir.

Q. What name has she always gone by since she was born?

A. Patsy Ann Crossley.

Q. Is she the same child or to you does she seem to be the same child who is registered under the Maryland birth certificate that I have introduced in evidence previously in this case?

A. Yes.

Q. As far as you know, the only children of your father are Maxine L. O'Neal, Willard P. Legar, M. Isadore Legar, Lillian Phyllis Luff and Arthur Landers Legar?

A. Yes.

Q. Are there any children that your father had who died and left children surviving them?

A. What you mean?

Q. Did your father have any children who marriage and then died and left children, leaving grandchildren of your father?

A. No.

Q. You have no deceased brothers and sisters, in other words?

A. No.

Mr. Keating: That's all.

MERRITT ISADORE LEGAR, produced as a witness in behalf of the plaintiffs, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Keating.

Q. Give your name, age, residence and occupation.

A. Merritt Isadore Legar, age 31, electrician, born in 1922.

Q. Where do you live, sir?

A. Clayton, Delaware.

Q. Are you the son of Mr. Joseph Merritt Legar?

A. Yes.

Q. And you are one of the plaintiffs in this case?

A. Yes, sir.

Q. Do you know whether or not your father ever recognized or held out as a child of his a person by the name of Patsy Ann Crossley?

A. No, sir.

Q. Do you know whether your father ever recognized or held out as a child of his a person by the name of James Cranor?

A. No, sir.

Q. Or James Baynum?

A. No, sir.

Q. You don't mean that you don't know, you mean that he did not, as far as you know?

A. He did not, as far as I know.

Q. And you lived with your father how long?

A. Fifteen years to the day.

Q. You left home when you were 16 years old.

A. Fifteen years old. That's when my mother and father separated and I went with my mother. I am the one that went with her.

Q. So you know Patsy Ann Crossley?

A. Yes.

Q. Who is held out to be her father?

A. Elias Crossley.

Q. And that is one and the same person mentioned in the birth certificate that I have read in the evidence?

A. Yes, sir.

Mr. Keating: That's all.

ARTHUR LANDERS LEGAR, produced as a witness in behalf of the plaintiffs, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Keating.

Q. Now your name is Arthur Landers Legar?

A. Yes, sir.

Q. What is your age?

A. Thirty-eight.

Q. Where do you reside?

A. Sudlersville, Maryland.

- Q. You are one of the children of Mr. Joseph Merritt Legar, deceased?
- A. As far as I know, yes, sir.
- Q. Now how long did you reside, up until what age, with your father?
- A. Twenty-one.
- Q. Until you were 21 years of age?
- A. Yes sir.
- Q. Did you reside on the farm that is the subject of this suit, you lived on this farm that we are talking about?
- A. Yes, sir.
- Q. Did you ever hear your father, Mr. Joseph Merritt Legar, hold out or claim to be the father of Patsy Ann Crossley?
- A. No, sir. I never did.
- Q. Or the father of a man by the name of James Cranor or James Baynur?
- A. No, sir.
- Q. You were at home after 21 off and on, weren't you?
- A. Part of the time, yes, sir.
- Q. After your father separated from your mother, his first wife, did this child, Patsy Ann Crossley, ever live at his home?
- A. No, sir, not to my knowing.
- Q. Did this man, James Cranor or James Baynum, ever live at his home?
- A. Not that I know of, no, sir.
- Mr. Keating: That's All, your Honor.

(Because Mr. Keating had been unable to have one of his witnesses present, the Court state that further testimony might be taken either before an Examiner or before the Court itself on such date as would be convenient to Mr. Keating, and the hearing was then concluded for the present)

Filed Jan. 7, 1954

PLAINTIFFS EXHIBIT A

MARYLAND STATE DEPARTMENT OF HEALTH F-514
 Bureau of Vital Statistics, 2411 N. Charles Street, Baltimore 891
 CERTIFICATE OF BIRTH Reg. Dist. No. 255

1. PLACE OF BIRTH:

County Queen Anne
 City or Town Near Sudlersville

3 FULL NAME OF CHILD Patsy Ann Crossley 4. DATE OF BIRTH
 January 10 1937

5. Sex Female 8. Hour of Birth 5A.M.

9. FATHER OF CHILD
 Full name Elias C. Crossley
 10. Color White 11. Age at time of this birth 25 yrs.
 12 Birthplace Maryland
 13. Usual occupation Farmer

MOTHER OF CHILD

15. Full maiden name Emma A. Taylor
 16 Color White 17. Age at time of this birth 41 yrs.
 18. Birthplace Maryland 19. Usual occupation Housewife

23. I hereby certify to the birth of this child, who was born alive on the date stated above. The information given above was furnished by physician's certificate & parents related to this child as

24. Date rec'd local or deputy registrar Jan. 12 1937 ACTUAL
 SIGNATURE A.W. HEDRICH
 Asst. State
 Registrar
 Address Baltimore, Md. Date Signed
 7/29/43
 Seal's Place

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY OF A CERTIFICATE ON FILE IN THE OFFICE OF THE DIVISION OF VITAL RECORDS AND STATISTICS.

DATE APR 8 1953

A.W. HEDRICH CHIEF

PLAINTIFFS EXHIBIT B

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the fourteenth day of August, in the year nineteen hundred and thirty-seven the following Decree of Divorce was filed for record, to wit:

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

| | | |
|-----------------------|---|----------------|
| Joseph Merritt Legar, |) | |
| Plaintiff, | (| |
| |) | |
| vs. | (| Cause No. 3124 |
| |) | |
| Emma Anna Legar, | (| |
| defendant. |) | |
| | (| |

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

It is thereupon on this fourteenth day of August 1937, by the Circuit Court for Queen Anne's County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the above named plaintiff, Joseph Merritt Legar, be and he is hereby divorced a vinculo matrimonii from the defendant, Emma Anna Legar, and it is further ordered that the legal custody of Phyllis Legar and Pierce Legar, two of the infant children of the parties of the cause, be and the same are hereby awarded unto Joseph Merritt Legar, the plaintiff.

And it is further ordered that the plaintiff, Joseph Merritt Legar, pay the costs of these proceedings.

The care and the custody of the two infant children of the parties named Isador Legar and Patsy Ann Legar, respectively, are hereby reserved for the future consideration of the Court in this case.

THOS. J. KEATING

Filed August 14th, 1937

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the foregoing is truly taken and copied from Liber S.S. No. 1, folio 95, a Divorce Decree 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 Twelfth day of December in the year nineteen hundred and fifty-three.

T. Sorden Pippin
Clerk

PLAINTIFFS EXHIBIT C

BALTIMORE CITY HEALTH DEPARTMENT
BUREAU OF VITAL RECORDS

ORDER NO 8550

March 20, 1951

HEALTH DEPARTMENT - CITY OF BALTIMORE

CERTIFICATE OF BIRTH

Registered No. A20500

(1) Place of Birth
CITY OF BALTIMORE (No. Johns Hopkins Hospital)

(2) FULL NAME OF CHILD (CRANOR) JAMES T. BAYNUM

(3) SEX OF CHILD MALE (7) Date of Birth Oct. 22, 1912

MOTHER

- (14) FULL MAIDEN NAME ALICE CRANOR
- (15) RESIDENCE 837 Hollins St., City
- (16) COLOR White (17) AGE AT LAST BIRTHDAY 15
- (18) BIRTHPLACE Md. (19) SCHOOL GIRL
- (21) Number of children of this mother now living 1

CERTIFICATE OF ATTENDING PHYSICIAN OR MIDWIFE

(22) I hereby certify that I attended the birth of this child, who was born alive
(23) Signature H. A. STEPHENSON M.D.
Address Johns Hopkins Hospital

THIS IS TO CERTIFY THAT THE ABOVE IS A PHOTOSTATIC COPY OF A CERTIFICATE ON FILE IN THE BUREAU OF VITAL RECORDS OF THE BALTIMORE CITY HEALTH DEPARTMENT, BALTIMORE, MARYLAND.

SIDNEY W. NORTON
DIRECTOR BUREAU OF VITAL RECORDS

HUNTINGTON WILLIAMS, Md.
COMMISSIONER OF HEALTH AND REGISTRAR

Seal's Place

WARNING: DO NOT ACCEPT THIS TRANSCRIPT UNLESS THE RAISED SEAL OF THE BALTIMORE CITY HEALTH DEPARTMENT IS AFFIXED HEREON.

PLAINTIFFS EXHIBIT D

IN PROFOUND SORROW WE ANNOUNCE THE DEATH OF JAMES T. BAYNUM ON OCTOBER the 31st 1952 SERVICES WILL BE HELD NOV. 3, 1952. FROM THE MELSON FUNERAL HOME AT 2 O'CLOCK P.M.

MRS. BLANCHE BAYNUM & SONS.

CERTIFIED COPY OF BOND
Filed Jan. 15, 1954

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fifteenth day of January in the year nineteen hundred and fifty-four, the following Bond was brought to be filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS, that I, 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 Ten Thousand Dollars (\$10,000) to the payment of which, well and truly to be made and done we hereby bind ourselves, our and each of our heirs, Executors, Administrators and successors, in the whole and for the whole firmly by these presents, sealed with our seals, and dated this 13th day of January in the year 1954.

WHEREAS, the above bounden, Thomas J. Keating, Jr., has been appointed Trustee to make sale of certain real estate by a Decree of the Circuit Court for Queen Anne's County, in Equity, in a Cause in said Court entitled "Alice M. Legar, et al, Plaintiffs, vs. Patsy Ann Crossley, Infant, et al, Defendants" being No. 3877 on the Chancery Docket of said Court.

Now the condition of the above obligation is such that if the above bounden Thomas J. Keating, Jr., Trustee as aforesaid, 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

THOS. J. KEATING JR. (SEAL)
(Thomas J. Keating, Jr.)

MARY KER KEATING
Mary Ker Keating

Fidelity and Deposit Company of Maryland, a body corporate, by

WITNESS:

WESLEY C. BROOKS
Wesley C. Brooks, Attorney-in-fact.

G. GILLIS
G. Gillis

corporate seal.

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and Bond filed Jan. 15, 1954.

T. Sorden Pippin, Clerk

Certificate of Power of Attorney is attached hereto.

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 391, a Bond Record Book 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 Fifteenth day of January in the year nineteen hundred and fifty-four.

T. SORDEN PIPPIN
Clerk

REPORT OF SALE
Filed Feb. 14, 1954

ALICE M. LEGAR, et al
Plaintiffs

vs.

PATSY ANN CROSSLEY, Infant, et al
Defendants

: IN THE CIRCUIT COURT FOR
:
:
: QUEEN ANNE'S COUNTY
:
:
: IN EQUITY
:
: CHANCERY NO. 3877

REPORT OF SALE

TO THE HONORABLE, the Judges of said Court:

The Report of Sale of real estate made by Thomas J. Keating, Jr., Trustee, respectfully shows unto your Honors:

That in accordance with the power, authority and directions contained in the Decree heretofore passed in this cause, your Trustee did advertise the real estate which was decreed to be sold for sale at public auction by an advertisement inserted in the Queen Anne's Record Observer, a weekly newspaper printed and published in Queen Anne's County, Maryland, for once in each of four (4) successive weeks before the day of sale; a certified copy of the publication of said advertisement being attached hereto as a part hereof; and after having filed a bond in the penalty of \$10,000.00 with a corporate surety thereon duly approved by the Clerk of this Court, your Trustee did attend, in front of the Court House door in the Town of Centreville, Queen Anne's County, Maryland, on Tuesday, February 9, 1954, at the hour of 1:30 o'clock p.m. E.S.T., and did thereupon proceed to make sale of said real estate after having read the advertisement which contains all of the terms of sale. After having the auctioneer, Mr. Ross Rhodes (Who substituted for J. Elmer Anthony) cry the sale for considerable time your Trustee made sale of said real estate unto Charles F. O'Neal, he being then and there the highest bidder therefor, at and for the sum of \$7,800.00, said real estate being described as follows:

ALL that farm or tract of land known as the "Richard Legar Farm" or the "Joseph Merritt Legar Farm", situate in the First Election District of Queen Anne's County, Maryland, on the road leading from the Sudlersville-Peter's Corner Road to the Dixon's Tavern-Templeville Road, containing 106 Acres, more or less, and being the same land conveyed to Joseph Merritt Legar, now deceased, by Mary E. Smith, and others, by deed dated August 22, 1938, and recorded in Liber WHC No. 7A, folio 128, etc., one of the Land Record Books for Queen Anne's County.

Your Trustee reports that the purchaser has paid unto your Trustee a check for the sum of \$2600.00 and your Trustee believes that he will comply with the terms of sale upon ratification thereof by this Honorable Court.

The Report states the amount of sale to be \$7800.00.

Respectfully submitted,

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.) TRUSTEE

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

On this 13th day of February 1954, personally appeared Thomas J. Keating, Jr., Trustee, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true to the best of his knowledge and belief and that the sale was fairly made.

T. SORDEN PIPPIN
Clerk of the Circuit Court for
Queen Anne's County

Filed Feb. 13, 1954

TRUSTEE'S SALE
OF VALUABLE FARM

UNDER and by virtue of the power and authority reposed in the undersigned Trustees by a Decree of the Circuit Court for Queen Anne's County, in Equity passed on the 29th day of December, 1953, in a Cause in said Court entitled "ALICE M. LEGAR, and others, Plaintiffs, versus PATSY ANN CROSSLEY, infant, and others, Defendants", and numbered 3877 on the Chancery Docket of said Court, said 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, FEBRUARY 9, 1954 at 1:30 o'clock p.m. E.S.T. the following described real estate, to wit:

FARM

ALL that farm or tract of land known as the "Richard Legar Farm" or the "Joseph Merritt Legar Farm", situate in the First Election District of Queen Anne's County, Maryland, on the road leading from the Sudlersville-Peter's Corner Road to the Dixon's Tavern Templeville Road, containing 106 ACRES, more or less, and being the same land conveyed to Joseph Merritt Legar, now deceased, by Mary E. Smith, and others, by deed dated August 22, 1938, and recorded in Liber WHC No. 7-A, folio 128, etc., one of the Land Record Books for Queen Anne's County.

IMPROVEMENTS

The improvements consist of a good frame dwelling and adequate barn and out-buildings and the land is in a good state of cultivation. The property would make someone a nice home.

TERMS OF SALE: 1/3 of the purchase money is to be paid in cash on the day of sale, and the remaining part of purchase money is to be paid in cash or by certified check upon Ratification of Sale by the Court. Possession will be given immediately upon final settlement for the property, and taxes and insurance will be adjusted pro rata as of date of final settlement. Title papers and Revenue Stamps at purchaser's expense.

THOMAS J. KEATING, JR.
Trustee

J. Elmer Anthony, Auct.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Feb. 1954

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 Alice M. Legar, et al vs. Patsy Ann Crossley, 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 9th day of Feb. 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 14th day of Jan. 1954, and the last insertion on the 4th day of Feb. 1954.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

BY MYRTLE F. CAHALL

Filed Feb. 13, 1954

NISI
Filed February 13, 1954

N I S I

Alice M. Legar, et al.,
Plaintiffs

VS.

Patsy Ann Crossley, Infant, et al.,
Defendants

)
) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) CHANCERY NO. 3877

ORDERED, This 13th. day of February A.D., 1954, that the sale of real estate made and reported in this cause by Thos. J. Keating, Jr., Trustee be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 20th. day of April next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 20th. day of March next.

The Report states the amount of sales to be \$7800.00

T. SORDEN PIPPIN Clerk.

Filed February 13, 1954

NISI

Alice M. Legar, et al.,
Plaintiffs

vs.

Patsy Ann Crossley, Infant, et al.,
Defendants

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

CHANCERY NO. 3877

ORDERED, This 13th day of February, A.D., 1954, that the sale of real estate made and reported in this cause by Thos. J. Keating, Jr., Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 20th day of April, next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 20th day of March, next.

The Report states the amount of sales to be \$7800.00

T. SORDEN PIPPIN, Clerk

True Copy
Test: T. SORDEN PIPPIN, Clerk
Filed: Feb. 13, 1954

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. April 21 1954

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of Alice M. Legar vs. Parsy Ann Crossley 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 20 day of March 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 18 day of February 1954, and the last insertion on the 11 day of March 1954.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By SHIRLEY L. KINNEAR

Filed April 21, 1954

| | | |
|-----------------------------------|---|--------------------------|
| ALICE M. LEGAR, et al | : | IN THE CIRCUIT COURT FOR |
| Plaintiffs | : | |
| | : | QUEEN ANNE'S COUNTY |
| vs. | : | |
| | : | IN EQUITY |
| PATSY ANN CROSSLEY, Infant, et al | : | |
| Defendants | : | CHANCERY NO. 3877 |

FINAL ORDER OF RATIFICATION

ORDERED this 23rd day of April, in the year 1954, 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 Thomas J. Keating, Jr., Trustee, 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 Trustee is allowed the usual commissions and such proper expenses, not person, as he shall produce vouchers for to the auditor.

WM. R. HORNEY
JUDGE

Filed April 23, 1954

PETITION AND ORDER TO
SUBSTITUTE PURCHASERS
Filed April 30, 1954

| | | |
|-----------------------------------|---|--------------------------|
| ALICE M. LEGAR, et al | : | IN THE CIRCUIT COURT FOR |
| Plaintiffs | : | |
| | : | QUEEN ANNE'S COUNTY |
| vs. | : | |
| | : | INEQUITY |
| PATSY ANN CROSSLEY, Infant, et al | : | |
| Defendants | : | CHANCERY NO. 3877 |

PETITION FOR SUBSTITUTION OF PURCHASER

TO THE HONORABLE, the Judges of said Court:

The Petition of Charles F. O'Neal, Purchaser, and Thomas J. Keating, Jr., Trustee, respectfully set forth:

1. THAT in the Report of Sale held in this cause, the said Charles F. O'Neal was the purchaser of the real estate sold to him and reported therein.
2. THAT it is now the desire of the said Charles F. O'Neal to have himself and his wife, Maxine L. O'Neal substituted as purchasers in order that said real estate maybe conveyed unto them as tenants by the entireties which is agreeable to the Trustee.

WHEREFORE, said Petitioners pray your Honor to pass an Order substituting Charles F. O'Neal and Maxine L. O'Neal, his wife, as tenants by the entireties, in the place and stead of Charles F. O'Neal alone as purchasers of said real estate.

Respectfully submitted,

CHARLES F. O'NEAL
(Charles F. O'Neal)
PURCHASER

THOS. J. KEATING JR.
(Thomas J. Keating, Jr.)
TRUSTEE

Filed April 30, 1954

ORDER OF COURT

Upon the foregoing Petition, it is, by the Circuit Court for Queen Anne's County, in Equity, ORDERED this 30th day of April, 1954, that Charles F. O'Neal and Maxine L. O'Neal, his wife, be and they are hereby substituted as purchasers of the real estate in this cause in the place and stead of Charles F. O'Neal alone.

WM. R. HORNEY
JUDGE

Filed April 30, 1954

AUDIT
Filed May 14, 1954

Alice M. Legar, et. al

vs.

Patsy Ann Crossley, Infant,
et. al

In The Circuit Court For
Queen Anne's County In
Equity Cause no. 3877

To The Honorable, The Judge of Said Court:

The report of J. Thomas Clark, auditor, unto your Honor respectfully sets forth:

1. That this account is stated at the request of Thomas J. Keating, Jr., Trustee, who was duly appointed the same by order of this Court dated December 29th, 1953.

2. That in the within account, said trustee is charged with the gross proceeds of sale, per his report of the same, and is allowed thereout all expenses, not personal, for which vouchers and receipts have been produced therefor. That in addition thereto your auditor allowed for the costs of publishing the order nisi to this account, his fee and the commissions due said trustee.

3. The distribution was made of the net proceeds of sale in accordance with the decree of this Court dated December 29th, 1953. The lineal inheritance tax due the State of Maryland on the real estate sold in this cause was paid on a valuation of \$12,000.00, the same having been paid to the Register of Wills for Queen Anne's County, Maryland on February 16th, 1954, which was during the administration of the personal estate of said Joseph Merritt Legar, deceased, who was the owner of the said real estate and had died intestate.

J. THOMAS CLARK
Auditor

May 14, 1954

Filed May 14, 1954

Cause No. 3877

The proceeds of the sale of real estate reported in this cause, in account with Thomas J. Keating, Jr., Trustee, appointed by this honorable court to make the sale in these proceedings (and vendor of said land).

Cr.

1954
Feb. 13 By gross proceeds of the sale of said land, per report of said vendor, to wit:.....\$7,800.00

Dr.

1954
Feb. 13 To Thomas J. Keating, Jr., trustee (and vendor) for his commissions for making the sale, per order of court.....\$357.00

To do., for court costs of this cause, per receipt of Clerk for same exhibited, to wit:
Costs of T.S. Pippin, Clerk.....\$71.50
Appearance fee of Thomas J. Keating, Jr..... 10.00
Witnesses fees..... 2.00
Costs of Ernest Gretzinger, Court Stenographer..... 32.50
Costs of Betty T. Brown, Stenographer for Court..... 5.00
Costs of Betty Brown, Guardian Ad Litem..... 4.50 125.50

To do., for an amount due Fidelity and Deposit Co of Maryland, for the premium on the corporate surety bond filed by said trustee in this cause, per statement for same exhibited.40.00

To do., for an amount paid Ross Rhodes, auctioneer, for crying public sale, per his receipt for the same exhibited..... 30.00

To do., for an amount paid Claude Lowery, Treasurer of Queen Anne's County, Maryland, for the sellers share of the 1954 real estate taxes on the property sold in this cause, per statement for the same exhibited..... 24.09

To do., for an amount paid Queen Anne's Record-Observer, per receipts for same exhibited, as follows, to wit:
Costs of publishing order of publication.....\$81.00
Costs of publishing notice of sale..... 40.50
Costs of publishing order nisi of sale..... 7.50 129.00

To do., for costs of advertising the order nisi to be passed as to this audit, the same to be published in the Queen Anne's Record-Observer..... 7.50

May 14, 1954

J. THOMAS CLARK
Auditor

| | | |
|--|------------------|-------------------|
| To J. Thomas Clark, auditor, for stating this audit..... | 40.50 | |
| To balance for distribution in accordance with decree of this Court dated December 29th, 1953..... | 7046.41 | |
| | <u>\$7800.00</u> | <u>\$7,800.00</u> |

May 14, 1954

J. THOMAS CLARK
Auditor

Cr.

By balance carried forward for distribution to heirs at law of Joseph Merritt Legar..... \$7,046.41

Dr.

| | | |
|---|------------------|-------------------|
| To Alice M. Legar, widow, of Joseph Merritt Legar, deceased, a 1/3 share of the same or the sum of..... | \$2348.80 | |
| To Maxine L. O'Neal, child of Joseph Merritt Legar, deceased, a 2/15 share of the same or the sum of..... | 939.52 | |
| To Willard P. Legar, child of Joseph Merritt Legar, deceased, a 2/15 share of the same or the sum of..... | 939.52 | |
| To M. Isadore Legar, child of Joseph Merritt Legar, deceased, a 2/15 share of the same or the sum of..... | 939.52 | |
| To Lillian Phyllis Luff, child of Joseph Merritt Legar, deceased, a 2/15 share of the same or the sum of..... | 939.52 | |
| To Arthur Landers Legar, child of Joseph Merritt Legar, deceased, a 2/15 share of the same or the sum of..... | 939.53 | |
| | <u>\$7046.41</u> | <u>\$7,046.41</u> |

May 14, 1954

J. THOMAS CLARK
Auditor

Filed May 14, 1954

NISI RATIFICATION OF AUDIT
Filed May 14, 1954

NISI RATIFICATION OF AUDIT

| | | |
|------------------------------------|---|-------------------------|
| Alice M. Legar, et al., |) | IN THE CIRCUIT COURT |
| vs. |) | FOR QUEEN ANNE'S COUNTY |
| Patsy Ann Crossley, infant, et al. |) | IN EQUITY |
| |) | CAUSE NO. 3877 |

ORDERED, This 14th. day of May in the year nineteen hundred and fifty four, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th. day of June, 1954; provided a copy of this order be published once a week in each of two successive weeks before the 4th. day of June, 1954, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed May 14, 1954

NISI RATIFICATION OF AUDIT
Filed June 29, 1954

NISI RATIFICATION OF AUDIT

| | | |
|------------------------------------|--|--------------------------|
| Alice M. Legar, et al., | | IN THE CIRCUIT COURT FOR |
| vs. | | QUEEN ANNE'S COUNTY |
| Patsy Ann Crossley, infant, et al. | | IN EQUITY |
| | | Cause No. 3877 |

ORDERED, This 14th day of May, in the year nineteen hundred and fifty-four, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th day of June, 1954; provided a copy of this order be published once a week

ineach of two successive weeks before the 4th day of June, 1954, in some newspaper printed and published in Queen Anne's County.

Filed May 14, 1954

T. SORDEN PIPPIN, Clerk

True Copy

Test: T. SORDEN PIPPIN, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md., June 1954

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 Alice M. Legar Et Al a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for two successive weeks before the 4th day of June, 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 20 day of May 1954, and the last insertion on the 27 day of May, 1954.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By Mrs. A.L. Mills

Filed June 29, 1954

Nisi Ratification of Audit
Filed June 30, 1954

NISI RATIFICATION OF AUDIT

Alice M. Legar, et al.,

vs.

Patsy Ann Crossley, infant, et al.

) IN THE CIRCUIT COURT

) FOR QUEEN ANNE'S COUNTY

) IN EQUITY

) CAUSE NO. 3877

ORDERED, This 30th. day of June in the year nineteen hundred and fifty four, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th. day of July, 1954; provided a copy of this order be published once a week in each of two successive weeks before the 23rd. day of July, 1954, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed June 30, 1954

NISI RATIFICATION OF AUDIT

Alice M. Legar, et al.,

vs.

Patsy Ann Crossley, infant, et al.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

CAUSE NO. 3877

ORDERED, This 30th day of June, in the year nineteen hundred and fifty-four, that the Report and Account filed in these proceedings by J. Thomas Clark Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th day of July, 1954; provided a copy of this order be published once a week in each of two successive weeks before the 23rd day of July, 1954; in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

True Copy

Filed June 30, 1954.

Test: T. SORDEN PIPPIN, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. July, 1954

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 Alice M. Legar 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 23rd day of July, 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 8th day of July 1954, and the last insertion on the 15th day of July, 1954.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MRS. ADA LEE MILLS

Filed Aug. 2, 1954

MEMORANDUM

Filed Dec. 18, 1953

| | | |
|----------------------------|---|--------------------------|
| ALICE M. LEGAR, et al, | : | IN THE CIRCUIT COURT FOR |
| | : | QUEEN ANNE'S COUNTY |
| vs. | : | IN EQUITY |
| | : | |
| PATSY ANN CROSSLEY, Infant | : | No. 3877 |
| et al. | : | |

MEMORANDUM

The Plaintiffs, by their Bill, seek a determination of the rights, title and interest, if any, of the Defendants, or any of them, in and to the tract of land or farm, known as the "Richard M. Legar Farm" or the "J. Merritt Legar Farm," containing 106 acres of land, more or less, situate in the First Election District of Queen Anne's County, Maryland, near Sudlersville, and further seek a sale of said farm for the purpose of partition among those entitled thereto according to their respective shares therein.

There is not the slightest doubt that said farm is not susceptible of partition in kind without loss or injury to the parties owning the same or interested therein regardless of who such parties may be. It follows that the farm must be sold and the proceeds divided among those entitled thereto as hereinafter determined.

Even though the presumption is that Patsy Ann Crossley, one of the Defendants, is the daughter of J. Merritt Legar inasmuch as she was born while he was still lawfully married to her mother and his first wife, the oral testimony shows that he disputed his paternity, and shortly after her birth she was removed from his household, to which she never returned, and thereafter he never at any time during his life held her out or recognized her as his daughter, or declared or acknowledged that he was her father. The testimony is also fairly conclusive and is uncontradicted that J. Merritt Legar was not actually the father of Patsy Ann Crossley. Moreover, although the decree of divorce granted J. Merritt Legar from his first wife and the mother of Patsy Ann Crossley refers to the custody of some of the Plaintiffs, who were then minors, the care, custody and guardianship of Patsy Ann Crossley is not mentioned. And, what is still more important, her birth certificate discloses that Elias C. Crossley is her father, and that such information was furnished by him and her mother. As to whether or not James Cranor or Baynum, the husband and/or father of the remaining Defendants, had any interest in the farm before his death, the oral evidence is positive and uncontradicted that J. Merritt Legar did not any any time during his life hold out James Cranor or Baynum or recognize him to be his son, nor was he ever heard to declare or acknowledge him to be his son. Furthermore the birth certificate of James T. Baynum (Cranor) shows that the name of his father was not disclosed. Even if it was known that James Cranor or Baynum was actually the son of J. Merritt Legar, and even though it is a fact that J. Merritt Legar after the birth of James Cranor or Baynum was married to the latter's mother, James Cranor or Baynum could not be held to have been legitimized unless it is proved conclusively that the father thereafter held the son out to be his. Under the circumstances here present the Court must declare that none of the Defendants has any interest in or title to the farm in question. And the proceeds of the farm, when sold, should be divided in accordance with law among Alice M. Legar, widow, Maxine L. O'Neal, Willard P. Legar, M. Isadore Legar, Lillian Phyllis Luff and Arthur Landers Legar, the only children recognized by J. Merritt Legar as his.

A decree in conformity with this opinion as to the rights, title and interest of the Defendants, and the usual decree as to the sale of the farm for the purpose of partition, will be signed when presented from and after the 24th day of December, 1953, to allow for the expiration of thirty days from the date of the decree pro confesso.

WM. R. HORNEY
JUDGE

Filed Dec. 18, 1953

ORDERED, this 2nd day of August, 1954, by the Circuit Court for Queen Anne's County, in Equity, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as required by the preceding Order Nisi; and the 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.

WM. R. HORNEY
JUDGE

Filed Aug. 2, 1954



QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-third day of February in the yearnineteen hundred and fifty-four, the following Bill of Complaint was filed forrecord, to wit:

C A U S E N O. 3910

RICHARD E. PHILLIPS, Barclay, Queen Anne's Co., Maryland, BERT PHILLIPS, Barclay, Queen Anne's Co., Maryland, WILLIAM PHILLIPS and ANNIE PHILLIPS, his wife, Henderson, Caroline Co., Maryland, EDWARD PHILLIPS and STELLA PHILLIPS, his wife, Church Hill, Queen Anne's Co., Maryland, Complaints,

IN THECIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY Cause No. 3910

VS.

ELLWEEOD COURSEY and EVA COURSEY, his wife, Barclay, Queen Anne's Co., Maryland. Defendant.

BILL FOR SALE FOR PARTITION.

TOX THE HONORABLE, THE JUDGES OF SAID COURT:

YOUR Orators complaining, say:

1. That Harry Nickerson, late of Queen Anne's County, Maryland, deceased, died intestate in said county on or about the 30th. day of November, 1953, possessed of a personal estate of little value, on which letters of admistration on small estates have been granted to Richard E. Phillips, one of the Plaintiffs.

2. That the said Harry Nickerson died seizedand possessed of the herein after described real estate situate, lying and being in the First Election District of Queen Anne's County, Maryland, on both sides of the public road leading from Busick's Church to Kane's Cross Roads and Henderson, being more particularly described in a survey thereof made the 8th. day of February, 1954, by John C. Fisher, Surveyor, as follows, to wit: BEGINNING FOR SALE AT THE South East Corner of the said land, on the public road leading to Templeville and Barclay, where this land corners with the property of The Pentecostal Church, thence with said Church Property and the property of John B. Brown North 32 degrees West 815 feet to a stone on bank of a ditch; thence North 20 degrees West 200 feet to a large white oak tree on the property of Lewis Holden; thence with said Holden Land North 68 degrees West 600 feet to a stake; thence South 71 degrees 15 minutes West 378 feet to a stone on the division line between this property and the land of Roland Everett; thence with the Everett Land the land of Casper Newcombs Heirs the following two courses, South 3 degrees 30 minutes East 876 feet which line crosses over the aforesaid public road, then South 53 degrees 15 minutes West 209 feet to the land belonging to the heirs of John Holliday; thence with the Holliday Land South 26 degrees and 15 minutes East 893 feet to a stake, a corner for this land and the Holliday land; thence continueing with said Holliday Land North 52 degrees and 45 minutes East 900 feet to the County road from Busick Church to Kane's Cross Road; thence with the road leading to Templeville and Barclay North 55 degrees 30 minutes East 510 feet to the point of beginning, containing forty acres of land, more or less; being the same land and all the land which upon the death of Joel Nickerson, intestate, in about 1932, was inherited by thesaid Harry Nickerson, as his only heir-at-law, and being the same property inherited by the said Joel Nickerson as the only heir-at-law of Rebecca Nickerson, who died intestate about 1911; and which said land the said Joel and Harry Nickerson have held under a claim, of right, exclusively andadversely to the claim of others since about 1911.

3. That the said Harry Nickerson dying intestate left surviving him as his heirs-at-law, neither a child or children nor descendants from any child or vchildren, neither a father or mother, nor a brother or sister nor descendants from any brother or sister, nor any brother or sister on the part of his father, Joel Nickerson, nor any descendants from any brother or siter, nor a brother or sister on the part of his mother, Ella Nickerson who before her marriage was Ella Coursey, nor brothernor sister on the part of his mother, but the following children of Elizabeth Coursey, who married John Phillips, to wit: the Plaintiffs, Richard E. Phillips, Bert Phillips and Edward Phillips and the only surviving child of Christopher Coursey, a brother of Ella Nickerson, mother of Harry Nickerson, the Defendant, Ellwood Coursey: thesaid Elizabeth Phillips before her marriage Elizabeth Coursey, a sister of Ella Nickerson: That the said Richard E. Phillips, Bert Phillips, William Phillips and Edward Phillips and Ellwood Coursey are each seized and possessed of an undivided one fifth interest in the said real estate subject to the debts of Joeel and Harry Nickerson.

4. That Richard E. Phillips is a widower andresides at Barclay, Md.; that Bert Phillips is a single man and resides at Barclay; that William Phillips is married to Annie Phillips and they reside at Henderson, Caroline County, Maryland, that Edward Phillips is married to Stella Phillips and they reside at Church Hill, Maryland, that Ellwood Coursey is married to Eva Coursey and they reside at Barclay, Maryland.

5. That no letters of administration have been granted on the estates of either Joel or Rebecca Nickerson, who died intestate and residents of Queen Anne's Co.

6. That the said real estate is not susceptible of division between the parties owning same agreeable to their respective interests therein without loss of infury.

TO THE END

1st. That a Trustee may be appointed by this Honorable Court to make sale of the afore-said real estate and after the payment of all expenses of this suit, and the payments of any debts owed by the said Harry Nickerson, should there not be sufficient personal property of the said Harry Nickerson to pay same, and the payments of the debts of Joel and Rebecca Nickerson, if any be proven, then to distribute said balance, if any there be, among those who are entitled.

2, And that your Orators 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
Attys. for Plaintiffs.

Filed Feb. 23, 1954

SUBPOENA
Filed Feb. 23, 1954

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO
Ellwood Coursey and Eva Coursey, his wife,
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 March next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Richard E. Phillips, Barclay, Maryland, Bert Phillips, Barclay, Maryland, William Phillips and Annie Phillips, his wife, Henderson, Maryland, Edward Phillips and Stella Phillips, his wife, Church Hill, 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 4th. day of January, 1954.

Issued the 23rd. day of February, 1954.

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

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

"To lie in office"

Answer of Defendants
Filed Feb. 27, 1954

RICHARD E. PHILLIPS,
Barclay, Queen Anne's County, Maryland,
BERT PHILLIPS
Barclay, Queen Anne's County, Maryland,
WILLIAM PHILLIPS and ANNIE PHILLIPS, his wife,
Henderson, Caroline County, Maryland,
EDWARD PHILLIPS and STELLA PHILLIPS, his wife,
Church Hill, Queen Anne's County, Maryland,
Complainants,

VS.

ELLWOOD COURSEY and EVA COURSEY, his wife,
Barclay, Queen Anne's County, Maryland.
Defendants.

: IN THE CIRCUIT COURT
:
: FOR
:
: QUEEN ANNE'S COUNTY, IN
: EQUITY
:
: CAUSE NO.
: 3910
:
:
:
:
:

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Ellwood Coursey and Eva Coursey, his wife, to the Bill of Complaint of Richard E. Phillips et al. exhibited against them, say:

That they admit the matters and facts set forth in said Bill of Complaint and consent that a decree for the sale of the described real estate be passed as prayed.

ELWOOD COURSEY

EVA COURSEY

DEPOSITIONS

Filed March 10, 1954

Richard E. Phillips et al.,
Complainants,

VS.

Ellwood Coursey and Eva Coursey, his wife,
Defendants.

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

Cause No. 3910.

REPORT OF EXAMINER AND DEPOSITIONS.

At the request of Richard T. Earle, Attorney for Complainants, I went to the office of said Attorney on Wednesday, March 10th., 1954, there were presents to witnesses and Mr. Earle, and after swearing in said witnesses, proceeded to take the attached depositions, also I have filed in this cause a Plat of said land that was introduced into evidence by Mr. Earle.

Respectfully submitted.

HARRY C. BUTLER
One of Standing Examiner.

Filed March 10, 1954

The first witness called by the Complainants being duly sworn, deposes and states.

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

A. Richard E. Phillips, 74 years of age, store keeper, Barclary, Maryland.

2ns. Ints. This is a case of partition, do you know the parties to this suit?

A. I know all of yhem.

3rd. Int. Did you know Harry Nickerson? Is he living or dead, if dead, did he leave a 1st will and testament?

A. I knew Harry Nickerson, he died about 30th. day of November, 1953, he did not leave a Last Will and Testament so far as I know, I am his administrator, under small estates.

4th. Did Harry Nickerson leave any real estate and if so from whom did he receive same.

A. Yes he owned about 40 acres of land about 2- $\frac{1}{2}$ miles from Barclay, at least he was always in possession of it for many years and claimed the same as his he was raised on said farm by his father Joel Nickerson, who lived on said farm as far back as I can remember, it was always reported that he received the same from his mother Rebecca Nickerson, and the assessments books of the County show that about 1913 this land was transferred from Rebecca Nickerson to Joel Nickerson. I can remember the land in question for the last 50 years at which time Joel Nickerson was in possession.

5th. Did you employ John C. Fisher, Surveyor to survey this land and how did he ascertain the metes and bounds, courses and distance?

A. I employed him and he went on the place and ascertained exactly what land Harry Nickerson claims and his claim was recognized by adjoining land owners.

6th. Int. I now hand you a plot made by John C. Fisher, Surveyor, is that the land that was claimed and occupied by Harry Nickerson and His father, Joel Nickerson, who secured the same from his mother, Rebecca Nickerson.

A. Yes, the lines are clear and there is no dispute about same.

Plat is now placed in evidence.

7th. Int. Do you know who the heirs at law of Harry Nickerson are?

Yes, Harry Nickerson was the only child of Joel Nickerson and Ella Nickerson, his wife, whose maiden name was Ella Coursey, Joel Nickerson was the only heir at law of Rebecca Nickerson; Joel Nickerson left neither brother or sister now decendants of any brother or sister surviving him; Ella Nickerson has a sister named Elizabeth Coursey, who married my Father, John Phillips, and Myself, Bert Phillips William Phillips and Edward Phillips are the only living children of Elizabeth Phillips, a sister of Ella Nickerson; Ella Nickerson also had a brother, named Christopher Coursey and Ellwood Coursey is the only Child of Christopher Coursey now living or was living at the time of the death of Harry Nickerson. My brothers and myself and Ellwood Coursey are the only heirs-at-law of the said Harry Nickerson.

8th. Are you familiar with the value of real estate in the neighborhood of this farm and do you know well the farm in question and can put a balue thereof?

A. About \$1,000.00 the house on said land is not very much and there is very little improvement on the land.

9th. Can said land be divided among the heirs-at-law without loss or injury?

A. It can not.

Examiner's Special,

A. No

RICHARD E. PHILLIPS

The second witness called by Complainants being duly sworn, deposes and states.

State your name, age, residence and occupation?

A. My name is Charles Ellwood Coursey, I am the same party named in these proceedings as Ellwood Coursey and I am married to Eva Coursey and live at Barclay, I am 68 years of age, I am warehouse Clerk of the A & C Candy Co., at Barclay, Maryland.

2nd. Int. This is a suit for partition as regards to the land of Harry Nickerson, do you know all the parties to this suit?

A. Yes, I know my Richard E. Phillips, he is widower and lives at Barclay, Mr William Phillips, he is married to Annie Phillips and they live at Henderson, Caroline County, Maryland; I know Bert Phillips well, he is a single man and lives at Barclay; I also know Edward Phillips and his wife, Stella Phillips, they live at Church Hill, Md, all of these Phillips are first cousins of mine.

3rd. Int. Did you know Harry Nickerson, is he living or dead, when did he die, if he is dead?

A. Harry Nickerson I have known for many years, he died about 30th. day of Nov. 1953, he died on the place he owned and where he has lived for many years.

4th. Int. Did you hear Mr. Richard E. Phillips testify, do you agree with him both as to the heirs-at-law of Harry Nickerson and as to the ownership of the land in question.

A. Yes, I agree with Mr. Richard E. Phillips fully both as regards to the heirs-at-law of Harry Nickerson also as to the ownership of said land, it has been in the possession of Harry and Joel Nickerson for as long as I can remember.

5th. Int. Are you familiar with the value of real estate in the neighborhood of this farm.

A. Yes, I would say that the farm was worth about \$800.00.

6th. Int. Do you think this farm could be divided among the heirs-at-law of Harry Nickerson, without loss or injury to any of them, if so why?

A. There is only one house on same and that in bad conditions, the land would then be cut, up into such small parcels that none of same would have any value.

Examiner's Special

A. No.

C. ELWOOD COURSEY

The next witness called by the Complainants, being duly sworn, deposes and states.

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

A. My name is Palmer Councill, I live at Barcla, I am 29 years of age, I am a store keeper at Barclay.

2nd Int. This is a suit for the purpose of selling the real estate of Harry Nickerson, deceased, do you know all the parties to this suit?

A. I know all the parties to this suit except William Phillips and his wife.

Did you know Harry Nickerson, is he living or dead, if dead, when did he die.

A. I knew Harry Nickerson, he is dead, he died about 30th. day of November, 1953.

4th. Did Harry Nickerson die leaving a Will or not?

A. I have never heard of any will that he left.

5th. Do you know the land that Harry Nickerson owned at the time of his death?

Yes, about 40 acres of land, improved by a dwelling house in poor condition, about 2- $\frac{1}{2}$ miles from Barclay.

6th. Int. Do you know the value of land in the neighborhood of this farm, if so, what in your opinion is the farm and improvements worth.

A. I think the same is worth between 5 and 6 Hundred dollars.

7th. Int. Is this land subject to division among 5 heirs-at-law of Harry Nickerson, without loss or injury to any of them.

A. I think not, the portion of each would be too small to be any value

Examiner's Special.

No.

PALMER F. COUNCILL

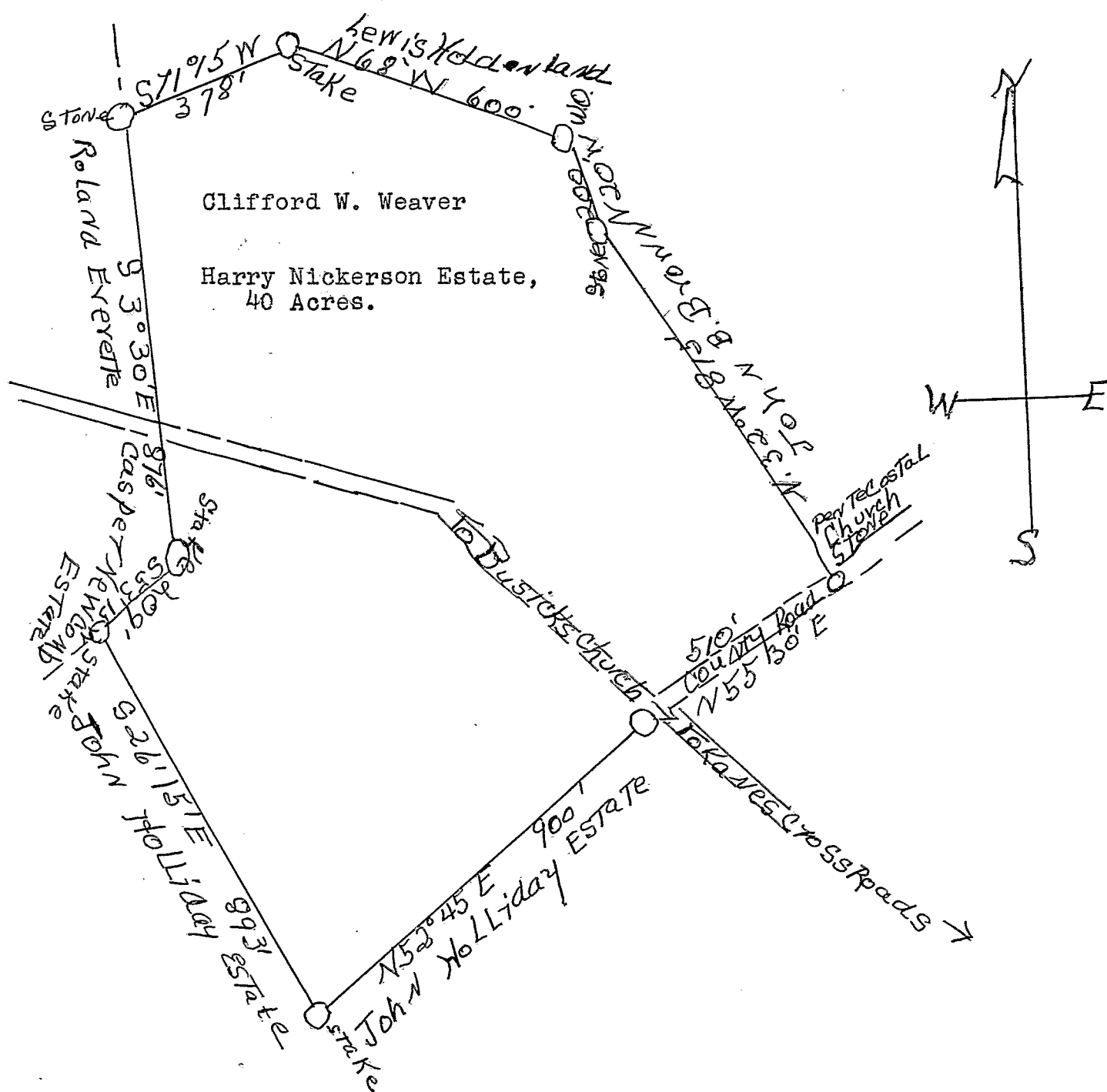
Mr. Earle stated that he had no further witnesses and the Defendant did not desire to introduce any testimony.

Witnesses waived fees and expenses.

Harry C. Butler, Examiner-----\$10.00

HARRY C. BUTLER
One of Standing Examiners.

Filed March 10, 1954



I HEREBY CERTIFY that I have this 8th day of February 1954 surveyed the following described tract of land situate and being in First Election District of Queen Anne County, State of Maryland.

BEGINNING for the outlines thereof in the center of county road leading by the Pentecostal Church, thence with the said Church lot and land of John B. Brown north 32 degrees west 815 feet to a stone on bank of ditch, thence with the land of Lewis Holden north 20 degrees west 200 feet to a white oak tree, thence north 68 degrees west 600 feet to a stake, thence south 71 degrees 15 minutes west 378 feet to a stone, thence with the land of Roland Everette and the Casper Newcomb land south 3 degrees 30 minutes East 876 feet to a stake, thence with the Newcomb land south 53 degrees 15 minutes west 209 feet to a stake, thence with the John Holliday land south 26 degrees 15 minutes east 893 feet to a stake, thence north 52 degrees 45 minutes east 900 feet to a stake on the south west side of the road leading by the Busick Church to Kanawes Cross Roads, thence with center of road leading by the Pentecostal Church north 55 degrees 30 minutes east 510 feet to the place of beginning containing Forty (40) Acres more or less.

JOHN C. FISHER
John C. Fisher, Surveyor,

DECREE OF SALE
Filed March 29, 1954

RICHARD E. PHILLIPS et al.,

VS.

ELLWOOD COURSEY and EVA COURSEY,
his wife.

IN THE CIRCUIT COURT FOR QUEEN

ANNE'S COUNTY, IN EQUITY.

Cause No. 3910.

DECREE OF SALE.

The above cause standing ready for hearing and being submitted without argument and the proceedings having been read and considered: IT IS THEREUPON this 24th day of March, in the year nineteen hundred and fifty four, 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 THESE PROCEEDINGS BE SOLD FOR THE purpose of partition and that RICHARD T. EARLE, ESQ. be and he is hereby appointed Trustee to make said sale and that the course and manner of his proceedings shall be as follows: that he shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and surety or sureties thereon to be approved by the Court or the Clerk thereof, in the penalty of \$1,000, if corporate bond be given, or double that amount if personal surety or sureties be given, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order that may be passed in the premises; he shall then proceed to make said sale, having given at least three weeks previous notice by ad-

vertisement inserted in some newspaper or newspapers 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 one third of the purchase money in cash on day of sale, balance upon final ratification of sale, or all cash on day of sale at the option of the purchaser or purchasers, all unpaid balance of the purchase money to bear interest from day of sale, title papers, documentary and revenue stamps to be at the expense of the purchaser, taxes to be adjusted to day of sale, and as soon as may be convenient after such sale, the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an annexed affidavit of the truth thereof and the fairness of said sale: and on obtaining a final ratification of said Sale by this Court and upon the payment of the whole purchase money and not before, the said Trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his her or their heirs, the property and estate to him, her or them so sold, free, clear and discharged from all claims of the parties hereto, and those claiming by, from or under them or any of them. And the Trustee shall bring into this Court the money arising from said sale to be distributed under the direction of this Court after deduction of the cost of this suit and such commissions to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

And it is further ORDERED AND DECREED that at the time of the advertisement of said sale that Notice to Creditors of Harry Nickerson, Joel Nickerson and Rebecca Nickerson be given, directing them to file their claims, with proper vouchers thereto attached with the Clerk of this Court, within ninety days from the date of the first insertion, which date shall be set forth in said notice, or else be barred from payment out of the proceeds of sale.

J. DeWEESE CARTER
Judge

Filed Mar. 29, 1954

Certified Copy of Bond
Filed April 14, 1954

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Thirteenth day of April, in the year nineteen hundred and fifty-four, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Richard T. Earle, of Queen Anne's County, State of Maryland, as Principal, and GLENS FALLS INSURANCE COMPANY, 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 made and done, we bind ourselves, and each of us, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, for the whole and in the whole, firmly by these presents, sealed with our seals this 12th day of April, 1954.

WHEREAS, the above bounden Richard T. Earle, was by a decree dated the 24th day of March, 1954, of the Circuit Court for Queen Anne's County, in Equity passed in Cause in said Court entitled "Richard E. Phillips, et al, vs. Ellwood Coursey and Eva Coursey, his wife" appointed Trustee to make sale of the real estate mentioned and described in said Cause.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Richard T. Earle shall well and faithfully perform the duties reposed in him by said decree or that may be reposed in him by any future order or decree that may be passed in the premises, then this obligation to be null and void; otherwise to be and remain in full force and virtue in law.

WITNESS our hands and seals.

Signed, sealed and delivered
in the presence of:

L. H. MEREDITH

RICHARD T. EARLE (SEAL)
Richard T. Earle

GLENS FALLS INSURANCE COMPANY

By L. E. KING
L. E. King, Attorney

And at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and Bond filed April 13, 1954

T. SORDEN PIPPIN Clerk

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

I hereby certify that the foregoing was truly take and copied from T.S.P. No. 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 Thirteenth day of April in the year nineteen hundred and fifty-four.

T. SORDEN PIPPIN
Clerk

REPORT OF SALE
Filed April 27, 1954

Richard E. Phillips et al.,

IN THE CIRCUIT COURT FOR

VS.

QUEEN ANNE'S COUNTY, IN EQUITY

Ellwood Coursey and Eva Coursey, his wife.

Cause No. 3910.

REPORT OF SALE.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of Richard T. Earle, Trustee in this Cause to your Honors respectfully shows:

That after giving more than three weeks notice, of the time, place, manner and terms of sale by advertisement in The Record-Observer Publishing Company, as per certificate filed herewith with a copy of said advertisement attached, the Trustee on Saturday, April 24th., 1954, at 2 P.M. offered for sale to the highest bidder all that tract or lot of land situate in the First Election District of Queen Anne's County, Maryland, about 2- $\frac{1}{2}$ miles from Barclay, on both sides of the public road from Busick Church to Kane's Cross Roads and Henderson, containing 40 acres of land, more or less, being the same property of which Harry Nicherson died seized and possessed. The same was offered for sale on the premises and sold to Clifford W. Weaver, he being then and there the highest bidder for same, at and for ELEVEN HUNDRED DOLLARS (\$1,100.00) and the said purchaser settled by check for the full amount, which check has not yet been cleared. Terms of sale as advertised.

Respectfully submitted

RICHARD T. EARLE
Trustee

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

I hereby certify that on this 26th day of April, 1954, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Richard T. Earle, Trustee in the aforesaid Cause and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true as therein set forth and that said Sale was fairly made.

T. SORDEN PIPPIN
Clerk of the Circuit Court
for Queen Anne's County.

Filed April 27, 1954

TRUSTEE'S SALE OF VALUABLE
REAL ESTATE

The undersigned, by virtue of a decree of sale dated March 24, 1954, passed by the Circuit Court for Queen Anne's County, in Equity, in a cause therein entitled Richard E. Phillips et al vs. Ellwood Coursey and Eva Coursey, his wife, will offer for sale on SATURDAY, APRIL 24, 1954 At 2:00 p.m. on the property All that lot or tract of land, situate and being in the First Election District of Queen Anne's County, Maryland, about 2 $\frac{1}{2}$ miles from Barclay on both sides of the public road leading from Busick Church to Kane's Cross Roads and Henderson, containing by recent survey 40 acres of land, more or less. Improved by a frame dwelling house and other outbuildings, Being the same land which Harry Nicherson, late of Queen Anne's County, died seized and possessed, and on which he lived at the time of his death.

TERMS OF SALE

One-third of money to be paid on day of sale, balance upon ratification or sale, or all cash upon day of sale at option of purchaser. All deferred payments to bear interest from day of sale. Taxes to be adjusted to day of sale. Title papers, interest, rent and recordation stamps at expense of purchaser.

RICHARD T. EARLE, Trustee

J. Elmer Anthony, Auct.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. April 1954

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Trustee's Sale of Real Estate in the case/estate of Richard E. Phillips et al vs. Ellwood Coursey and Eva Coursey 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 April 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 1st day of April 1954, and the last insertion on the 22nd day of April 1954

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MRS. ADA LEE MILLS

Filed April 27, 1954

ORDER NISI
Filed April 27, 1954

Richard E. Phillips, et al.,

VS.

Ellwood Coursey and Eva Coursey,
his wife.

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

IN EQUITY

NO. 3910

ORDERED, this 26th. day of April, 1954, that the sale of real estate made and reported in this cause by Richard T. Earle, Trustee, be ratified and confirmed, on or after the 29th. day of May next, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once a week for three successive weeks commencing on the 7th. day of May 1954, and ending on the 21st. day of May 1954.

The report states the amount of sales to be \$1,100.00

T. Sorden Pippin Clerk

Certified Copy of Bond
Filed April 27, 1954

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Twenty-seventh day of April in the year nineteen hundred and fifty-four, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, Richard T. Earle of Queen Anne's County, State of Maryland, as Principal, and GLENS FALLS INSURANCE COMPANY, a body corporate, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of ONE HUNDRED DOLLARS (\$100.00) 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, for the whole and in the whole, firmly by these presents, sealed with our seals this 26th. day of April, 1954.

WHEREAS, the above bounden Richard T. Earle, was by a decree dated the 24th. day of March, 1954, of the Circuit Court for Queen Anne's County, in Equity, passed in a cause in said Court entitled "Richard E. Phillips et al., vs. Ellwood Coursey and Eva Coursey, his wife," appointed to make sale of the real estate mentioned and described in said Cause;

AND, WHEREAS, after due publication the said Trustee sold the real estate therein mentioned at and for the sum of ELEVEN HUNDRED DOLLARS (\$1,100.00) and therefore gives this additional bond:

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Richard T. Earle shall well and faithfully perform the duties reposed in him by said decree or that may be reposed in him by said decree or that may be reposed in him by any future Order of Decree that may be passed in the premises, then this obligation to be null and void; otherwise to be and remain in full force and virtue in law.

Witness our hands and seals.

Signed, sealed and delivered
in the presence of:

RICHARD T. EARLE (SEAL)
Richard T. Earle

L. H. MEREDITH

GLENS FALLS INSURANCE COMPANY

By W. M. FREESTATE
W. M. Freestate, Attorney

Corporate Seal.

And at the foot of the foregoing bond is the following endorsement, to wit:

Security approved and bond filed April 27, 1954

T. Sorden Pippin

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the foregoing was truly taken and copied from Liber T.S.P. No. 1, folio 10, 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-seventh day of April in the year nineteen hundred and fifty-four.

T. SORDEN PIPPIN
Clerk

NOTICE TO CREDITORS

Notice is hereby given to all creditors of Harry Nickerson, Joel Nicherson and Rebecca Nicherson, deceased, to file their claims with proper vouchers, thereto attached with the Clerk of the Circuit Court for Queen Anne's County within ninety (90) days from April 1st, or else be barred from participating in the proceeds of the real estate of which Harry Nicherson died seized and possessed.

RICHARD T. EARLE, Trustee

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. April 1954

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 Harry Nicherson, Joel Nicherson & Rebecca Nicherson 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 4th successive weeks before the 29th day of June 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 1st day of April 1954, and the last insertion on the 22nd. day of April 1954

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MRS. ADA LEE MILLS

Filed June 1, 1954

Order Nisi
Filed June 1, 1954

N I S I

Richard E. Phillips, et al.,

vs.

Ellwood Coursey and Eva Coursey,
his wife.

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

IN EQUITY

NO. 3910

ORDERED, this 1st. day of June, 1954, that the sale of real estate made and reported in this cause by Richard T. Earle, Trustee, be ratified and confirmed, on or after the 3rd. day of July next, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once a week for three successive weeks commencing on the 11th. day of June 1954, and ending on the 25th. day of June 1954.

The report states the amount of sales to be \$1,100.00.

T. SORDEN PIPPIN Clerk

Filed: June 1, 1954

NISI

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY
No. 3910

Richard E. Phillips, et al.,

vs.

Ellwood Coursey and Eva Coursey,
his wife.

ORDERED, this 1st day of June, 1954, that the sale of real estate made and reported in this cause by Richard T. Earle, Trustee, be ratified and confirmed, on or after the 3rd day of July next, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once a week for three successive weeks commencing on the 11th day of June 1954, and ending on the 25th day of June 1954.

The report states the amount of sales to be \$1,100.00.

T. SORDEN PIPPIN
Clerk

True Copy:
Test: T. SORDEN PIPPIN, Clerk

Filed June 1, 1954.

THE QUEENSTOWN NEWS

Queenstown, Md. June 28, 1954

THE QUEENSTOWN NEWS, and George J. Steinfeld, do hereby certify that the Nisi in the case/estate of Richard E. Phillips, et al., Vs. Ellwood Coursey and Eva Coursey, his wife, No. 3910 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 3 successive weeks before the 25th day of June, 1954, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 11th day of June 1954.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed July 8, 1954

ORDERED this 10th day of July, 1954, 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 cause to the contrary having been shown although notice appears to have been given as per certificate of publication of order Nisi thereon filed herein; the Trustee is allowed usual commissions and all expenses not personal upon the production of vouchers therefor to the auditor.

WM. R. HORNEY
Judge

Filed July 10, 1954

Richard E. Phillips, et. al

vs.

Ellwood Coursey, et. al

In The Circuit Court For

Queen Anne's County In

Equity Cause No. 3910

To The Honorable, The Judge of Said Court:

The report of J. Thomas Clark, auditor, unto your Honor respectfully sets forth:

1. That this account is stated at the request of Richard T. Earle, Trustee, who was duly appointed by order of this Court dated March 24th, 1954.

2. That in the within account, said trustee is charged with the gross proceeds of sale, per his report of the same, and is allowed thereout all expenses, not personal, for which vouchers and receipts have been produced; and that in addition thereto, your auditor has allowed for the costs of publishing the order nisi to this account, his fee for stating the same and the commissions due said trustee, as per said order of this honorable court.

3. That distribution was made of the net proceeds of this sale, after first deducting the collateral inheritance tax due the State of Maryland, and which by this account should be paid to Edward E. Coursey, Register of Wills and as such, collector of said tax, and the balance distributed according the evidence produced in this cause.

Respectfully submitted,

J. THOMAS CLARK
Auditor

July 20, 1954.

Cr.

By balance carried forward for distribution to heirs at law of Harry Nickerson, deceased... \$848.83

Dr.

To Edward E. Coursey, Register of Wills for Queen Anne's County, as collateral inheritance tax on the above amount subject to distribution at the rate of 7½ per cent.....\$63.66

To Richard E. Phillips, a heir at law of Harry Nickerson, deceased, a 1/5 share..... 157.04

To Bert Phillips, a heir at law of Harry Nickerson, deceased, a 1/5 share..... 157.04

To William Phillips, a heir at law of Harry Nickerson, deceased, a 1/5 share..... 157.03

To Ellwood Coursey, a heir at law of Harry Nickerson, deceased, a 1/5 share..... 157.03

\$848.83

\$848.83

July 20, 1954

J. THOMAS CLARK
Auditor

CAUSE No. 3910

The proceeds of the sale of real estate reported in this cause, in account with Richard T. Earle, Trustee, appointed by this honorable Court to make the sale in these proceedings (and vendor of said land).

Cr.

1954

Apr. 24 By gross proceeds of the said of said land, per report of said vendor, to wit:.....\$1,100.00

Dr.

1954

April 24 To Richard T. Earle, trustee (and vendor) for his commissions for making sale, per order of court:..... \$73.50

To do., for court costs of this cause, per receipt of clerk for same exhibited, to wit:
Costs of T. S. Pippin, Clerk.....\$38.75
Costs of H.C. Butler, Examiner..... 10.00 48.75

To do., for an appearance fee due Richard T. Earle, Attorney for Plaintiff's in this cause..... 10.00

To do., for an amount paid W. M. Freestate Agency for the premium on the corporate surety bond filed by said trustee in this cause, per receipt for same exhibited.... 15.00

To do., for an amount paid J. Elmer Anthony, auctioneer, for crying public sale, per his receipt for same exhibited..... 35.00

To do., for an amount paid Claude Lowery, Treasurer of Queen Anne's County, Maryland, for the seller's share of the 1954 real estate taxes on the property sold in this cause, per receipt for same exhibited..... 5.92

To do., for an amount paid The Queenstown News for publishing the nisi to the sale, per receipt for the same exhibited..... 7.50

To do., for an amount paid Queen Anne's Record-Observer, per receipts for same exhibited, as follows, to wit:
Costs of publishing notice of sale. \$27.00
Costs of publishing notice to creditors..... 7.50 34.50

To do., for costs of advertising the order nisi to be passed as to this audit in the Queen Anne's Record-Observer..... 7.50

To J. Thomas Clark, auditor, for stating this audit..... 13.50

To balance for distribution to heirs at law of Harry Nickerson..... 848.83

\$1100.00 \$1,100.00

July 20, 1954

J. THOMAS CLARK
Auditor

Nisi Ratification of Audit
Filed July 20, 1954

NISI RATIFICATION OF AUDIT

Richard E. Phillips, et al.

IN THE CIRCUIT COURT

vs.

FOR QUEEN ANNE'S COUNTY

Ellwood Coursey and Eva Coursey, his
wife

IN EQUITY

CAUSE NO. 3910

ORDERED, This 20th day of July in the year nineteen hundred and fifty four that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th. day of August, 1954; provided a copy of this order be published once a week in each of two successive weeks before the 6th. day of August, 1954, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed July 20, 1954

NISI RATIFICATION OF AUDIT
Filed Aug. 17, 1954

Richard E. Phillips, et al.

vs.

Ellwood Coursey and Eva Coursey
his wife.

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 3910

Ordered, This 20th day of July, in the year nineteen hundred and fifty-four, that the Report and Account filed in these proceedings by J. Thomas Clark Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th day of August, 1954; provided a copy of this order be published once a week in each of two successive weeks before the 6th day of August, 1954, in some newspaper printed and published in Queen Anne's County.

T.SORDEN PIPPIN, Clerk

Filed July 20, 1954.

True Copy

Test: T. SORDEN PIPPIN, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md., Aug. 1954

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 Richard E. Phillips et al a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, Maryland, once a week for two successive weeks before the 6th day of August, 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 22 day of July 1954, and the last insertion on the 29 day of July 1954

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By MRS. ADA LEE MILLS

Filed Aug. 17, 1954

ORDER OF COURT.

The foregoing Audit 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 thereto, this 21st day of August, 1954. The Trustee is to distribute accordingly.

WM. R. HORNEY
Judge

Filed Aug. 21, 1954

Be it remembered that on this Twentieth day of January in the year nineteen hundred and fifty-four, the following Bill of Complaint was filed for record, to wit:

LOUISE B. WRIGHT and
MORRIS E. WRIGHT, her husband
QUEENSTOWN, MARYLAND

Complainants

VS

MILDRED D. HOLDEN and
MERRITT L. HOLDEN, her Husband,
Easton, Maryland;
MARGARET B. SMITH and
SPENCER T. SMITH, HER Husband,
Queenstown, Maryland;
EDWIN M. BEECHER and
ELSIE R. BEECHER, HIS wife,
Princeton, New Jersey;
I. WENDELL BEECHER and
MARY BEECHER, HIS wife,
Princeton Junction, New Jersey;
VIRBROOK N. BEECHER and
FRANCES BEECHER, his wife,
Queenstown, Maryland; and
SALLIE E. BEECHER,
Queenstown, Maryland

Defendants

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

Cause No. 3899

* *****

TO THE HONORABLE, THE JUDES OF SAID COURT:

Your Orators complaining, say:

1. That James Wrightson Beecher, late of Queen Anne's County, died intestate on November 29, 1953, leaving a small personal estate, which personal estate is not sufficient to discharge all the just debts due and owing including the funeral expenses of said decedent.

2. That said James Wrightson Beecher died seized and possessed of an undivided 1/3 interest in certain real estate conveyed unto him, his widow, Sallie E. Beecher, and his daughter, Louise B. Wright, as tenants in common, by deed dated October 31, 1935, and recorded among the Land Records of Queen Anne's County in Liber W.H.C. No. 2A, folio 106, a certified copy of which is filed herewith as a part hereof and marked "Exhibit A", wherein said real estate is described as follows, to wit:

All that lot, tract, part of a tract or parcel of land, improved by a frame dwelling house and outbuildings, situate, lying and being in the town of Queenstown, in the Fifth Election District of Queen Anne's County, State of Maryland; bounded on one side by the public road leading from Queenstown to Wye Mills, on another side by the road or street leading from the aforesaid road to what was formerly known as "The Hotel Property" now the property of Dr. Samuel J. Price, and on another side by the land of the Commissioners of Queenstown, and on the remaining side by the land of Henrietta E. Perry with the exception, however of the lot of land fronting 24 feet on side road from Queenstown to Wye Mills, conveyed by one Noah Moore and wife to Commissioners of Queenstown by deed dated April 13, 1930 and recorded in the Land Records of Queen Anne's County in Liber B.H.T. No. 13, folio 7. Being the same land granted and conveyed and described in the deed to John T. Bishop and Jessie E. Bishop, his wife, from Noah Moore and Carrie Moore, his wife, said deed bearing date September 16, 1931 and being recorded among the Land Records of Queen Anne's County in Liber B.H.T. No. 13, folio 399.

3. That said James Wrightson Beecher, being so seized and possessed, died intestate leaving to survive him, the following heirs at law, viz: Sallie E. Beecher, widow, Mildred D. Holden, daughter, Margaret B. Smith, daughter, Edwin M. Beecher, son, I. Wendell Beecher, son, Virbrook N. Beecher, son, and Louise B. Wright, daughter, all of whom are of full age.

4. That the said Mildred D. Holden is married to Merritt L. Holden and they reside at Easton, Maryland; that the said Margaret B. Smith is married to Spencer T. Smith and they reside at Queenstown, Maryland; that the said Edwin M. Beecher is married to Elsie R. Beecher and they reside at Princeton, New Jersey; that the said I. Wendell Beecher is married to Mary Beecher and they reside at Princeton Junction, New Jersey; that the said Virbrook N. Beecher is married to Frances Beecher and they reside at Queenstown, Maryland; that the said Sallie E. Beecher resides at Queenstown, Maryland; that Louise B. Wright, your oratrix is married to Morris E. Wright, your Orator, and they reside at Queenstown, Maryland. That all parties are of full age.

5. That the said real estate which the intestate owned as a tenant in common with his widow, Sallie E. Beecher and his daughter Louise B. Wright, your Oratrix, is of such nature that it will not admit of being divided among the parties entitled thereto, as aforesaid without loss or injury to said parties, and that in order to make division of said interests, it will be necessary that said real estate be sold, and the proceeds thereof divided amongst the parties according to their several interests.

TO THE END, THEREFORE:

- (1) That a decree may be passed for the sale of the said real estate.
- (2) That a Trustee or Trustees may be appointed to carry out said sale.
- (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 Order of Publication directed to all of the Defendants in this cause who are non-residents of the State of Maryland, giving them notice to be and appear in this Court either in person or by solicitor, on or before a day certain 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.

CLAYTON C. CARTER
Solicitor for Complaint

JAMES E. THOMPSON JR.
Solicitor for Complaint

Filed Jan. 20, 1954

Complainant's Exhibit "A"
Filed Jan. 20, 1954

::::::::::::::::::::P::::::::::::

#17,326A QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Thirty-first day of October, in the year nineteen hundred and thirty five, the following Deed was brought to be recorded, to wit:

One-One Dollar and One-Fifty Cent
Int. Rev. Stamps. Endorsed J.W.B.
10/31/35.

THIS DEED, made this 31st day of October, in the year nineteen hundred and thirty-five, by John T. Bishop and Jessie E. Bishop, his wife, of Queen Anne's County, State of Maryland, parties of the first part; and J. W. Beecher, Sallie E. Beecher and Mary Louise Beecher, of Queen Anne's County, State of Maryland, parties of the second part:

WITNESSETH, that in consideration of the sum of ten Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged, the said John T. Bishop and Jessie E. Bishop, his wife, do hereby grant and convey unto J. W. Beecher, Sallie E. Beecher and Mary Louise Beecher, their heirs and assigns, forever and in fee simple, as tenants in common, the following described real estate, to wit:

ALL that lot, tract, part of a tract or parcel of land, improved by a frame dwelling house and outbuildings, situate, lying and being in the Town of Queenstown, in the Fifth Election District of Queen Anne's County, State of Maryland, bounded on the one side by the public road leading from Queenstown to Wye Mills, on another side by the road or street leading from the aforesaid road to what was formerly known as "The Hotel Property" now the property of Dr. Samuel J. Price, and on another side by the land of the Commissioners of Queenstown, and on the remaining side by the land of Henrietta E. Perry, with the exception, however, of the lot of land fronting 24 feet on said road from Queenstown to Wye Mills, conveyed by one Noah Moore and wife, to the Commissioners of Queenstown by deed dated April 13th, 1930, and recorded in Liber B.H.T. # 13, folio, 7.

BEING the same land granted and conveyed and described in the deed to John T. Bishop and Jessie E. Bishop, his wife, from Noah Moore and Carrie Moore, his wife, said deed bearing date September 16th, 1931, and recorded in Liber B.H.T. #13, folio 399, a land record book for Queen Anne's County aforesaid.

TOGETHER with the buildings and improvements thereon erected and being, and all and singular the rights, roads, ways, waters, privileges and advantages thereto belonging or in anywise appertaining.

AND the said John T. Bishop and Jessie E. Bishop do hereby covenant that they will warrant specially the above described land and that they will execute such further assurances to said land as may be requisite or necessary.

WITNESS the hands and seals of the Grantors.

TEST:-

JOHN T. BISHOP (SEAL)

W. I. TUTTLE

JESSIE E. BISHOP (SEAL)

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

I HEREBY CERTIFY, that on this 31st day of October, in the year nineteen hundred and thirty-five, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, duly commissioned and qualified, personally appeared John T. Bishop and Jessie E. Bishop, his wife, the Grantors

above named, and did each acknowledge the foregoing DEED to be their respective act.

Witness my hand and Notarial Seal.

Notary
Public
Seal.

WASHINGTON IRVING TUTTLE
Notary Public.
My Commission expires: May 1, 1937

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

This is to certify that the foregoing is truly taken and copied from Liber W.H.C. No. 2A, folios 106 & 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 20th day of January, in the year nineteen hundred and fifty four.

T. SORDEN PIPPIN
Clerk.

Filed Jan. 20, 1954

Order of Publication
Filed Jan. 20, 1954

ORDER OF PUBLICATION

| | | |
|---------------------------------|---|---------------------|
| LOUISE B. WRIGHT and | Ø | |
| MORRIS E. WRIGHT, Her Husband, | Ø | |
| Queenstown, Maryland | Ø | IN THE |
| | Ø | CIRCUIT COURT |
| Complainants | Ø | |
| VS | Ø | FOR |
| | Ø | QUEEN ANNE'S COUNTY |
| MILDRED D. HOLDEN and | Ø | |
| MERRITT L. HOLDEN, Her Husband, | Ø | |
| Easton, Maryland; | Ø | IN |
| MARGARET B. SMITH and | Ø | |
| SPENCER T. SMITH, Her Husband, | Ø | |
| Queenstown, Maryland; | Ø | EQUITY |
| EDWIN M. BEECHER and | Ø | |
| ELSIE R. BEECHER, His Wife, | Ø | |
| Princeton, New Jersey; | Ø | |
| T. WENDELL BEECHER and | Ø | |
| MARY BEECHER, His Wife, | Ø | Cause No. 3899 |
| Princeton Junction, New Jersey; | Ø | |
| VIRBROOK N. BEECHER and | Ø | |
| FRANCES BEECHER, His Wife, | Ø | |
| Queenstown, Maryland; and | Ø | |
| SALLIE E. BEECHER, | Ø | |
| Queenstown, Maryland. | Ø | |
| Defendants | Ø | |

* * * * *

The object of this proceeding is to obtain a partition of the property described as follows:

All that lot, tract, part of a tract or parcel of land, improved by a frame dwelling house and outbuildings, situate, lying and being in the Town of Queenstown, in the Fifth Election District of Queen Anne's County, State of Maryland; bounded on one side by the public road leading from Queenstown to Wye Mills, on another side by the road or street leading from the aforesaid road to what was formerly known as the "Hotel Property" now the property of Dr. Samuel J. Price, and on another side by the land of the Commissioners of Queenstown, and on the remaining side by the land of Henrietta E. Perry with the exception, however of the lot of land fronting 24 feet on side road from Queenstown to Wye Mills, conveyed by one Noah Moore and wife to Commissioners of Queenstown by deed dated April 13, 1930 and recorded in the Land Records of Queen Anne's County in Liber B.H.T. No. 13, folio 7. Being the same land granted and conveyed and described in the deed to John T. Bishop and Jessie E. Bishop, his wife, from Noah Moore and Carrie Moore, his wife, said deed bearing date September 16, 1931 and being recorded among the Land Records of Queen Anne's County in Liber B.H.T. No. 13, folio 399.

The Bill states that James Wrightson Beecher, late of Queen Anne's County, died intestate on November 29, 1953, leaving a small personal estate, which personal estate is not sufficient to discharge all just debts. That James Wrightson Beecher died seized and possessed of an undivided 1/3 interest in the above described real estate which was conveyed unto him, his widow, Sallie E. Beecher, and his daughter, Louise B. Wright, as Tenants in Common, by deed dated October 31, 1935, and recorded among the Land Records of Queen Anne's County in Liber W.H.C. No. 2A, folio 106.

That said James Wrightson Beecher, being so seized and possessed, died intestate leaving to survive him, the following heirs at law, viz: Sallie E. Beecher, widow, residing at Queenstown, Maryland; Mildred D. Holden, daughter, who is married to Merritt L. Holden, residing at Easton, Maryland; Margaret B. Smith daughter, who is married to Spencer T. Smith, residing at Queenstown, Maryland; Edwin M. Beecher, son, who is married to Elsie R. Beecher, residing at Princeton, New Jersey; I. Wendell Beecher, son, who is married to Mary Beecher, residing at Princeton Junction, New Jersey; Virbrook N. Beecher, son, who is married to Frances Beecher, residing at Queenstown, Maryland; and Louise B. Wright, daughter, who is married to Morris E. Wright, residing at Queenstown, Maryland.

That the said real estate which the intestate owned as a tenant in common with his widow, Sallie E. Beecher and his daughter, Louise B. Wright, is of such nature that it will not admit of being divided among the parties entitled thereto, as aforesaid without loss or injury to said parties, and that in order to make division of said interests, it will be necessary that said real estate be sold, and the proceeds thereof divided amongst the parties according to their several interests.

The Bill prays that a decree may be passed for the same of the said real estate.

That a Trustee or Trustees may be appointed to carry out said sale.

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

It is thereupon ordered by the Circuit Court of Queen Anne's County this 20th day of January 1954 that the Complainants by causing a copy of this order to be inserted in some newspaper published in Queen Anne's County, State of Maryland, once a week for four successive weeks before the 20th day of February 1954 give notice to the said Defendants, Edwin M. Beecher and Elsie R. Beecher, His Wife; and I. Wendell Beecher and Mary Beecher, His Wife, non-residents of the State of Maryland, of the object and substance of this Bill of Complaint, warning them to be and appear in this Court in person or by solicitor on or before the 8th day of March 1954, to show cause, if any they may have, why a decree should not be passed as prayed.

T. SORDEN PIPPIN, Clerk

Filed Jan. 20, 1954

Subpoena
Filed Jan. 20, 1954

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO Virbrook N. and Frances Beecher
Queenstown, 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 Louise B. Wright, and Morris E. Wright, her husband, Queenstown, 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 4th day of January, 1954.

Issued the 20th day of January, 1954

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(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)

Clayton C. Carter

Name James E. Thompson, Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the aforesaid is the following endorsement, to wit:

Virbrook N. Beecher summoned this 26th day of January, 1954, by reading and delivering a copy of the subpoena to him, and leaving a copy of the Bill of Complaint with him.

Frances Beecher summoned this 29th day of January, 1954 by reading and delivering a copy of the subpoena to her, and leaving a copy of the Bill of Complaint with her; a copy of the subpoena and the Bill of Complaint was left with Virbrook N. Beecher, her husband, the person having the care of Frances Beecher, who is alleged to be non compos mentis.

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO Mildred D. and Merritt L. Holden
Easton, 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 you answer or other defense to be filed to the complaint of Louise B. Wright and Morris E. Wright, her husband, Queenstown, 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 4th day of January, 1954.

Issued the 20th day of January, 1954.

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(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 Complaint(s)

Name Clayton C. Carter
James E. Thompson, Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing ^{is the following} endorsement, to wit:

I hereby certify that on the 27th day of Jan. 1954 I read the within writ to Mildred D. and Merritt L. Holden, defendants therein named and copy of Process and Bill left with each.

A. RAYMOND CARROLL
Sheriff of Talbot County.

(EQUITY SUBPOENA)

Seal's Place

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO Margaret B. And Spencer T. Smith
Queenstown, 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 Louise B. Wright and Morris E. Wright, her husband, Queenstown, 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 4th day of January, 1954.

Issued the 20th day of January, 1954.

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(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 Clayton C. Carter
James E. Thompson, Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Spencer T. Smith summoned this 27th day of January, 1954, by reading the subpoena and delivering a copy of the same to him; a copy of the Bill of Complaint was also left with him.

Margaret B. Smith summoned this 30th day of January, 1954, by reading the subpoena and delivering a copy of the same to her; a copy of the bill of Complaint was also left with her.

FRANK Y. WHITELEY
Sheriff

Subpoena
Filed Feb. 1, 1954

(EQUITY SUBPOENA)

Seal's Place

The STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO Sallie E. Beecher
Queenstown, 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 Louise B. Wright and Morris E. Wright, her husband, Queenstown, 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 4th day of January, 1954.

Issued the 20th day of January, 1954.

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(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)
Clayton C. Carter
Name James E. Thompson, Jr.
Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Sallie E. Beecher summoned this 30th day of January, 1954, by reading the subpoena and delivering a copy of the same to her; a copy of the Bill of Complaint was also left with her.

FRANK Y. WHITELEY
Sheriff

ANSWER
Filed Feb. 13, 1954

LOUISE B. WRIGHT, ET AL.,

COMPLAINANTS

VS.

MILDRED D. HOLDEN, ET AL.,
DEFENDANTS.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. _____ 3899

A N S W E R

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The joint and several Answer of Mildred D. Holden and Merritt L. Holden, her husband, Margaret B. Smith and Spencer T. Smith, her husband, I. Wendell Beecher and Mary Beecher, his wife, Virbrook N. Beecher, and Sallie E. Beecher, all adults, to the Bill of Complaint of the complainants above named, against them in this Court exhibited:

These Defendants, all adults, admit the matters and facts set forth in said Bill of Complaint and do each consent to the passage of such decree or order as may be passed in the premises that may be right and proper, and that the decree of sale shall provide for their representation by having their Solicitor

made co-trustee.

And as in duty bound, etc.,

JOHN PALMER SMITH
John Palmer Smith,
Centreville, Maryland.
Solicitor for Respondents.

Copy of the above Answer left at the office of James E. Thompson, Jr., and Clayton C. Carter, Solicitors for Complainants, this 13th day of February, 1954.

JOHN PALMER SMITH
John Palmer Smith.

ANSWER
Filed Feb. 23, 1954

LOUISE B. WRIGHT, ET AL.,
COMPLAINANTS,
VS.
MILDRED D. HOLDEN, ET AL.,
DEFENDANTS.

IN THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY,
IN EQUITY,
CHANCERY NO. 3899.

ANSWER.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The joint and several Answer of Edwin M. Beecher and Elsie R. Beecher, his wife, both adults, to the Bill of Complaint of the complainants above named against them in this Court exhibited:

These Defendants, both adults, admit the matters and facts set forth in said Bill of Complaint and do each consent to the passage of such decree or order as may be passed in the premises that may be right and proper, and that the decree of sale shall provide for their representation by having their Solicitor made co-trustee.

And as in duty bound, etc.,

JOHN PALMER SMITH
John Palmer Smith,
Centreville, Maryland.
Solicitor for Respondents.

Copy of the above Answer mailed to the office of James E. Thompson, Jr., and Clayton C. Carter, Solicitors for Complainants, this 20th day of February, 1954.

JOHN PALMER SMITH
John Palmer Smith.

Filed Feb. 23, 1954

PETITION AND ORDER
Filed Feb. 24, 1954

LOUISE B. WRIGHT, ET AL,
Complainants
VS
MILDRED D. HOLDEN, ET AL,

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

CHANCERY NO. 3899

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Louise B. Wright, et al, Plaintiffs, unto your Honors, respectfully sets forth:

1. That Frances Beecher, one of the Defendants in said cause, has been duly returned summoned, but it has been learned by the Complainants to this cause that the said Frances Beecher is so far deprived of her reason and understanding that she is unfit and unable to govern herself or manage her affairs, and therefor unable and unfit to answer and defend this suit in her own behalf.

2. That no Committee or Trustee has been appointed for said Defendant by any Court of Competent Jurisdiction, who can answer in her behalf in this cause, so far as is known by your petitioners.

3. That the writ of subpoena heretofore issued as requested by the Bill of Complaint in this cause against the said Defendant has been duly served according to law upon the said incompetent as will appear from the return of the Sheriff of Queen Anne's County endorsed on the writ and filed in this cause.

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 Frances Beecher, with instructions to the said Guardian Ad Litem to answer and defend the said suit for said incompetent.

CLAYTON C. CARTER
Solicitor for Petitioner

JAMES E. THOMPSON JR.
Solicitor for Petitioner

Filed Feb. 24, 1954

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 24th day of February, 1954, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Richard T. Earle, of Queen Anne's County, State of Maryland, be and she or he is hereby appointed Guardian Ad Litem of Frances Beecher, incompetent, with instructions to her or him 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 Feb. 24, 1954

ANSWER

Filed March 11, 1954

LOUISE B. WRIGHT et al.,

VS.

MILDRED D. HOLDEN et al.

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

Cause No. 3899.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Frances Beecher by Richard T. Earle, her guardian ad litem, appointed under an Order of this Honorable Court, for Answer to the Bill of Complaint filed herein against her and others, says:

That the defendant, Frances Beecher, being incompetent, neither admits nor denies the matters and facts set forth in said Bill of Complaint, but submits her rights to the protection of this Honorable Court.

Respectfully submitted,

RICHARD T. EARLE
Guardian ad Litem for Frances Beecher.

Filed March 11, 1954

PETITION AND ORDER

LOUISE B. WRIGHT, ET AL.,

Complainants

VS

MILDRED D. HOLDEN, ET AL.,

Defendants

¶

¶

¶

¶

¶

¶

IN THE

CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

No. 3899

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Louise B. Wright and Morris E. Wright, her husband, by Clayton C. Carter and James E. Thompson Jr., their solicitors, respectfully represent that they desire to take testimony in the above-entitled cause orally in open Court before the Judge thereof, and pray that this Honorable Court pass an order setting the same down for a day to be determined by your Honors.

Respectfully submitted:

CLAYTON C. CARTER
Clayton C. Carter

JAMES E. THOMPSON JR.
James E. Thompson Jr.
Solicitors for Complainants

Filed March 24, 1954

ORDER OF COURT

ORDERED, this 24th day of March, 1954, by the Circuit Court for Queen Anne's County, in Equity, that testimony shall be taken orally in open Court before this Court on the 31st day of March, 1954, at 1:30 o'clock P.M. E.S.T., in the above-entitled cause.

J. DeWEESE CARTER
Judge

Filed March 24, 1954.

We HEREBY CERTIFY, that we served a copy of the within Petition upon John Palmer Smith, Attorney for Defendants, on this 24th day of March, 1954, by leaving the same at his law office in Centreville, Maryland.

CLAYTON C. CARTER
Clayton C. Carter

JAMES E. THOMPSON JR.
James E. Thompson Jr.
Solicitors for Complaints

Stenographic Transcript
in the case of

| | | |
|--------------------------|---|----------------------|
| LOUISE B. WRIGHT ET AL. | : | IN THE CIRCUIT COURT |
| | : | |
| v. | : | FOR |
| | : | |
| MILDRED D. HOLDEN ET AL. | : | QUEEN ANNE'S COUNTY |
| | : | |
| | | IN EQUITY |
| | | No. 3899. |

Before the Honorable J. DeWeese Carter,
Associate Judge.

A p p e a r a n c e s:

For the Complainant:

Clayton C. Carter, Esq.

J. Elmer Thompson, Esq.

For the Plaintiffs:

John Palmer Smith, Esq.

The above entitled cause having come on for hearing in the Circuit Court for Queen Anne's County, in Equity, at Centreville, Maryland, on Wednesday, March 31, 1954, at one-thirty o'clock P.M., before the Honorable J. DeWeese Carter, Associate Judge of said Court, and Counsel for the respective parties being present, as is hereinabove noted, a record of the proceedings and testimony in said cause, as taken and transcribed by Cleo C. Green, Stenographer, is as follows:

MRS. LOUISE B. WRIGHT, Complainant in this cause, produced as a witness in her own behalf, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Carter.

- Q. State your name, age and address.
- A. Louise Beecher Wright, 39, Queenstown, Maryland.
- Q. Are you married?
- A. Yes.
- Q. To whom?
- A. Morris E. Wright.
- Q. Now, I hand you this and ask you to identify what this instrument is.
- A. This is a deed to the property that is in Queenstown, Maryland.
- Q. Where is this property located in Queenstown, of which you speak?
- A. You mean the street.
- Q. Yes.
- A. It is along the main street in Queenstown, right in the center of the town.

(Mr. Carter, to the Court: "Your Honor, I think the deed will speak for itself".

Deed admitted as evidence, marked Complainant's Exhibit No. 1)

Q. Now, who is Mary Louise Beecher, mentioned in this deed which we have just admitted in evidence?

A. That is me, your Honor.

Q. And who is Sally Beecher, mentioned in the deed?

A. My mother.

Q. And who is J. W. Beecher, mentioned in the deed?

A. That is my father.

Q. Is your father living?

A. No.

Q. When did he die?

A. November 29, 1953.

Q. Did he leave any will when he died?

A. No.

Q. Do you know whether or not your father left any amount of personal property when he died?

A. He left his one-third interest in this property.

Q. Did he leave any personal property when he died?

A. He left his household furniture, his car, and some tools.

Q. Do you think these things that you have mentioned have any great value?

A. No, not too much of any value.

Q. In your opinion would they be sufficient, if sold, to pay for his burial expenses or any debts that he owed at the time of his death?

A. They would help pay some of his expenses, but not too much.

Q. Do you know how much his funeral expenses came to, Mrs. Wright?

A. No, I don't.

Q. Do you know approximately what they came to?

A. About \$700.00.

Q. Mrs. Wright, do you know how much was paid for the property at the time it was brought in 1935?

A. \$1400.00.

Q. Mrs. Wright, when your father died, did he leave any heirs?

A. Yes.

Q. Can you name those heirs?

A. I, myself; my mother, Sally E. Beecher; Mildred Holden; Margaret Smith; Virbrook Beecher; Edwin Beecher; Wendell Beecher.

Q. What relationship are all these people to the Sally Beecher that you mentioned?

A. My brothers and sisters.

Q. Were there any deceased children at the time of his death?

A. You mean were any of the children dead?

Q. Did any children die before he did?

A. Three children died as infants.

Q. Did these three that died every marry and have any children?

A. No, they were infants when they died.

Q. Now, Mrs. Wright, do you believe it is possible to divide this property that is in Queenstown, of which we are speaking, among your brothers and sisters and your mother?

- A. No, it can't be divided unless sold. It would have to be sold to be divided.
- Q. Well, why do you say that it couldn't be divided, in seven parts?
- A. Well, you just couldn't cut the land up like that and cut it into seven parts.
- Q. Does it have any improvements on it?
- A. Yes, it does.
- Q. What type?
- A. It has a house on it, and then has a garage and several outbuildings.
- Q. Is it just a small lot with the house?
- A. It is quite a large lot there, and the outbuildings and all that.
- Q. Mrs. Wright, at the time that the property was brought, did you put up any of the money that when into it?
- A. Yes, I did.
- Q. What part did you put up?
- A. Well, Pop didn't have enough money to pay for it, so I put up \$300.00.
- Q. Would you name the husbands and wives of your brothers and sisters for us?
- A. Do I have to name my brothers and their wives?
- Q. Yes, that is right. And then your sisters and their husbands.
- A. Virbrook Beecher, his wife Frances; Edwin Beecher, Elsie Beecher; Wendell Beecher, Mary Beecher; Margaret Smith, Spencer Smith; Mildred Holden, Merritt Holden.
- Q. In your opinion, what is the fair market value of the property in question, today?
- A. Approximately about \$4,000.00.
- Mr. Carter: That's all.
- No questions by Mr. Smith.

MR. JOHN E. KINNAMON, produced as a witness in behalf of the Complainant, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Carter.

- Q. State your name, age and address.
- A. John E. Kinnamon, age 71, Queenstown, Maryland, Queen Anne's County.
- Q. Are you familiar with the property in which the late Wrightson Beecher lived in Queenstown?
- A. Yes, I am.
- Q. Have you examined it recently?
- A. Yes, I have.
- Q. In your opinion, what would be the fair market value of that property today?
- A. Around \$4,000.00.

(Mr. Kinnamon's qualifications as an appraiser are admitted by the counsel for the parties.)

- Q. Mr. Kinnamon, knowing who the heirs are and the owners are, do you think it is possible to divide this property among them without loss or injury to them, without a sale?
- A. I don't think it can be done.
- Q. And why do you say that, sir?
- A. Well, the amount of heirs and the size of the property, I can't see how anybody could get any fair division there without there being a sale.

Mr. Carter: That is all.

No questions by Mr. Smith.

MRS. SALLY BEECHER, produced as a witness in behalf of the Complainant, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Carter.

Q. What is your name?

A. Sally Beecher.

Q. Mrs. Beecher, do you own any interest in the property where your husband lived when he died?

A. Certainly. We both worked hard. I worked as hard as he did.

Q. Do you know how much interest you own in the property?

Q. Have you sold any interest in the property, or deeded it away since his death?

A. No, my daughter got the deed in 1935.

Q. Did you sign a deed to this property in Queenstown after your husband died?

A. Yes, I signed it down to, not Trappe, what is that other place?

Q. Is this the deed?

A. What was the name, Mildred? Oh, Newcomb.

Q. Is this the paper you signed? Look at it.

A. I am not sure.

Q. Is that your signature?

A. Certainly. I can swear to my or my husband's writing.

Q. Did you know what you were signing when you signed this?

A. Well, they told me to sign it. Did I do wrong?

Q. Do you claim you still own an interest in the property of your late husband?

A. Certainly, I worked just as hard as he did.

Q. What was your purpose in signing this deed to your son, Virbrook?

A. I don't know. Virbrook come up and saw about this paper what I signed.

By The Court:

Q. Mrs. Beecher, who asked you to sign that deed?

A. Why, Virbrook and all of my children. I have six, three daughters and three sons, two of them live in New Jersey.

Q. What reason did they give you for requesting you to sign this deed?

A. Because I had to sign it. Did I do wrong?

Q. For what reason did you have to sign it? Why did they ask you to sign the deed? For what purpose?

A. Well, they said I had to.

Q. Did you have any understanding that Virbrook was buying the property, was going to take the property at a certain price?

A. Well, someone had to go ahead and do it. Mildred wouldn't. Someone had to go ahead. I couldn't.

Q. Do you know who the deed is to? Who is this deed to?

A. It is to Louise. She got the deed in 1935.

Q. This deed. Who is this deed to?

A. I thought it was to me. Louise got the deed from under my bed in 1935.

Q. You thought it was to you?

A. Certainly.

The Court: Thank you very much.

MR. VIRBROOK BEECHER, produced as a witness in behalf of the Complainant, upon being duly sworn, was examined, and testified as follows:

Direct Examination. By Mr. Carter.

Q. State your named, age and address first.

A. Virbrook N. Beecher, 44, Queenstown, Maryland.

Q. Mr. Beecher, do you claim any interest in the property where your father resided in Queenstown, other than what you got by the fact that you were one of his children?

A. No, sir.

By The Court.

Q. Mr. Beecher, there has been some mention by your mother, who has examined a deed signed by her, conveying her interest in the property to you, dated January 25, 1954, notarized by Catherine H. Phiper, Notary Public of Talbot County, Maryland. Do you know anything about that deed?

A. Yes, sir.

Q. What were the purposes of it and the circumstances under which it was signed?

A. One reason was to try to get the place sold so we could have some money available to pay my mother's doctors' bills and other expenses.

Q. Was the idea that you were to buy it at private sale?

A. Yes, sir.

Q. At what price?

A. At the appraisal price.

Q. And what was that?

A. \$1300.00 a share, three shares, or a total price of \$3900.00.

Q. Did the other owners--other five children--agree to that?

A. Yes, sir, for once. And then things changed.

Q. Was it your understanding that they would agree to that at the time this deed was signed by your mother?

A. Well, I hadn't talked to them for a matter of a few weeks, but I had some of them come to me and wanted me to hurry up and dispose of the place.

Q. Did they, after your mother signed it, agree with that, or disagree?

A. Well, it was some confusion more or less at the time, because in the meantime this other affair came up.

Q. This suit, you mean?

A. Yes, sir.

Q. Well, in view of this suit, do you consider the deed effective at present to transfer your mother's interest to you?

A. I do not, no.

Q. Why?

A. Because one of the parties refused to sign.

Q. Who was that?

A. Louise Wright, my sister.

Q. And was your mother's signature gotten with the understanding that it would be effective only if all the rest signed?

A. Absolutely.

Q. And is the reason you don't consider it effective or binding, because Mrs. Wright refused to sign, because the rest would not agree to it?

A. Well, it wasn't any rest to it, as I see it. Louise was the one that wouldn't consent.

Q. And is that the reason you say the deed is therefore not effective as far as you are concerned?

A. That is right, because it isn't any good if it isn't a complete deed.

No further witnesses. Court was adjourned.

The above testimony was taken and transcribed by me, as hereinabove stated, and is accurate to the best of my knowledge.

CLEO C. GREEN
Cleo C. Green
Stenographer

FOR: Taking and transcribing testimony.....\$15.00

Filed April 1, 1954

LOUISE B. WRIGHT, ET AL,
Complainants

VS.

MILDRED D. HOLDEN, ET AL,
Defendants

||
||
||
||
||
||

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

CHANCERY NO. 3899

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT

The Petition of Louise B. Wright, et al, Plaintiffs, unto your Honors, respectfully sets forth:

1. That Sallie E. Beecher, one of the Defendants in said cause, has been summoned, but it was apparent at the time testimony was taken in this matter in open court on March 31, 1954 before the Honorable Judge J. DeWeese Carter that the said Sallie E. Beecher is so far deprived of her reason and understanding that she is unfit and unable to govern herself or manage her affairs, and therefore unable and unfit to answer and defend this suit in her own behalf.

WHEREFORE YOUR PETITIONER PRAYS this Honorable Court to pass an order that the writ of subpoena heretofore issued and served on the said Sallie E. Beecher be reissued, the same to be duly served upon the said Sallie E. Beecher according to the law governing the serving of subpoenas on incompetents.

CLAYTON C. CARTER
Solicitor for Petitioner

JAMES E. THOMPSON JR.
Solicitor for Petitioner

Filed April 1, 1954

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 3th day of April 1954, by the Circuit Court for Queen Anne's County, In Equity, and by the authority of said Court that the writ of Subpoena heretofore issued and served on the said Sallie E. Beecher in this matter be reissued, the same to be duly served upon the said Sallie E. Beecher according to the law governing the serving of subpoenas on incompetents.

J. DeWEESE CARTER
Judge

Filed April 7, 1954

I HEREBY CERTIFY, that I served a copy of the within Petition upon John Palmer Smith, Attorney for Defendants, on this 1st day of April, 1954, by leaving the same at his law office in Centreville, Maryland

JAMES E. THOMPSON JR.
Solicitor for Petitioner

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Sallie E. Beecher
% Mrs. Merritt Holden
Miles River Road
Easton, 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 Louise B. Wright and Morris E. Wright, her husband, Queenstown, 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 1st. day of March, 1954.

Issued the 9th. day of April, 1954.

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 Clayton C. Carter
James E. Thompson, Jr.

Address Centreville, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Sallie E. Beecher and Mrs. Merritt Holden this 12th day of April, 1954 and copy of writ and bill left with each.

A. RAYMOND CARROLL
Sheriff of Talbot County.

| | | |
|---------------------------|---|--------------------------|
| LOUISE B. WRIGHT, ET AL, | ¶ | IN THE CIRCUIT COURT |
| Complainants | ¶ | FOR |
| VS | ¶ | QUEEN ANNE'S COUNTY |
| MILDRED D. HOLDEN, ET AL, | ¶ | IN EQUITY |
| Defendants | ¶ | Chancery No. <u>3899</u> |

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT

The petition of Louise B. Wright, et al, Plaintiffs, unto your Honors, respectfully sets forth:

1. That Sallie E. Beecher, one of the Defendants in said cause, has been duly returned summoned, but it was apparent at the time testimony was taken in this matter in open court on March 31, 1954 before the Honorable Judge J. DeWeese Carter that the said Sallie E. Beecher is so far deprived of her reason and understanding that she is unfit and unable to govern herself or manage her affairs, and therefore unable and unfit to answer and defend this suit in her own behalf.

2. That no Committee or Trustee has been appointed for said Defendant by any Court of Competent Jurisdiction, who can answer in her behalf in this cause, so far as is known by your petitioners.

3. That the writ of subpoena heretofore issued as requested by the Bill of Complaint in this cause against the said Defendant has been duly served according to law upon the said incompetent as will appear from the return of the Sheriff of Talbot County endorsed on the writ and filed in this cause.

WHEREFORE YOUR PETITIONERS PRAY this Honorable Court to pass an order appointing some suitable person within the jurisdiction of this Court as Guardian Ad Litem for the said Sallie E. Beecher, with instructions to the said Guardian Ad Litem to answer and defend the said suit for said incompetent.

CLAYTON C. CARTER
Solicitor for Petitioners

JAMES E. THOMPSON JR.
Solicitor for Petitioners

Filed April 26, 1954

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 4th day of May, 1954, by the Circuit Court for Queen Anne's County, In Equity, and by the authority of said Court, that Howard Wood, III Esq of Queen Anne's County, State of Maryland, be and she or he is hereby appointed Guardian Ad Litem of Sallie E. Beecher, incompetent, with instructions to her or him to answer and defend the suit instituted against the said incompetent by the Bill of Complaint filed in the above entitled cause.

J. DeWEESE CARTER
Judge

Filed May 6, 1954

I HEREBY CERTIFY, that I served a copy of the within Petition upon John Palmer Smith, Attorney for Defendants, on this 26th day of April, 1954 by leaving the same at his law office in Centreville, Maryland.

JAMES E. THOMPSON JR.
Solicitor for Petitioners

Answer
Filed May 26, 1954

Louise B. Wright and
Morris E. Wright, her husband

Vs.

Mildred D. Holden, et al.

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

Cause No. 3899

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Sallie E. Beecher, by Howard Wood, 3rd, her Guardian ad Litem, appointed by order of this Honorable Court, to the Bill of Complaint filed in this cause, says:

That the Defendant, Sallie E. Beecher, being incompetent, neither admits nor denies the matters and facts set forth in said Bill of Complaint; but submits her rights to the protection of this Honorable Court.

And as in duty bound, etc.,

HOWARD WOOD, 3rd
Guardian ad Litem

State of Maryland)
) To Wit:
Queen Anne's County)

I Hereby Certify, that on this 26 day of May, 1954, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Howard Wood, 3rd, Guardian ad Litem for Sallie E. Beecher, Defendant, and made oath in due form of law that the matters and facts set forth in the foregoing Answer are true as therein stated, to the best of his knowledge and belief.

T. SORDEN PIPPIN
Clerk

I Hereby Certify that I left a copy of the above Answer at the office of Clayton C. Carter, Esq., Centreville, Maryland, one of the solicitors for the Complainants, this 26th day of May, 1954:

HOWARD WOOD, 3rd.

Filed May 26, 1954

Supplemental Answer
of Guardian ad Litem
Filed June 10, 1954

LOUISE B. WRIGHT and
MORRIS E. WRIGHT, her husband,
Plaintiffs,

Vs.

MILDRED D. HOLDEN, et al.,
Defendants.

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

Cause No. 3899

SUPPLEMENTAL ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Supplemental Answer of Sallie E. Beecher, by Howard Wood, 3rd, her Guardian ad Litem, to the Bill of Complaint filed in this Cause, says:

That said Guardian ad Litem desires to make known to this Honorable Court that he raises no objection to the admission of the testimony heretofore taken in open court in this cause; but as stated in the original Answer of this Defendant, submits her rights to the protection of this Honorable Court, neither admitting nor denying the matters and facts set forth in said Bill of Complaint.

And as in duty bound, etc.,

HOWARD WOOD 3rd

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

I HEREBY CERTIFY, that on this 10 day of June, 1954, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Howard Wood, 3rd, Guardian ad Litem for Sallie E. Beecher, Defendant, and made oath in due form of law that the matters and facts set forth in the foregoing SUPPLEMENTAL ANSWER are true as therein stated, to the best of his knowledge and belief.

T. SORDEN PIPPIN
Clerk

I Hereby Certify that I left a copy of the above Supplemental Answer at the office of Clayton C. Carter, Esq., Centreville, Maryland, one of the Solicitors for the Plaintiffs, this 10th day of June, 1954:

HOWARD WOOD, 3rd

Filed June 10, 1954

DECREE
Filed June 11, 1954

Louise B. Wright and
Morris E. Wright, her husband,

Vs

Mildred D. Holden, et. al.,

¶ IN THE CIRCUIT COURT FOR
¶ QUEEN ANNE'S COUNTY
¶ IN EQUITY
¶ No. 3899

* * * * *

THIS CAUSE BEING ready for hearing, and being submitted for final Decree, the Bill of Complaint, Exhibits, Testimony and all other proceedings having been read and duly considered, IT IS THEREUPON, this 11th day of June, 1954, by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED AND DECREED, That the real estate described in the above entitled proceedings be sold for the purpose of partition.

AND THAT John Palmer Smith and James E. Thompson Jr. of Centreville, Queen Anne's County, Maryland, be and they are hereby appointed Trustees to make sale thereof; And that the course and manner of their proceeding shall be as follows: They shall, before they proceed to make such sale, first file with the Clerk of the Circuit Court for Queen Anne's County, a bond to the State of Maryland, executed by them and a surety or sureties in the penalty of Four Thousand Dollars (\$4,000.00) corporate surety and in double that amount if personal sureties, conditioned for the faithful performance of the trust reposed in them by this decree or which may be reposed in them by any future order or decree passed in the premises, which said Bond shall be approved by one of the Judges of the said Circuit Court, or by the Clerk of the Circuit Court for Queen Anne's County. The said trustees shall then proceed to make said sale, having given at least three weeks' previous notice by advertisement inserted in some newspaper or newspapers printed and published in Queen Anne's County, and such other manner as they shall think proper, of the time, place, manner and terms of sale, which terms shall be as follows: One-third of the purchase money to be paid in cash on the day of sale, with the balance of said purchase money payable on the day of sale, with the balance of said purchase money payable on the day of final ratification of said sale, or all cash on day of sale at the option of the purchaser; the credit payments to bear interest from the day of sale, and to be secured by the notes or bonds of of the purchaser, with surety to be approved by the said Trustees. That as soon as convenient after such sale, the said Trustees shall return to this Court a full and particular account of their proceedings in the premises, with an affidavit thereto annexed of the truth thereof, and of the fairness of such sale. And on the final ratification thereof, and the full payment of the whole purchase money (and not before) the said Trustees are hereby authorized, by a good and sufficient deed, acknowledged and recorded according to law, to convey to the purchaser, his her or their heirs, the property and estate, to him, her or them sold, free, clear and discharged from all claims of the parties to this cause.

And the said Trustees shall bring into Court the moneys arising from the sale of the said lands and premises, to be distributed under the direction of this Court, after deducting the costs of suit and such commissions to the said 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.

That at the time of the advertisement of said sale, the Trustees are hereby directed to give notice to the creditors of James Wrightson Beecher, deceased, said deceased person being mentioned in the proceedings in this Cause, to file their claims against said deceased persons with the proper vouchers thereof within 90 days from the 18th day of June, 1954.

Wm. R. HORNEY
Judge

Filed June 11, 1954

Bond
Filed June 22, 1954

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-second, day of June in the year nineteen hundred and fifty four, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, John Palmer Smith and James E. Thompson Jr., of Centreville, Maryland, Queen Anne's County, as Principals, and the Glens Falls Insurance Company, a body corporate of the State of New York and duly authorized to transact business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Four Thousand Dollars (\$4,000.00), current money, to be paid to the said State of Maryland, or its 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 14th day of June, 1954.

WHEREAS, by decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 11th day of June, 1954, in Cause pending in said Court in which Louise B. Wright and Morris E. Wright, her husband, are the Plaintiffs and Mildred D. Holden, et. al. are the Defendants, the same being Cause No. 3899 in said Court, the said John Palmer Smith and James E. Thompson Jr. were appointed Trustees 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 and James E. Thompson, Jr., shall well and faithfully perform the trust reposed in them by said Decree or which may be reposed in them by any future decree or order in the premises and shall in all respects well and truly execute the duties of such Trustee, then and in that event the above obligation to be null and void; otherwise to be and remain in full force and virtue in law.

TEST:-

JOHN PALMER SMITH (SEAL)
John Palmer Smith

W. M. FREESTATE

JAMES E. THOMPSON JR. (SEAL)
James E. Thompson Jr.

ATTEST:-

W. M. FREESTATE

GLENS FALLS INSURANCE COMPANY

By: W. M. FREESTATE
Attorney in Fact

Corporate Seal

and at the foot of the foregoing Bond is the following endorsement, to wit:

Security approved and Bond filed June 22, 1954.

T. SORDEN PIPPIN, Clerk.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the foregoing was truly taken and copied from Liber T. S. P. No. 1, folio 20, 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 Twentieth day of June in the year nineteen hundred and fifty-four.

NOTARY
PUBLIC
SEAL.

T. SORDEN PIPPIN
Clerk.

Report of Sale
Filed July 19, 1954

| | | |
|-----------------------------|---|--------------------------|
| LOUISE B. WRIGHT, et. al., | ¶ | In the Circuit Court for |
| VS | ¶ | Queen Anne's County |
| | | in Equity |
| MILDRED D. HOLDEN, et. al., | ¶ | Cause No. 3899. |

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this Cause by John Palmer Smith and James E. Thompson Jr., the Trustees appointed to make such sale unto your Honors respectfully shows:

1. That pursuant to the decree of this Honorable Court passed on the 11th day of June 1954, your trustees filed a bond in this cause in the penalty of Four Thousand Dollars (\$4,000.00) 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 July 13, 1954, as will appear by reference to the certificate of advertisement of sale which is hereto attached as a part hereof.

3. That your trustees, pursuant to said advertisement, at 1:30 o'clock P.M., on Tuesday, July 13th, 1954, in front of the Court House Door, offered the real estate described in said advertisement for sale at public auction by J. Elmer Anthony, auctioneer.

4. That at the time and place aforesaid the highest bid for said real estate was \$2950.00, and in accordance with the decree of this Honorable Court said real estate was sold to John T. Bishop and Jessie E. Bishop his wife as tenants by entirties at and for the sum of \$2950.00, the highest bid therefor, subject to the ratification of this sale by this Honorable Court; and said buyers have paid the full sum of \$2950.00 for the aforesaid property upon the advertised terms of sale.

5. That your trustees believe that said price is the best price obtainable for the property due to the dilapidated condition of of the house and other improvements thereon.

6. Thatatthe time of the several insertions of said advertisement of sale in said newspaper your trustees published in the same newspaper a notice to the creditors of J. Wrightson Beecher, deceased, requiring them to file their claims against said decedent with the Clerk of this Court within 90 days from June 18, 1954, or be excluded from participating in the proceeds of said sale, as will appear by reference to the certificate of publication of said notices to creditors hereto attached as a part hereof.

Respectfully submitted,

JOHN PALMER SMITH, Trustee

JAMES E. THOMPSON JR., Trustee

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

I HEREBY CERTIFY that on this 19th day of July, 1954, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith and James E. Thompson Jr., 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 therein reported, was fairly made.

T. SORDEN PIPPIN

Clerk

Filed July 19, 1954

TRUSTEE'S SALE
OF VALUABLE
REAL ESTATE AND RESIDENTIAL
PROPERTY LOCATED IN
Queenstown, Md.

The undersigned trustees, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed on June 11, 1954, in Cause No. 3899 in said Court, will sell at public sale to the highest bidder in front of the Court House Door in Centreville, Queen Anne's County, Maryland, on Tuesday, July 13, 1954 commencing at 1:30 o'clock p.m. (DST) all of the following described real estate:

All that lot, tract, part of a tract or parcel of land, improved by a frame dwelling house and outbuilding generally known as the "J. Wrightson Beecher Residential Property" situate, lying and being in the town of Queenstown, in the Fifth Election District of Queen Anne's County, State of Maryland; bounded on one saide by the public road leading from Queenstown to Wye Mills, on another side by the road or street leading from the aforesaid road to what was formerly known as the "Hotel Property" now the property of or formerly of Dr. Samuel J. Price, and on another side by the land of the Commissioners of Queenstown, and on the remaining side by the land of or formerly of Henrietta E. Perry with the exception, nowever of the lot of land fronting 24 feet on side road from Queenstown to Wye Mills, conveyed by one Noah Moore and wife to Commissioners of Queenstown by deed dated April 13, 1930, and recorded in the Land Records of Queen Anne's County in Liber B.H.T. No. 13, folio 7. Being the same land granted, conveyed and described in the deed from John T. Bishop and Jessie E. Bishop, his wife, to J.W. Beecher, Sallie E. Beecher, and Louise B. Wright as tenants in common, said deed bearing date October 31, 1935, and recorded among the Land Records of Queen Anne's County in Liber W.H.C. No.2-A, folio 106.

TERMS OF SALE

Whole price may be paid in cash on day of sale or one-third of purchase money shall be paid in cash on day of sale, the balance on final ratification of sale by said Court, said balance to bear interest from date of sale and to be secured to the Trustees' satisfaction. Full possession will be given to the purchaser on final ratification of sale. Title papers, revenue stamps and cost of recording deed to be at purchaser's expense.

JAMES E. THOMPSON, Jr., Trustee

JOHN PALMER SMITH, Trustee

J. Elmer Anthony, Auct.

NOTICE TO CREDITORS

All creditors of James Wrightson Beecher, 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 18, 1954, or be excluded from participation in the proceeds of sale of the real estate left by said decedent.

JAMES E. THOMPSON, Jr.

JOHN PALMER SMITH

Trustees in Chancery Cause
No. 3899.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md., July 17, 1954

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 James Wrightson Beecher a true copy of which is annexed hereto, was published at Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 13th day of July, 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 17th day of June 1954, and the last insertion on the 8th day of July, 1954

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By SHIRLEY L. KINNEAR

Filed July 19, 1954

ORDER NISI
Filed July 19, 1954

NISI

Louise B. Wright and
Morris E. Wright, her husband

VS.

Mildred D. Holden, et al.

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
IN EQUITY
NO. 3899

ORDERED, This 19th day of July, 1954, that the sale of real estate made and reported in this cause by John Palmer Smith and James E. Thompson Jr., Trustees, be ratified and confirmed, on or after the 20th day of August next, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once a week for three successive weeks commencing on the 29th day of July 1954, and ending on the 12th day of August 1954.

The report states the amount of sales to be \$2950.00

T. SORDEN PIPPIN Clerk

Filed: July 19, 1954

NISI

Louise B. Wright and Morris
E. Wright, her husband

vs.

Mildred D. Holden, et al.

In the Circuit Court for Queen
Anne's County in Equity
No. 3899

Ordered, this 19th day of July, 1954, that the sale of real estate made and reported in this cause by John Palmer Smith and James E. Thompson Jr., Trustees, be ratified and confirmed, on or after the 20th day of August, next, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once a week for three successive weeks commencing on the 29th day of July, 1954, and ending on the 12th day of August, 1954.

The report states the amount of sales to be \$2,950.00.

T. SORDEN PIPPIN, Clerk

Filed: July 19, 1954

True Copy
Test:

T. SORDEN Pippin, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md., August 21, 1954

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does

hereby certify that the Nisi in the case/estate of Louise B. Wright, et al. vs. Mildred D. Holden, 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 3 successive weeks before the 20th day of August, 1954, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 29 day of July 1954, and the last insertion on the 12th day of August, 1954

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By SHIRLEY L. KINNEAR

Filed Aug. 21, 1954

LOUISE B. WRIGHT, et. al., ¶ In the Circuit Court for
 ¶ Queen Anne's County
 ¶ in Equity
vs ¶
MILDRED D. HOLDEN, et. al. ¶ Cause No. 3899

* * * * *

FINAL ORDER OF RATIFICATION

ORDERED this 21st day of August, in the year 1954, 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 and James E. Thompson Jr., Trustees, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although notice appears to have been given as required by the preceding Order Nisi; and the Trustees are allowed the usual commissions and such proper expenses, not personal, as they shall produce vouchers for to the auditor.

WM. R. HORNEY
Judge

Filed: August 23, 1954

Louise B. Wright, et. al. In the Circuit Court For
 vs. Queen Anne's County In
Mildred D. Holden, et. al. Equity No. 3899

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of J. Thomas Clark, auditor, unto your Honor respectfully sets forth:

1. That this account is stated at the request of John Palmer Smith and James E. Thompson, Jr., trustees, who were duly appointed by order of this Court, dated June 11, 1954.

2. That in the within account the said trustees are charged with the proceeds of sale, and thereafter allowed all expenses not personal in accordance with the order of this Court, for which proper vouchers and receipts have been produced. In addition thereto your auditor has charged the said trustees with the costs of advertising the order nisi to this audit as well as the fee charged by your auditor.

3. In the distribution of the net proceeds, your auditor distributed one third of the same to Louise B. Wright and Sallie e. Beecher, respectively and the other one third was distributed to the creditors who filed their claims in this cause. In the distribution to the creditors of James Wrightson Beecher, the funeral bill was allowed as a perference claim to the extent of \$500.00 as provided by Article 93, Section 5, 1951 Edition of the Maryland Annotated Code of Maryland, and also in accordance with Dorsey v. Hammond, 1 Bland 463, the case under which the total distribution of the one third interest of James Wrightson Beecher was made to his creditors. In the claim filed by Edward E. Coursey, Register of Wills of Queen Anne's County, allowance for the costs of the administration of the personal estate of said James Wrightson Beecher was made only for sums actually due and owing at time of this account..

November 23, 1954 Respectively submitted,

J. THOMAS CLARK
Auditor

Filed Nov. 23, 1954

Cause No. 3899

The proceeds of the sale of real estate reported in this cause, in account with John Palmer Smith and James E. Thompson, Jr., Trustees, appointed by this honorable court to make the sale in these proceedings (and vendors of said land)

| | | |
|---------|--|------------|
| 1954 | Cr. | |
| July 13 | By gross proceeds of the sale of said land, per report of said vendors, to wit:..... | \$2,950.00 |

1954
July 13

| | | |
|---|----------|--------|
| To John Palmer Smith and James E. Thompson, Jr., trustees (and vendors) for their commissions for making sale, per order of Court..... | \$161.80 | |
| To do., for court costs of this cause, per statement of the clerk of due sums, to wit: | | |
| Costs of T. Sorden Pippin, Clerk.... | \$94.15 | |
| Costs of Richard T. Earle, Guardian ad litem of Frances Beecher, | 4.00 | |
| Costs of Howard Wood, III, guardian ad litem of Sallie E. Beecher, | 4.00 | |
| Costs of Cleo Green, Stenographer.... | 15.00 | |
| Costs of Frank Y. Whiteley, Sheriff.. | 4.75 | |
| Costs of A. Raymond Carroll, Sheriff of Talbot County..... | 3.60 | |
| Appearance fee of Clayton C. Carter and James E. Thompson, Jr., Attorneys | 10.00 | |
| Appearance fee of John Palmer Smith Attorney..... | 10.00 | 145.50 |
| To do., for an amount paid W.M. Freestate, Agency for the premium on the corporate surety bond filed by said trustees in this cause, per receipt for the same exhibited..... | | 16.00 |
| To do., for an amount paid J. Elmer Anthony, auctioneer, for crying the sale, per his receipt for the same exhibited..... | | 25.00 |
| To do., for amounts paid or due the Queen Anne's Record-Observer, as follows: | | |
| Costs paid, per receipt, for advertising notices of sale & to creditors | \$64.50 | |
| Costs due, per statement, for publication of order nisi of sale.. | 9.00 | 73.50 |
| To do., for an amount due and paid Claude Lowery, Treasurer of Queen Anne's County, Maryland, for vendors share of the 1954 real estate taxes on the property sold in this cause, per receipt for the same exhibited.. | | 16.77 |
| To do., for an amount paid Geo. W. Aldridge, Clerk and Collector of taxes for the town of Queenstown for the taxes due for the year 1953 on the real estate sold in this cause and also, the vendors share of the real estate taxes for the year 1954, per receipts for the same exhibited..... | | 24.34 |

J. THOMAS CLARK
Auditor

November 23, 1954

| | | |
|--|------------|------------|
| To do., for costs of advertising the order nisi to be passed as to this audit in the Queen Anne's Record-Observer..... | 7.50 | |
| To J. Thomas Clark, auditor for stating this audit..... | 54.00 | |
| To balance for distribution to co-owners and others..... | 2425.59 | |
| | \$ 2950.00 | \$2,950.00 |

J. THOMAS CLARK
Auditor

November 23, 1954

Cr.

| | |
|--|------------|
| By balance carried forward for distribution to co-owners and/or their creditors..... | \$2,425.59 |
|--|------------|

Dr.

| | | |
|--|-----------|------------|
| To Sallie E. Beecher, co-owner as a tenant in common, a 1/3 interest or the sum of/..... | \$808.53 | |
| To Louise B. Wright, co-owner as a tenant in common, a 1/3 interest or the sum of..... | 808.53 | |
| To Creditors of James Wrightson Beecher, deceased, a 1/3 interest or the sum of..... | 808.53 | |
| | \$2425.59 | \$2,425.59 |

November 23, 1954

J. THOMAS CLARK
Auditor

Cr.

By Balance carried forward for distribution to the
creditors of James Wrightson Beecher, deceased..... \$808.53

Dr.

To Barton Bros on their claim of \$676.40 for funeral
expenses of James Wrightson Beecher, deceased, to the
extent of the the amount preferred by order of the
Orphans' Court of Queen Anne's County, as provided by
law or the sum of.....\$500.00

To Dorothy E. Connolly, agent of Maryland Casualty Company
for the premium due on the corporate surety bond
of Verbrook Beecher, administrator of the personal
estate of James Wrightson Beecher, deceased, the
sum of..... 10.00

To Friel Lumber Co., on the open account of James
Wrightson Beecher outstanding and unpaid and due
and owing, the sum of 15.37

To Virbrook N. Beecher on the Open account of James
Wrightson Beecher, deceased, due and owing, the
sum of..... 106.96

To Edward E. Coursey, Register of Wills for Queen
Anne's County, on his statement of costs of the
administration of the personal estate of James
Wrightson Beecher, deceased, by Verbrook N. Beecher,
administrator, in the sum of \$24.10, only so much
of the same as is presently due and owing or the sum
of..... 17.60

To Barton Bros on the balance due them on the funeral
accounts for James Wrightson Beecher, deceased, by
Virbrook Beecher, administrator, in the sum of
\$176.40, the sum of..... 158.60
\$808.53 \$808.53

November 23, 1954

J. THOMAS CLARK
Auditor

Filed Nov. 23, 1954

NISI RATIFICATION OF AUDIT

Louise B. Wright, et. al.,)
vs.)
Mildred D. Holden, et. al.)
IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
IN EQUITY

XCause No. 3899

ORDERED, This 23rd. day of November in the year nineteen hundred and
fifty four, that the Report and Account filed in these proceedings by J. Thomas
Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof
be shown on or before the 17th. day of December, 1954; provided a copy of this
order be published once a week in each of two successive weeks before the 10th.
day of December, 1954, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

Filed November 23, 1954

NISI RATIFICATION OF AUDIT

LOUISE B. WRIGHT, et. al)
Vs.)
Mildred D. Holden, et. al.)
In the Circuit Court for
Queen Anne's County
in Equity

Cause No. 3899

ORDERED, This 23rd day of November, in the year nineteen hundred and
fifty-four, that the Report and Account filed in these proceedings by J. Thomas
Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be
shown on or before the 17th day of December, 1954; provided a copy of this order
be published once a week in each of two successive weeks before the 10th day of
December, 1954, in some newspaper per printed and published in Queen Anne's
County.

T. SORDEN PIPPIN, Clerk

Filed November 23, 1954

True Copy
Test: T. SORDEN PIPPIN, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md., Dec. 16, 1954

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 Louise B. Wright, et al vs. Mildred D. Holden 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 17 day of December, 1954 and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 25 day of November 1954, and the last insertion on the 2 day of December, 1954

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By Mrs. ADA LEE MILLS

Filed Dec. 17, 1954

FINAL RATIFICATION

ORDERED, this 18th day of December, 1954, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the foregoing Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as required by the preceding order nisi; and the Trustee is directed to apply and distribute the said estate accordingly, with a due proportion of interest as same has been or may be received.

WM. R. HORNEY
JUDGE

Filed Jan. 14, 1955

| | | |
|----------------------------|---|--------------------------|
| LOUISE B. WRIGHT, et. al., | ¶ | In the Circuit Court for |
| | | Queen Anne's County |
| Vs. | ¶ | In Equity |
| | | Cause No. 3899 |
| MILDRED D. HOLDEN, et. al. | ¶ | |

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The report of James E. Thompson Jr. and John Palmer Smith, Trustees in the above entitled cause respectfully represents:

1. That it was apparent at the time testimony was taken in this matter in open court on March 31, 1954 before the Honorable Judge J. DeWeese Carter that Sallie E. Beecher is so far deprived of her reason and understanding that she was unfit and unable to manage her own affairs as a result of which Howard Wood III, Esq., was appointed her Guardian Ad Litem.
2. That as a result of the sale of property in said suit, Sallie E. Beecher is entitled to the sum of \$808.53.
3. That no Committee, Trustee, or Guardian has been appointed for said Defendant by any Court of Competent Jurisdiction, who is empowered to accept said sum of \$808.53 for her and give to your Trustees an adequate release.
4. That as a result of the above and under a Rule of the Circuit Court for Queen Anne's County passed March 17, 1954, your trustees have deposited said sum of \$808.53 in the savings department of the Centreville National Bank in the name of Sallie E. Beecher, Subject to the Order of the Circuit Court of Queen Anne's County, and have deposited the bank book with the Clerk of said Court.

WHEREFORE your petitioners pray this Honorable Court pass an order ratifying the acts of your Trustees and releasing their bond and that of their surety in said Cause.

JOHN PALMER SMITH
John Palmer Smith

JAMES E. THOMPSON JR.
James E. Thompson Jr.
Solicitors and Trustees
in said Cause

ORDER

Upon the foregoing report, IT IS ORDERED, this 21st day of January, 1955 by the Circuit Court for Queen Anne's County, In Equity, and by the authority of said Court, that the acts of said Trustees in depositing the sum due Sallie E. Beecher in the Centreville National Bank as aforesaid be and the same is hereby ratified and the said Trustees and their surety are hereby released from further liability under their bond.

Wm. R. HORNEY
Judge

C A U S E N O. 3834

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the nineteenth day of November in the year nineteen hundred and fifty-two, the following Bill in Equity was filed for record, to wit:

HARTLEY C. WEER, individually, and HARTLEY C. WEER, Trustee of the Estate of William Perkins, Complainant VS. HARRY E. GILBERT, JR., Trustee JOHN BOWMAN, Executor of M. Elizabeth Perkins, deceased, and JOHN BOWMAN, individually, CARROLL STARTT MINNIE VICKERS BURCHELL CREWE LEONARD CREW, JR. AMY C. CREW JESSE B. CREW JOHN HOFMEISTER ALBERT HOFMEISTER ALBERT CREW Defendants IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MD.

BILL IN EQUITY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Hartley C. Weer, individually, and Hartley C. Weer, Trustee, Complainant, respectfully shows unto Your Honors as follows:

(1) That William Perkins of Queen Anne's County died in or about the year 1906, leaving a last will and testament dated September 17, 1901, duly probated January 29, 1907, in the Orphan's Court of Queen Anne's County, Md., and said will devises a life interest in his estate to his niece, M. Elizabeth Perkins, and "at her death, all the property to be divided equally between my nieces, her cousins, the daughters of my sister, Amelia Minter Copper", as will appear by an examination of a certified copy of said will heretofore filed in this Court and marked "Exhibit No. 1" in a case entitled William B. Copper, etc., vs. M. Elizabeth Perkins, which your Complainant prays may be taken and considered as a part hereof to the same extent as if filed herewith;

(2) That in aforesaid Equity case, this Court assumed jurisdiction of the trust created by the terms of said will, and the trustees appointed to administer the estate paid the income from same, as the said will directed, to the niece, M. Elizabeth Perkins, of testator as life tenant until the date of her death which occurred April 20, 1952, unmarried, as per certified copy of her death certificate filed herewith marked "Complainant's Exhibit A".

(3) That Complainant, individually, is a remainderman and is now entitled under the terms of said will to a portion of this estate and asserts that there is a valuable piece of fee simple real estate with dwelling house thereon, all a part of this estate, located in Templeville in Queen Anne's County, described in a deed dated December 19-1864, Recorded in S.E.D. No. 1 folio 407 a land record of Queen Annes County as will appear by examination of a certified copy of said deed filed herewith and marked "Complainant's Exhibit No.B", that the same is not susceptible of partition or division in kind among the devisees under said will, and it is necessary that the same be sold and the proceeds divided under the Court's direction to those entitled to receive said proceeds.

(4) That Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, defendants appointed in Equity Case No. 1966 have in their hands the personal property which, under the terms of William Perkins' will, should now be distributed to the remaindermen, and a Trustee should be appointed to collect this money from the aforesaid Trustees to distribute it to those entitled thereto; said Trustees have never administered nor had vested in them the aforesaid real estate.

(5) That John Bowman, Executor of the last will of M. Elizabeth Perkins, deceased, and her sole legatee, has suggested that he may assert a claim to this estate under the language used by William Perkins in said Will and that this Court should hereafter direct the Trustee now to be appointed how these funds should be distributed, and this Complainant asserts that the meaning of the language used by William Perkins in his Will is that this estate should now be distributed to himself and the following defendants, all grandchildren or great-grandchildren of Amelia Minter Copper aforesaid, named herein:

(a) Carroll Startt and Minnie Vickers, a grandson and daughter respectively of Mary F. Startt, a deceased daughter of Amelia Minter Copper, deceased;

(b) Burchell Crew, Leonard Crew, Jr., and Albert Hofmeister, grandchildren of Amy C. Crew, Jesse B. Crew and Albert Crew, children of Elizabeth C. Crew, a deceased daughter of Amelia Minter Copper, deceased, and John Hofmeister, the widower

of Lula Crew Hofmeister, a deceased daughter of said Elizabeth C. Crew;

(c) Hartley C. Weer, a son of Minta C. Weer, deceased, a daughter of Amelia Minter Copper, deceased.

Wherefore, your Petitioner prays:

A. That this Court determine and declare to whom and in what proportions the estate, real and personal, in the estate of William Perkins should be distributed;

B. That this Court appoint a Trustee: (1) to take over the personalty of this estate, now in the hands of Hartley C. Weer and Harry E. Gilbert, Jr., Trustees in Equity Case No. 1966 in this Court, and to sell the same.

(2) To sell the real estate which is a part of the estate of William Perkins.

(3) To distribute the proceeds from said personalty and realty to the persons properly entitled to same.

That this Court grant such other and further relief as may be appropriate in the premises.

And as in duty bound, etc.

May it please Your Honors to grant the Writ of Subpoena directed to:

Harry E. Gilbert, Jr., Trustee, Baltimore, Md.

John Bowman, Executor of M. Elizabeth Perkins, deceased,
and John Bowman, individually, C/O Clayton Carter, Esq.
Centreville, Md.

Carroll Startt, Baltimore, Md.

Minnie Vickers, Chestertown, Md.

Leonard Crew, Jr., Sparrows Point, Baltimore County, Md.

Amy Crew, Baltimore, Md.

Jesse B. Crew, Baltimore, Md.

John Hofmeister, Baltimore, Md.

Albert Hofmeister, Baltimore, Md.,

directing them, before a day to be named in said writ, to show cause, if any they have, why the relief prayed herein should not be granted.

May it please Your Honors to grant to Complainant an order of Publication directed to the following person, a non-resident of the State of Maryland:-

Burchell Crew, Chicago, Illinois,

warning him to appear in this Court, either in person or by solicitor, on some certain day to be named in said order, and show cause, if any he has, why a decree should not be passed as prayed.

Respectfully submitted:

HARTLEY C. WEER
Hartley C. Weer, individually,
and
Hartley C. Weer, Trustee in Equity
Case No. 1966 in this Court

L. WETHERED BARROLL
Solicitor for Complainant

STATE OF MARYLAND, CITY OF BALTIMORE

I hereby certify that on this 14th day of November, 1952, before me, a Notary Public in and for the State of Maryland, personally appeared Hartley C. Weer and Hartley C. Weer, Trustee, and so made oath in due form of law that the matters and facts stated in this Bill of Complaint are true.

Notary
Public
Seal

Richard B. Pue

RICHARD B. PUE
NOTARY PUBLIC

"Complainants Exhibit A"
Filed Nov. 19, 1952

MARYLAND STATE DEPARTMENT OF HEALTH
2411 N. Charles Street, Baltimore
CERTIFICATE OF DEATH Reg. Dist. No. 332

1. PLACE OF DEATH COUNTY Wicomico MARYLAND 2. USUAL RESIDENCE (HOME OF DECEASED). STATE Maryland COUNTY Queen Anne

CITY (If outside corporate limits, write RURAL and LENGTH OF STAY OR give nearest town) Salisbury (in this Place)
TOWN

CITY (if outside corporate limits write RURAL and give nearest town)
OR TOWN Barclay

HOSPITAL OR INSTITUTION OR STREET ADDRESS Deershead State Hospital

3. NAME OF (First) (Middle) (Last) DECEASED Martha Elizabeth Perkins 4. DATE OF DEATH Month Day Year April 20 1952

5. SEX F 6. COLOR OR RACE W 7. SINGLE, MARRIED, WIDOWED, DIVORCED

8. DATE OF BIRTH Dec. 10 1858 9. AGE Last birthday 93 yrs. 11. BIRTHPLACE (State or foreign country) INGLESIDE MARYLAND

12. CITIZEN OF WHAT COUNTRY? USA 13. FATHERS NAME JAMES PERKINS 14. MOTHER'S MAIDEN

NAME MARTHA E. WALLS 17. INFORMANT AND ADDRESS Deer's Head Hosp. Salisbury, Maryland

18. MEDICAL CERTIFICATION

I. DISEASES OR CONDITIONS DIRECTLY LEADING TO DEATH INTERVAL BETWEEN ONSET AND DEATH

Immediate cause (a) Arteriosclerotic CVD 10 Y

Antecedent cause(s) (b) Arteriosclerion's gen. 10 Y

Disease or conditions, if any, giving rise to the above cause stating the underlying cause last (c) Carcinoma squamous cell of left face 4 yrs

11. OTHER SIGNIFICANT CONDITIONS Conditions contributing to the death but not redated to the disease or condition causing death Bilateral Icafuen ?

20. AUTOPSY?
No

22. I hereby certify that I attended the deceased from Jan. 25 1952, to Apr. 20, 1952, that I last saw the deceased alive on Apr. 20, 1952, and that death occurred at 7:45 A.M. from the causes and on the date stated above.

SIGNATURE L.T. WALDOE M.D. Deer's Head State Hospital Salisbury, Md.

23. BURIAL, CREMATION DATE THEREOF NAME OF CEMETERY OR CREMATORY
REMOVAL Burial 4/23/52 Templeville

LOCATION
Templeville, Md.

DATE REC'D BY LOCAL REGISTRAR'S SIGNATURE FUNERAL DIRECTOR
REG. 4-20-52 Mary W. Halloway R. B. Rawlings Greensboro Md.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY OF A CERTIFICATE ON FILE IN THE OFFICE OF THE DIVISION OF VITAL RECORDS AND STATISTICS.

DATE MAY 1 1952 A. V. HEDRICK CHIEF

Complainants Exhibit B
Filed Nov. 19, 1952

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this twenty sixth day of December in the year of our Lord one thousand and eight hundred and sixty four the following deed was brought to be recorded, to wit:

This Deed made this nineteenth day of December eighteen hundred and sixty four by John W. Temple and Lucy J. Temple his wife of Caroline County and State of Maryland, Witnesseth that in consideration of seventeen hundred Dollars the said John W. Temple and Lucy J. Temple his wife do grant unto William Perkins of Templeville Queen Anne's County and state of Maryland all that certain peace or parcel of land and appertences thereto, situate in the village of Templeville County of Queen Anne's and state aforesaid adjoining lands of E. Cooper and the said Jno. W. Temple and described in the following meets and bounds viz: Beginning in the center of the main road divideing Caroline and Queen Anne's County's in Templeville North fifty four degrees West one and seven tenths purchase from the west corner of the Hotel of William H. Whiteley and runs thence with said road, North seventy three degrees and a half, East to an Iron Mine in the centers of the main road thence North eighteen degrees West to a corner along the fence back of the pond sixteen and seven tenths P thence South seventy three and a quarter degrees West for and eight tenth purchase thence south one and half degrees East sixteen and six tenth purchase to the place of beginning, containing two roods six purchase and two hundred and fifty, two feet of of land be the same more or less, the above described peace or parcel of land is part of the land and premises conveyed to the said Jno. W. Temple by E. Cooper in a deed bearing evan date with this deed and the said John W. Temple warrents the same jenerally in fee simple.

As witness our hand and seals on the one the day and year above written.

WITNESS: JOHN W. TEMPLE (SEAL)
EDWARD L. MARVEL LUCY J. TEMPLE (SEAL)

State of Maryland, Queen Anne's County, to wit: Be it remembered on this nineteenth day of December eighteen hundred and sixty four personally appeared John W. Temple and Lucy J. Temple his wife before me the subscribed a Justice of the peace in and for Queen Anne's County and acknowledged the foregoing deed to be there respective acts.

Acknowledged before me, E. L. Marvel J.P.

Stamps
W. State
Int. Revenue
J.W.S.
Dec. 19th 1864 1.00

U. States
Int. Revenue
Fifty Cents
J.W.T. Dec. 19th
1864 \$.50

U.S.
Int. Revenue
Fifty Cents
J.W.T. Dec. 19th
1864

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

I hereby certify that the foregoing was truly taken and copied from S.E.D. No. 1, folio 407, a Land Record Book 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 Thirtieth day of October in the year nineteen hundred and fifty two.

T. SORDEN PIPPIN
Clerk

HARTLEY C. WEER, ET AL, : IN THE CIRCUIT COURT
VS., : FOR
HARRY E. GILBERT, JR., : QUEEN ANNE'S COUNTY
TRUSTEE, ET AL. : IN EQUITY

Mr. Clerk:

Please enter my appearance for the following Defendants:

Amy C. Crewe,
Jesse B. Crewe,
Leonard C. Crewe, Jr.,
C. Albert Hofmeister and
John K. Hofmeister,

in the above entitled cause, as per annexed powers given to me.

WILLIAM S. LEVY
William S. Levy,
Solicitor

Filed Dec. 8, 1952

HARTLEY C. WEER et al
Complainants

VS.

HARRY E. GILBERT, JR., et al

IN THE
CIRCUIT COURT
FOR

QUEEN ANNE'S COUNTY

Wm S. Levy Esq:

Please enter your appearance as Solicitor for the undersigned Defendants in the above entitled cause and advise the Court that we submit to such decree as may be signed therein.

AMY C. CREWE

HARTLEY C. WEER et al
Complainants

vs.

HARRY E GILBERT, JR., et al

IN THE
CIRCUIT COURT
FOR

QUEEN ANNE'S COUNTY

Wm S Levy Esq:

Please enter your appearance as Solicitor for the undersigned Defendants in the above entitled cause and advise the Court that we submit to such decree as may be signed therein.

JESSE BRADFORD CREW

HARTLEY C. WEER et al
Complainants

vs.

HARRY E. GILBERT, JR., Et al

IN THE
CIRCUIT COURT
FOR

QUEEN ANNE'S COUNTY

Wm S Levy Esq:

Please enter your appearance as Solicitor for the undersigned Defendants in the above entitled cause and advise the Court that we submit to such decree as may be signed therein.

LEONARD C. CREWE JR.

HARTLEY C WEER et al
Complainants

vs.

HARRY E. GILBERT, JR., et al

IN THE
CIRCUIT COURT
FOR

QUEEN ANNE'S COUNTY

Wm S Levy Esq:

Please enter your appearance as Solicitor for the undersigned Defendants in the above entitled cause and advise the Court that we submit to such decree as may be signed therein.

C. ALBERT HOFMEISTER
JOHN K. HOFMEISTER

January 5/53

Dear Mr. Pippin:

re Weer vs Gilber 3834

Will you kindly issue summons for the two following defendants:

- (1) Albert Crewe
1105 H. Street
Sparrows Point, Baltimore County Sheriff
- (2) Carroll Startt
416 W 29th St.
Baltimore 11 - Baltimore City Sheriff.

I enclose copies of bill for service

Very truly yours,

L. WETHERED BARROLL

Filed Jan. 6, 1953

Baltimore, Md.

December 6, 1952

William S. Levy, Esq.,
2 E. Lexington Street,
Baltimore 2, Maryland.

Dear Mr. Levy:

Please enter your appearance for me in the matter of the cause of Hartley C. Weer, et al, vs Harry E. Gilbert., Jr., Trustee, et al, in the Circuit Court for Queen Anne's County, Maryland, in Equity, and on my behalf consent to the passage of a decree as therein prayed.

HARRY E. GILBERT JR
Harry E. Gilbert, Jr. Trustee

Filed Jan. 6 - 1953

| | | |
|-------------------------|---|----------------------|
| HARTLEY C. WEER, et al. | : | IN THE CIRCUIT COURT |
| VS. | : | FOR |
| HARRY E. GILBERT, JR. | : | QUEEN ANNE'S COUNTY, |
| TRUSTEE, et al. | : | IN EQUITY |

Mr. Clerk:

Please enter my appearance for the following Defendants:

Harry E. Gilbert, Jr, Trustee, and
Burchell Crewe,

in the above entitled cause, as per annexed powers given to me.

WILLIAM S. LEVY
William S. Levy, Solcitor.

Filed Jan. 6, 1953

| | | |
|-------------------------|---|----------------------|
| HARTLEY C. WEER, et al. | : | IN THE CIRCUIT COURT |
| vs. | : | FOR |
| HARRY E. GILBERT, Jr., | : | QUEEN ANNE'S COUNTY, |
| TRUSTEE, et al. | : | IN EQUITY. |

* * * *

ANSWER

To the Honorable, the Judge of said Court:

The answer of Harry E. Gilbert, Jr, Trustee, and Burchell Crewe to the Bill of Complaint of Hartley C. Weer, et al., against them and others in this Court exhibited.

These Defendants admit the matters and facts set forth in said Billof Complaint, and consent to the passage of a decree as therein prayed,

As in duty bound etc.

WILLIAM S. LEVY
William S. Levy, Solicitor

Filed Jan. 6, 1953.

HARTLEY C. WEER, et al. : IN THE CIRCUIT COURT
 VS. : FOR
 HARRY E. GILBERT, JR., ET AL. : QUEEN ANNE'S COUNTY,
 Trustee, : IN EQUITY

Mr. Clerk:

Please enter my appearance for
 Albert Crewe

in the above entitled cause, as per annexed power given me.

WILLIAM S. LEVY
 William S. Levy, Solcitor

Filed Jan. 9, 1953

Sparrows Point, Md.

December 31, 1952

William S. Levy, Esq.,
 2 E. Lexington Street,
 Baltimore 2, Maryland

Dear Mr. Levy:

Please enter your appearance for me in the matter of the cause of
 Hartley C. Weer, et al, vs. Harry E. Gilbert, Jr., Trustee, et al., in the Circuit
 Court for Queen Anne's County, Maryland, in Equity, and on my behalf consent to
 the passage of a decree as therein prayed.

ALBERT CREWE.
 Albert Crewe

Filed Jan. 9, 1953

HARTLEY C. WEER, et al. : IN THE CIRCUIT COURT
 vs. : FOR
 HARRY E. GILBERT, Jr., TRUSTEE, : QUEEN ANNE'S COUNTY,
 Et al. : IN EQUITY.

A N S W E R

To the Honorable, the Judge of said Court:

The answer of Albert Crewe to the Bill of Complaint of Hartley C. Weer,
 et al., against him and others in this Court exhibited.

This Defendant admits the matters and facts set forth in said Bill of
 Complaint, and consents to the passage of a decree as therein prayed.

As in duty bound etc.

WILLIAM S. LEVY
 William S. Levy, Solicitor.

Filed Jan. 9, 1953

Subpoena for respondent to answer
 Filed Jan. 21, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO Carroll Startt
 416 W. 29th. Street
 Baltimore 11, 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 Hartley C.
 Weer individually and Hartley C. Weer, Trustee of the estate of William Perkins

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 5th. day of January, 1952.

Issued the 6th. day of January, 1953.

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 L. W. BARROLL
100 St. Paul Street

Address Baltimore 2, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summoned Carroll Startt and a copy of the Process with a copy of the Bill of Complaint left with the defendant on the 19th day of January 1953 in the presence of Herman Arbaugh.

JOSEPH C. DEEGAN
Sheriff

HARTLEY C. WEER
Individually etc.

Complainant

vs.

Harry E. Gilbert Jr.
Trustee et al

)
) IN THE CIRCUIT COURT

)
) FOR

)
) QUEEN ANNE'S COUNTY

Mr. Clerk:

Please issue summons for Minnie Vickers, Chestertown, Md. Defendant and direct same to the Sheriff of Kent County with enclosed copy of Bill in Equity

says.

L. WETHERED BARROLL
Attorney for Complainant

Subpoena for respondent to answer
Filed Feb. 24, 1953

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO Minnie Vickers
Chestertown, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of March next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Hartley C. Weer, individually, and Hartley C. Weer, Trustee of the Estate of William Perkins 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 5th. day of January, 1953.

Issued the 13th. day of February, 1953.

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 L. Wethered Barroll
100 St. Paul Street

Address Baltimore 2, Maryland

T. SORDEN PIPPIN, Clerk

And on the back of the foregoing is the following endorsement, to wit:

I hereby certify that on the 19th, day of February 1953. I served the within Summons and Bill of Complaint by reading and leaveing a copy of each with Minnie Vickers.

BARTUS O. VICKERS
Sheriff Kent County.

Answer
Filed Feb. 25, 1953

| | | |
|--|---|--|
| HARTLEY C. WEER, et al | * | IN THE CIRCUIT COURT |
| vs. | * | FOR |
| HARRY E. GILBERT, JR., TRUSTEE, et al | * | QUEEN ANNE'S COUNTY CHANCERY NO. 3834 |

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Carroll Startt and Minnie Vickers to the Bill of Complaint of Hartley C. Weer, et al., against them and others in this Court exhibited.

These Defendants admit the matters and facts set forth in said Bill of Complaint, and consent to the passage of a decree as therein prayed,

AND AS IN DUTY BOUND, ETC.

WM. DUNBAR GOULD
Wm. Dunbar Gould
Solicitor

2/24/53

I hereby certify that I have this date mailed a copy of this Answer to Hartley C. Weer, Plaintiff.

Wm. DUNBAR GOULD
Solicitor for Defendant named above.

Filed Feb. 25, 1953

| | | |
|--|--|--|
| HARTLEY C. WEER, Individually, and HARTLEY C. WEER, Trustee of the Estate of William Perkins, Complainant, | | IN THE CIRCUIT COURT |
| VS. | | FOR |
| HARRY E. GILBERT, JR., Trustee, JOHN BOWMAN, Executor of M. Elizabeth Perkins, deceased, JOHN BOWMAN, Individually, CARROLL STARTT, MINNIE VICKERS, BURCHELL CREWE, LEONARD CREW, JR., AMY C. CREW, JESSE B. CREW, JOHN HOFMEISTER, ALBERT HOFMEISTER, ALBERT CREW, Defendants | | QUEEN ANNE'S COUNTY, IN EQUITY. |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of John Bowman, Executor of the Last Will and Testament of M. Elizabeth Perkins, deceased, and Individually, by Clayton C. Carter, his attorney, to the Bill of Complaint exhibited against him and others, respectfully says: L. In Answer to Paragraph 1 of the Bill of Complaint, he admits that William Perkins died on the date alleged leaving a Last Will and Testament duly probated as alleged and that the certified copy alleged is a certified copy of said Last Will and Testament, but denies that said Last Will and Testament vested a life estate only in the said M. Elizabeth Perkins and at her death to the nieces of William Perkins as alleged, but avers that the said Last Will and Testament vested a fee simple estate in all of the property of which William Perkins died seized and possessed in the said M. Elizabeth Perkins.

2. In Answer to Paragraph 2, he admits that this Court has assumed jurisdiction of the Trust Estate presumed to have been created under the Will of William Perkins, but alleged that the same is error that M. Elizabeth Perkins was seized and possessed

of an estate in fee in both real and personal property devised by William Perkins until the date of her death, unmarried at the time alleged.

3. In Answer to Paragraph 3 of said Bill, he admits that William Perkins died seized and possessed of real estate in Templeville as alleged but denies that the Complaint or anyone else has any interest therein save and except this defendant, who is seized and possessed of the same in fee as legatee, subject to the debts of M. Elizabeth Perkins, deceased, under the Last Will and Testament of M. Elizabeth Perkins, deceased, a certified copy of which Will is filed herewith and prayed to be taken as a part hereof.

4. In Answer to Paragraph 4 of the said Bill, the said Defendant admits that the Trustees in Chancery Cause No. 1966 have in their hands the personal property, which is purported to be a Trust Estate under the Will of William Perkins, and the Defendant as Executor of the Last Will and Testament of M. Elizabeth Perkins claims the same as the absolute property that was devised to the said M. Elizabeth Perkins in fee under the Last Will and Testament of William Perkins, deceased.

5. In Answer to Paragraph 5 of said Bill of Complaint, this Defendant now claims the personal estate of which William Perkins, died seized and possessed, as Executor of the Last Will and Testament of M. Elizabeth Perkins, deceased, and the real estate of which the said William Perkins, died seized and possessed as sole devisee under the Last Will and Testament of M. Elizabeth Perkins, deceased.

Respectfully submitted.

CLAYTON C. CARTER
 ATTY. for John Bowman, Executor of the
 Last Will and Testament of M. Elizabeth
 Perkins deceased, and Individually.

Mr. Clerk:

Please enter the appearance of Richard T. Earle, Esq. for John Bowman, Executor of the Last Will and Testament of M. Elizabeth Perkins, deceased, and Individually.

CLAYTON C. CARTER

I HEREBY CERTIFY that I served a copy of the within upon Wethered Barroll, attorney for complainant, by mailing the same to him at his law office in Baltimore, Maryland, this 9th day of March, 1953.

CLAYTON C. CARTER

Filed Mar. 10, 1953

Certified Copy of
 Last Will and Testament of
 Martha Elizabeth Perkins, deceased.

I, MARTHA ELIZABETH PERKINS, unmarried, now residing at Salisbury, Maryland, do make, publish and declare this as and for my last Will and Testament, hereby revoking any and all prior Willis by me at any time heretofore made.

FIRST: I direct the payment of all my just debts and funeral expenses.

SECOND: I have heretofore executed a Will leaving my estate to Bessie V. Bowman, because of the care and attention which she had given me over a period of time. In view of the fact that Bessie V. Bowman has since died and her husband John A. Bowman, has since been caring for my needs, I make this Will for the purpose of naming him as beneficiary of whatever estate I may possess at my death. Accordingly, I give, devise and bequeath my entire estate, real, personal and mixed, of whatsoever kind and nature and wheresoever situate, to JOHN A. BOWMAN, 3401 School House Land, Philadelphia, Pennsylvania, absolutely and in fee simple. I authorize and empower him to sell and convey, and otherwise dispose of any real and personal property which I may own at my death, at public or private sale, at such price as he, in his absolute discretion, may determine.

THIRD: I nominate, constitute and appoint the aforesaid John A. Bowman, as Executor of this Will and direct that no bond shall be required from him for the faithful performance of his duties in any jurisdiction in which he may qualify.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this day of October, A.D. 1951.

SIGNED, SEALED, PUBLISHED, DECLARED AND
 ACKNOWLEDGED by the above named Testatrix
 as and for her last Will and Testament
 in the presence of us, while present at the
 same time, and we in her presence, by her
 express direction and in the presence of
 each other hereunto subscribe our names
 as witnesses this day of October,
 A.D. 1951.

:
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:

Martha E. Perkins (SEAL)

Nelda K. Thomas R.N.

Ruth A. Campbell

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

On the 21st day of May A.D., 1952, came John A. Bowman of 3401 Schoolhouse Lane, Philadelphia 44, Peensylvania, Custodian of the within and foregoing instrument of writing, purporting to be the last Will and Testament of Martha Elizabeth Perkins, 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 October A.D., 1951.

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 21st day of May, 1952, came Nelda K. Thomas and Ruth A. Campbell of Salisbury, Maryland, the two subscribing witnesses to the foregoing last Will and Testament of Martha Elizabeth Perkins, 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 Will, that they 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 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 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 Instrument of Writing, purporting to be the last Will and Testament of MARTHA ELIZABETH PERKINS, 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 Willis after having examined the said Instrument of Writing and also the evidence adduced as to its validity, ORDERS and DECREES, this 22nd day of May, A.D., 1952, that the same be admitted in this Court as the true and genuine last Will and Testament of the said MARTHA ELIZABETH PERKINS, deceased.

Edward E. Coursey
Register of Wills
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 last Will and Testament and Proof thereof of MARTHA ELIZABETH PERKINS, late of Queen Anne's County, deceased, as filed and passed in this office on May 22, 1952 and recorded in Liber E.E.C. No. 1 Folio 177 in Record Book of WILLS 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 April 1953.

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

Decree Pro Confesso
Filed March 23, 1953

HARTLEY C. WEER, Individually,
and
HARTLEY C. WEER, Trustee of the
Estate of William Perkins,
Complainant

vs.

HARRY E. GILBERT, JR., Trustee
JOHN BOWMAN, Executor of M.
Elizabeth Perkins, deceased, and
JOHN BOWMAN, Individually,
CARROLL STARTT
MINNIE VICKERS
BURCHELL CREWE
LEONARD CREW, JR.
AMY C. CREW
JESSIE B. CREW
JOHN HOFMEISTER

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S CO., MD.

ALBERT CREW
Defendants

IN EQUITY NO. 3834

DECREE PRO CONFESSO

The appearance of William S. Levy having been entered for the defendants, Leonard Crew, Jr., Amy C. Crew, Jessie B. Crew, John Hofmeister, and Albert Hofmeister, but they having failed to answer this suit within the time required by rule;

It is thereupon this 23rd day of March in the year one thousand nine hundred and fifty-three, by the Circuit Court for Queen Anne's County, ADJUDGED, ORDERED AND DECREED, that the Complainants are entitled to relief in the premises, and that the Bill of Complaint be and is hereby taken pro confesso against said Defendants, Leonard Crew, Jr., Amy C. Crew, Jessie B. Crew, John Hofmeister, and Albert Hofmeister.

But because it doth not certainly appear to what relief the Plaintiffs are entitled, it is further ADJUDGED AND ORDERED, that one of the Examiners of this Court take testimony to support the allegations of the Bill.

WM. R. HORNEY
Judge

Filed Mar. 23, 1953

Depositions
Filed April 16, 1953

HARTLEY C. WEER, et al * IN THE CIRCUIT COURT
vs. * FOR
HARRY E. GILBERT, JR., et al * QUEEN ANNE'S COUNTY.
Chancery No. 3834.

** ** *

Having been notified by L. Wethered Barroll, Solicitor for the Plaintiff, of a desire to take testimony in the above mentioned cause, I, Harry C. Butler, One of the Standing Examiners for the Circuit Court for Queen Anne's County, notified Richard T. Earle, Esq. and Clayton C. Carter, Esq., Solicitors for the Defendant, both of whom waived their right to be present at the taking of said testimony; after swearing the stenographer and the witnesses I proceeded to examine said witnesses at my office in the town of Centreville, at 2:00 p.m. on Friday, the 10th day of April, 1953 at which time, I was present and in the presence of the Solicitor for the Plaintiff, who propounded said questions.

The examination was properly conducted and I did not deem it necessary to examine any of the said witnesses and I wish to certify that there were no irregular or unusual circumstances in the taking of said testimony or in the conduct of the proceedings.

HARRY C. BUTLER
Harry C. Butler, Examiner.

Hartley C. Weer, et al * IN THE CIRCUIT COURT
vs. * FOR
Harry E. Gilbert, Jr., et al * QUEEN ANNE'S COUNTY.
* Chancery No. 3834

The First Witness having been duly sworn, deposes and says:

State you name, age occupation and place of residence.

A. Hartley C. Weer, 3315 Walbrook Ave., Baltimore, Maryland, Sec'y of American National Building Assoc., and also employed at C.H. Lear's, 417 North Howard Street, furniture business. Age 60.

Q. Mr. Weer, are you a son of Mrs. Minta C. Weer, deceased? who is s daughter of Amelia Minta Copper, deceased?

A. I am.

Q. Counsel for Plaintiff, then offered in evidence a certified copy of the Will of Wm. Perkins, previously filed in the Cause of Copper vs. Perkins, marked, "exhibit #1".

Q. Was Amelia Minta Copper referred to in that will your mother's mother?

A. She was.

Q. When did M. Elizabeth Perkins, the life tenant named in said will die?

A. April 20th, 1952.

Q. Did she ever marry?

A. No.

Q. Counsel for Petitioner then offered in evidence a certified copy of a deed, marked "Complainant's Exhibit B", conveying a fee simple title in real estate in Templeville, Queen Anne's County to Wm. Perkins, deceased.

Q. Mr. Weer, is it in your opinion necessary and in the best interest of the persons who will receive this estate to sell the above mentioned parcel of fee simple property in order that the proceeds maybe divided and distributed among the descendants of Amelia Minta Copper, deceased, entitled to be paid or to receive the same after the death of M. Elizabeth Perkins, the life tenant?

A. It is, as this property is not susceptible of partition or division among the persons entitled to the same. A trustee should be appointed by this Court to sell this property.

Q. Who are the other descendants or heirs of Amelia Minta Copper deceased?

A. Amelia Minta Copper had four children - who were daughters, all of whom are dead. Ellen Copper died unmarried, without children, but each of the other three left descendants. These are the only descendants living of Amelia Minta Copper and now entitled to the proceeds of the estate are the following:

(1) A deceased daughter, Mary F. Startt, who is survived by her daughter, Minnie Vickers and a grandson, Carroll Startt who was the son of Joshua Startt, a son now deceased. Another son Samuel Startt died unmarried.

(2) A deceased daughter, Elizabeth C. Crew, who is survived by

(a) A daughter Amy C. Crew

(b) A son Jesse B. Crew

(c) A son Albert Crew

(d) Two grandchildren Burchell Crew and Leonard Crew, Jr. children of Leonard Crew deceased.

(e) A grandson Albert Hofmeister son of John Hofmeister, widower of Lulu Crew Hofmeister, deceased.

(3) A deceased daughter, Minta C. Weer, who is survived by Hartley C. Weer, the witness.

EXAMINER'S SPECIAL.

NONE.

HARTLEY C. WEER
Hartley C. Weer

The second witness having been duly sworn, deposes and says:

A. State, your name, age and residence.

John McKenney, 53, Centreville, Maryland.

Q. How long have you been engaged in the real estate business?

A. Since 1932.

Q. Are you well acquainted with the values of real estate in the vicinity of Templeville, Queen Anne's County, Maryland?

A. I am.

Q. Did you at my request value a house and lot in Templeville occupied until recently by M. Elizabeth Perkins and which was deeded to the late Wm. Perkins by deed which has been marked "Exhibit B" in these proceedings?

A. I did.

Q. Mr. McKenney will you briefly describe this house and lot in Templeville?

A. The property consists of a lot with 60 foot frontage and 150 foot back - approximately. And is improved by a frame dwelling house of two stories in poor condition. On the first floor there is a living room, dining room, hall and kitchen. On the second three bedrooms, with an attic above. The house has no plumbing, electricity and no facilities for heating. There is no sewerage system in Templeville. The roof is in very poor condition as is a rear porch and much of the weather boarding. I estimate that it would require more than the sum of \$3000.00 to renovate and repair the property satisfactorily. I have therefore appraised the land and improvements at \$2333.33.

Q. Is this property susceptible of partition among the parties entitled to the same?

A. I should say it could not be satisfactorily divided.

EXAMINER'S SPECIAL.

None.

JOHN MCKENNEY
John McKenney

There being no other witnesses named or produced, I then at the request of the Solicitor for the Plaintiff, closed the depositions taken in said cause, on this 10th day of April, 1953.

Examiner's Fee.....\$ 10.00
 Jane B. Wright, Stenographer.....\$ 5.00
 John McKenney(bill attached).....\$ 25.00

HARRY C. BUTLER
 Harry C. Butler, Examiner

Filed April 16, 1953

Hartley C. Weer et al

vs.

Harry E Gilbert, Jr. et al

CHANCERY #3834

Appraising the property formerly occupied by M Elizabeth Perkins and for testimony relative to the value of the same before the Examiner. \$25.00

Certified Copy of Last Will and Testament of William Perkins, deceased. Filed April 16, 1953

I William Perkins of Queen Anne's County in the State of Maryland being of sound and disposing mind, memory and understanding, 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 expences, I give and devise my Estate as follows:

I give and devise to my niece Martha Elizabeth Perkins, all my Estate Real, Personal, and Mixed, that is the whole of my Estate, with the understanding that she does not marry, She shall not sell the Real Estate, if she marries, and there is offsprings of course, her assetts would go to her Children, Should she remain single, at her death, all the Property to be divided equalley between my nieces her Cousins the daughters of my sister, Amelia Minta Copper Kent Co Md.

I hereby appoint William Bradford Copper (My Nephew) my Executor of this my last will and testament, hereby making all others wills and testaments heretofore made by me void.

In testamoney whereof I hereunto sett my hand and seal this seventeenth day of Sept Nineteen Hundred and one, to this my last will and testament.

Signed, Sealed, Published and declared by William Perkins the above named testator, and as 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 hereunto subscribed our names as witnesses. Wm Perkins (Seal)

John T. Temple

Bennett H. Emory

STATE OF MARYLAND,
 QUEEN ANNE'S COUNTY, SCT.:
 18th day of Dec. A.D., 1906.

Then came Wm. B. Copper, Custodian and in the presence of Almighty God he did solemnly promise or declare, with uplifted hand, in due form of law, that he does not know of any Will or Codicial to a Will of William Perkins late of said county, deceased, other than the foregoing Instrument of Writing, and that he received the same from the private papers of said deceased and mailed same by Registered letter to the Register of Wills for Queen Annes County who received same on or about the 11th day of Dec. 1906.

Cert: per Test: Robert W Thomas
 Register of Wills for Queen
 Anne's County, Md.

STATE OF MARYLAND,
 QUEEN ANNE'S COUNTY, SCT.:
 18th day of Dec. A.D., 1906.

Then cam Jno T Temple subscribing witness to the foregoing last Will and Testament of William Perkins late of the County aforesaid, deceased, and in the presence of Almighty God he did solemnly promise or declare, with uplifted hand, in due form of law, that he did see the testator therein named, sign and seal the said Will; that he heard him publish, pronounce and declare the same to be his last Will and testament, and that at the time of his so doing he was to the best of his apprehension of sound and disposing mind, memory and understanding, and that he, together with Bennette H. Emory, who is said to be living at Nashvill N.C. the other subscribing witness, respectively subscribed their names as witnesses to said Will, in the presence and at the request of said testator and in the presence of each other.

Cert: per

Robert W. Thomas
Register of Wills for Queen Anne's
County, Md.

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

The foregoing last Will and Testament of William Perkins late of Queen Anne's County, deceased, having been exhibited for Probate, and no objection thereto having been made, although notice according to the direction of the Court, appears to have been given to the next relations of said deceased;

The Court, after having carefully examined the said Will of William Perkins deceased, and also, the evidence adduced as to its validity,

Orders and dec ees, this 29th day of January, 1907 that the same be admitted in this Court as the true and genuine last Will and Testament of the said William Perkins deceased.

Alfred Tucker

S.S. Goodhand

Hiram G. Tarbutton
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 proof thereof of WILLIAM PERKINS, late of Queen Anne's County, deceased, as filed and passed in this office on January 29th, 1907 and recorded in Liber R.W.T. No. 1 Folio 114, etc. in Record Book for 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 1st day of April 1953.

Seal's Place

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

Defendant's Memorandum Brief
Filed June 1, 1953

HARTLEY C. WEER, et al.

VS.

HARRY E. GILBERT, JR.,
TRUSTEE, et al.

* IN THE CIRCUIT COURT
* FOR
* QUEEN ANNE'S COUNTY
* CHY. #3834

DEFENDANT'S MEMORANDUM BRIEF

The legatée and devisee, Martha Elizabeth Perkins, in the will under construction was on the horns of a dilemma when the testator died. A fee simple title to the real estate and absolute title to the personalty was apparently devised and bequeathed to her on condition that she did not marry. However, if she did marry and she had "offspring", then the property was to be divested and go to her children. If she remained single (which the testator said she should), then the property was to be divested also and to go to her cousins.

In other words to the bequest and devise there was annexed a condition subsequent, that is, a condition by which an estate previously given and vested, was to be divested or forfeited upon marriage and having "offspring" or if she remained single at her death. The first condition was void because it was a restraint upon having children and the second was void because the testator had previously told her she could not marry. So no matter what the legatee and devisee did, she would have done violence to the terms of the will. If she had married, she would have violated the restraint. If she had married and had offspring, then the property would have gone to her children. If she remained single at her death, then the property would have gone to her cousins.

The terms of the will her in question did not limit a life estate, but were conditions which operated to divest or forfeit an absolute estate previously given and vested. Restraints on marriage generally, under such conditions, are void, whether there be a gift or not.

Arthur V. Cole 56 Md. 100, 102

Although certain words are suitable for the creation of a condition such as "on condition that" "provided that" or "so that", nevertheless, a condition may be created without such words or similar ones, technical words not being essential.

Miller on Wills, page 863.

If conditions subsequent be in general restraint of marriage, and there is no limitation over, they are void as to both real and personal estate.

Gould V. Maning, 26 Md. 347

It has been held that the presence of a devise over may turn what would otherwise be regarded as a condition, into a conditional limitation, but that its presence is not regarded as conclusive is shown by cases in which such a provision has been held to be a condition notwithstanding the existence of a gift over.

122 A.L.R. 60
Bostick V. Blades, 59 Md. 231
Gould V. Manning, 26 Md. 347

The law is favorable to vesting of estates, and averse to their destruction ... On this principle a condition precedent is construed strictly in favor of vesting an estate, and a condition subsequent is construed strictly against divesting the estate.

Miller on Wills pg. 864.

With respect to conditions subsequent, it is said that they are not favored in law because on the breach thereof, there is a forfeiture of the estate, and the law is averse to forfeitures.....But conditions subsequent which defeat an estate are not to be raised by inference or implication.

Miller, Supra. pg. 866

Where a subsequent condition is void by reason of its being . . . repugnant or contrary to law, the estate becomes vested in the first taker discharged of the condition

Miller on Wills, page 870

A condition which is repugnant to the estate limited is absolutely void.

Miller on Wills, page 873

There is an exhaustive annotation on this whole subject of the effect of restraint on marriage in

122 A.L.R. 7.

The sole question involved in this case is the interpretation of the Last Will and Testament of William Perkins made in 1901 and probated before 1912. This will was not prepared by an attorney who knew the technical meaning of words employed, but has the appearance of being prepared by the testator, and in construing the same, it should be construed not alone by its language but by the condition of the testator's family and estate, and the expositor should put himself as far as possible in the position of the testator and take into consideration the circumstances surrounding him when the will was executed. What has taken place since has no bearing on what was the intention of the Testator, and his intentions are what we are now concerned in discovering.

"After the payment of all my just debts and funeral expenses I give and devise my estate as follows:

I give and devise to my niece Martha Elizabeth Perkins, all my estate, real, personal and mixed, that is the whole of my estate, with the understanding that she does not marry".

If the will stopped there, there could be no doubt but what the niece took the entire estate, because a restraint of this kind is a general restraint against marriage, with no limitation over in case of marriage. There are cases where property is left to A, and if and when A marries, then to B, but when there is no devise over in case of marriage, the same has always been declared void and the first taker takes a fee simple.

Cases cited supra.

The will then continues, "She shall not sell the real estate, if she marries, and there is offspring of course, her assets would go to her children. Should she remain single, at her death, all the property to be divided equally between my nieces, her cousins, the daughters of my sister, Amelia Minta Copper, Kent Co., Md."

IN interpreting said Will, we must take into consideration that the testator left both real and personal property and we respectfully suggest that due to the phraseology of said will, any restriction placed upon said niece was intended to apply to real estate only and not to any personalty. When the testator said she shall not sell the real estate and later used the term property instead of estate, this seemed to bear out that any restrictions were to real estate alone, especially is that evident when we consider that the real estate had been for many years the home of the Testator and he desired to keep the same in the family. Had the Testator intended any restrictions to be placed on his bequest of personalty, he would have stated same. He does not create any trust, he does not limit the bequest to any income from the personalty, nor does he limit her to expend any part or the whole of same, nor when he speaks about property to go to nieces if Martha died single, does he speak about any part of personalty. A bequest of personalty to her with no limitations thereon, trust or otherwise, gives an absolute estate.

Now let us consider what kind of an estate was devised to Martha by said will. the restraint against marriage would give her a fee simple, but suppose that clause was not in said will.

If the Testator intended she should not sell same and if she had

offspring, but should she die single then to ABC, then there can be no question but what he intended that Martha should take an estate for life with remainder to her offspring, then the rule in Shelley's case applies, and the executory devise over in case of her dying unmarried is void.

Simpers V. Simperts, 15 Md. 160
Travers, Trustee V. Wallace, et al. 93 Md. 507
Thomas V. Higgins 47 Md. 439

If, for the sake of argument, we eliminate from said will "with the understanding she shall not marry" but "She shall not sell said real estate", it can only be argued by the complainant that she took an estate for life, with remainder to her "offspring". We respectfully submit the word "offspring" so used can only be interpreted as "heirs of her body". The word "children," the work "issue" and other words have been so construed and it is so construed in accordance with the intention of the Testator. If he had not used said terms, then said property would have, upon her death, gone to ABC, but the term "offspring" is just as much a word of limitation as heirs of the body and denotes a fresh line from which property can descend.

SUMMARY

As regards to the personal property, we respectfully suggest that first on account of no limitations being placed on the use of same passed to Martha, a fee simple title absolutely; that if not, the restraint against marriage vested a fee simple absolute title in Martha; that if not, Martha took a life estate and by the Rule in Wold's case that operates as to personalty, the same as Shelley's Rule operates as to realty, then the executory devise to ABC is void.

As regards to the real estate, first that the restraint against marriage would give Martha a fee simple title, absolute; second, that if the Testator intended Martha to take a life estate with remainder to her offspring, and if she died single to ABC, then the Rule in Shelley's case applies and vests in Martha a fee and the executory devise over is void in accordance with authorities herein cited.

Respectfully submitted:

RICHARD T. EARLE

CLAYTON C. CARTER
Attorneys for Defendant

I HEREBY CERTIFY that on this 29th day of May, 1953, I mailed a copy of the foregoing Brief, postage prepaid, to L. Weathered Barroll, attorney for Plaintiff.

CLAYTON C. CARTER
Attorney for Defendant

Filed June 1, 1953

MEMORANDUM FOR COURT
FILED June 13, 1953

HARTLEY C. WEER, et al. : IN THE CIRCUIT COURT
VS : FOR
HARRY E. GILBERT, JR., : QUEEN ANNE'S COUNTY
TRUSTEE, et al. :
CHY. #3834

.....

MEMORANDUM FOR COURT

INTENT

What was the intent of William Perkins as to who should receive his property as expressed by the second paragraph of his will?

The first three lines of this paragraph indicate an intent that his estate go to his niece, Martha Elizabeth Perkins. However, the subsequent five and one-half lines limit the rights of this niece in the estate so that, if she die unmarried and childless, there is a gift or limitation over to other relatives, as in Stump vs. Jordon 54 Md. 619, so that she really received a defeasible estate.

These five and one-half lines provide that, should she marry and have children, the estate would, at her death, go to her children. However, this fee simple or absolute estate in this niece and her children is subject to being defeated by her not marrying and having "offsprings" or children. Such a defeasible estate is discussed by Judge Burke in Maddox vs. Yoe, 121 Md. 288.

Then, in the last three and one-half lines, we find provided what is to happen if this niece die childless and unmarried -- the plain intent then is that "all the property to be divided between my nieces her cousins the daughters of my sister Amelia Minta Copper...."

Since the niece to whom the defeasible fee was devised died unmarried and childless, can it be seriously contended that the testator did not exactly provide what his intent was should she die in the status she did?

Is it not foolish to argue that the first three lines are void, because they forbid or interfere with this niece marrying when the next three lines encourage her to marry by giving her children an absolute estate?

Aside from the above plain intent the words express, the first three lines, if isolated from the remainder of the paragraph, do contradict the second three lines -- if these are similarly isolated. If this statement is correct, then surely the irresistible conclusion must be that the remainder of the paragraph -- about which there is no ambiguity or contradiction -- controls, and the estate should go as the testator plainly directed. On this point, does not the rule apply that ".... the subsequent must prevail as denoting a subsequent intention" Fersinger vs. Martin 183 Md. 135 at Page 139 sustaining the earlier and very illuminating (to our present enquiry) decision in Carey vs. Dykes 138 Md. 142 and Schlotzhauer vs. Kummer, 149 Md. 583. These last two cases discuss homemade wills even more crude than that of William Perkins, and the Court's language is applicable here.

Not only does the construction of the intent expressed gratify the first principle a Court follows in seeking the intent from all the words used by the testator, but it is in accord with the established canon that the last clause of a will governs -- should this last clause conflict with earlier clauses.

In Pue vs. Pue, 1 Md. Ch. 382, Chancellor Johnson, in construing a will in 1849, said in effect it was ".... absolutely necessary to give effect to posterior qualifying dispositions" -- verily an ante bellum use of "posterior" -- ordinarily used to describe the rear of a horse -- but sanctioned by Shakspeare's character in this colloquy:

A: "The posterior of the day, which low fellows call the afternoon."

B: "Tis an apt word -- well culled!"

Judge Parke says: "The reading of this will makes it plain that it was inartificially drawn, and that this testator sat down to make it without benefit of counsel: and, so, it is all the more imperative that, if the intention of the testator be made clear by the words of the will, it should be given effect, even if the technical words, which are ordinarily necessary to express that intent, have not been used. And this intention must be sought, not through the isolation of a single paragraph, but through its collection from the four corners of the will, as together expressing the complete testamentary purpose. And so controlling is intent that, even in devises, the accepted technical meaning of terms ordinarily used in the creation of estates in real property must yield to whatever intention is made apparent by the language of the instrument, if giving effect to this intention be not in violation of some established rule or principal of law."

How helpful is this masterly language of Judge Parke, found at pages 586 and 587 in Schlotzhauer vs. Kummer, 149 Md. 583! Merely substitute "sentence" for "Paragraph" and you have the will and the problems connected with it, here and now before this Court.

In the Kummer case, testator at one point left his entire estate to his wife "and to her heirs and assigns forever", page 585. Later he made specific provision as to the disposition of the estate upon her death. The Court held she received a life estate only.

Judge Collins, citing the Kummer case, articulates the rule thus in Fersinger vs. Martin, 183 Md. 135 at page 139:

"It is a settled rule in the construction of wills that, if a testator in one part of his will gives an estate of inheritance or an absolute interest in personalty and subsequently unequivocally shows that he intends the devisee or legatee to take a life interest only, the prior gift is so restricted."

A fortiori, in the will now before the Court, Martha Elizabeth Perkins took only a life estate or defeasible fee. Testator underscored his intention by prohibiting her from selling the realty and providing for the devolution of the property upon her death, either married, with children, or single. (If a lawyer had drafted this, he could surely have anticipated a contingency whereby she could die married but childless. And he would have disposed more explicitly of the personalty.)

Inclusio unius est exclusio alteris has no application in situations of this sort, as Judge Offutt pointed out in another homemade will case, -- Carey vs. Dykes, 138 Md. 142 -- where testator left his personalty to his wife till her death or remarriage, then realty and personalty to a niece, then a clause leaving realty to his wife. The Court held that the realty was originally omitted as an oversight and that the overall intent of the testator was to provide his wife with a life estate only in all his property.

So here, in the light of testator's later disposal of "assets" and "all the Property", no one could seriously contend he intended his niece had the right to alienate any of the principal of the estate.

RULE IN SHELLEY'S CASE

The magic word "heirs", often so essential in a will, if the "Rule in Shelley's Case" is to be successfully invoked, was not used by William Perkins in his will -- hence, as he contented himself with using the word "offsprings" (which, according to Black's Law Dictionary, Third Edition, "is synonymous with issue"), there is no propriety nor necessity for the plain intent of the testator to be defeated. As Judge Pearce says (Reilly vs. Bristow 105 Md. 226 at Page 332): "the Courts of this state have always struggled against the application of the rule, and have searched the will or deed for some inconsistent provision or word which would exclude its application". On the next page (333) he adds: "Where, as here, there are two possible

constructions...the spirit of our decisions requires us to adopt the restrictive construction which will give effect to the natural and primary meaning of the word (here, "offsprings"), rather than to the arbitrary meaning placed upon it by an artificial rule of law". The word "offspring" has been defined in Williams vs. Armiger, 129 Md. 222, at page 227, as equivalent to children and "is a word of purchase and not a word of limitation".

Hence, the Court there, while sustaining the contention of the construction of John A. Reilly's will of the appellee, rejected his reasoning that the application of the Rule in Shelley's Case produced this result.

Much of the learning on this subject is boiled down in Paragraph 360 (Page 1016) in Miller's "Construction of Wills".

It is fair to assume the late William Perkins -- whatever his other accomplishments -- had never heard of the Rule in Shelley's Case. By refraining from placing the word "heirs" in his will and using the word "offsprings", it is idle to say he was expressing his intent in the manner "usually adopted in order to avoid the operation of the rule in Shelley's Case". (See Judge Thomas' language Page 226 of Williams vs. Armiger). But, even had he used the word "heirs", would not the proper interpretation of the clear intent expressed by him be the view of our Court in Hall vs. Gradwohl, 113 Md. 293, in which the testator in his devise to his daughter Sarah used the words, "...at her death, to be equally divided among her children or legal heirs". There Judge Burke said (Page 299): "We think it plain from the language and dispositions of the will that the testator did not intend to use the words "legal heirs" in their full technical sense, and that the language..., plainly manifests a particular intent to use those words... (as a) ... particular designation of individuals who were to take as purchasers...."

CONCLUSION

We can only add that the "rule in Wold's case (6 Co Rep 16) was in effect abolished by the decision in Stonebraker vs. Zollickofer, 52 Md. 154 at Page 159 (See Myerberg's article M.L. Review Vol. IV Page 31. Further, that by no reasoning can the Rule in Shelley's Case affect this will, and the intent of the testator is plain from all the language of the will.

Respectfully submitted,

BARROLL & WETHERED

Filed June 12, 1953

| | | |
|--------------------------------|---|-----------------------|
| WM. B. COPPER, ETC. |) | IN THE CIRCUIT COURT |
| |) | |
| VS. |) | FOR QUEEN ANNE COUNTY |
| |) | |
| M. ELIZABETH PERKINS |) | IN EQUITY NO. 1966 |
| | | |
| HARTLEY C. WEER, ET. AL. |) | IN THE CIRCUIT COURT |
| |) | |
| VS. |) | FOR QUEEN ANNE COUNTY |
| |) | |
| HARRY E. GILBERT, JR., ET. AL. |) | CHANCERY NO. 3834 |

TO THE HONORABLE THE JUDGES OF THE CIRCUIT COURT FOR QUEEN ANNE COUNTY:

The Petition of Hartley C. Weer and Harry E. Gilbert, Jr., Trustees in No. 1966 Equity respectfully shows:

1. That the object of this Petition is to secure from this Court an order consolidating the two above cases.

2. That the same subject matter and parties or privies asserting interests therein are before this Court in Nos. 1966 and 3834 Equity and it will be to the best interest of all parties affected if the same are consolidated as well as save money in the administration thereof under future orders of this Court.

WHEREFORE Petitioners pray this Court to order these cases consolidated.

And as in duty bound, etc.

BARROLL & WETHERED

Solicitors for

Hartley C. Weer and Harry E. Gilbert, Jr.,
Trustees

Filed June 16, 1953

ORDER

Ordered by the Circuit Court for Queen Anne County, in Equity this 16th day of June, 1953 upon the foregoing Petition that the Equity causes of Wm. B. Copper, et. al. vs. M. Elizabeth Perkins, Equity 1966 and Hartley C. Weer, et. al. vs. Harry E. Gilbert, Jr., et. al., Chancery No. 3834 be and the same are hereby consolidated.

Wm. R. HORNEY

Filed June 16, 1953

OPINION

Filed July 31, 1953

HARTLEY C. WEER, et al.,

vs.

HARRY E. GILBERT, JR.,
Trustee, Et Al.

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

No. 3834.

OPINION

By this proceeding the Court is required to construe the following paragraph of the Last Will and Testation of William Perkins, Deceased:

"I give and devise to my niece Martha Elizabeth Perkins all my Estate Real, Personal and Mixed, that is the whole of my estate, with the understanding that she does not marry. She shall not sell the real estate, if she marries, and there is offsprings of course, her assetts would go to her Children, Should she remain single, at her death, all the property to be divided equalley between my nieces her cousins the daughters of my sister, Amelia Minta Copper...."

The defendants contend, principally, (1) That the terms of the will did not create a life estate, but operated instead to divest or forfeit an absolute estate previously given and vested, and that such a General restraint on marriage was void even though there was a gift over, and that Martha Elizabeth Perkins therefore took a fee in the real estate and an absolute interest in the personal property; or (2) That the rule in Shelley's Case applies to the real estate and the rule in Wold's case as to the personal property on the ground that the word "offsprings" as used in this will can only be interpreted as "Heirs of the Body," thus giving Martha Elizabeth Perkins an absolute estate in both kinds of property, This Court does not agree with either contention.

On the other hand, and despite the fact that this will was most inartificially drawn, the intent of the testator, with the exception as to what he meant by not marrying, seems quite clear, and by the rules governing the construction of wills, seems simple clear if the provision as to marriage is disregarded. One of the fundamental rules is that the entire instrument must be considered in order to ascertain the intention of the testator. If this is done in the instant case it becomes apparent that the absolute gift to Martha Elizabeth Perkins, being followed by provisions indicating that a life estate was intended to be given, the absolute estate first given must be cut down to a life estate. Therefore disregarding the provision as to marriage, which the court must in this case, it appears that the testator devised his entire estate to his niece, Martha Elizabeth Perkins, for life, with the remainder to her children if she had married and had had children, or, if she remained single, which she did, then with the remainder to the daughters of the Testator's sister, Amelia Minta Copper.

It is by no means certain what the testator meant in providing that his niece should not marry, but it does not matter inasmuch as she had only a life estate in any event. If she married the remainder was devised to her children if she had any. If she remained single the remainder was devised to her cousins, the daughters of her Aunt Amelia. No provision was made for the event of the marriage of the Niece and her death without having had children.

There is no reason to distinguish between the devolution of the title to the real estate and such of the personal property as remains. Both kinds of property pass to the same parties under the will.

A decree in confirmity with this opinion will be passed when presented.

Wm. R. HORNEY
Judge.

Filed July 31, 1953

WILLIAM B. COPPER,
EXECUTOR, ET AL.

VS.

M. ELIZABETH PERKINS #1966

HARTLEY C. WEER ET AL.

VS.

HARRY E. GILBERT, JR. ET AL.
#3834

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Hartley C. Weer, by Lewin Wethered, his attorney, respectfully shows:

1. That your petitioner filed his bill of complaint in the above entitled chancery cause #3834 in this court on the 19 day of November, 1952, in which your petitioner prayed that certain real estate therein mentioned should be sold for the purpose of partition among the persons entitled thereto.

2. That your petitioner has since discovered that the real estate mentioned in paragraph 3 thereof is not adequately described; that the same, when correctly described, should read as follows:

"which William Perkins acquired under the following deeds:

From John W. Temple, et us. dated December 19, 1864, recorded among the Land Records of Queen Anne's County in Liber S.E.D. No.1, folio 407 (a certified copy thereof being filed herewith and marked "Complainant's Exhibit B")

From John W. Temple et al. dated December 29, 1870, recorded among the aforesaid land records in Liber J.W. No. 2, folio 383 (a certified copy thereof being filed herewith and marked "Complainant's Exhibit C");

That thereafter the said William Perkins conveyed a portion of the land acquired by him as aforesaid under the deed recorded in Liber J.W. No. 2, folio 383 by his deed to James E. Reed, dated August 31, 1871, recorded among said land records in Liber J.W. No. 3, folio 124 (a certified copy thereof being filed herewith and marked "Complainant's Exhibit D")

That after the death of the said William Perkins, one Hope H. Barroll was appointed trustee in a proceeding filed in the Circuit Court for Queen Anne's County in Equity, being Chy. #1825, in which William B. Copper, et al. were complainants and Mary F. Startt, et al. were defendants, and a portion of land acquired by William Perkins during his life time as aforesaid, was conveyed to one Samuel C. Faulkner by deed dated July 30, 1910 from the said Hope H. Barroll, trustee, and recorded among said land records in Liber S.S. No. 8, folio 304 (a certified copy thereof being filed herewith and marked "Complainant's Exhibit E").

3. That the following words appearing in paragraph 3 of said bill of complaint should be stricken out, to wit: "described in a deed dated.... marked complainant's Exhibit B".

WHEREFORE, your petitioner prays this Honorable Court to pass an order authorizing and directing your petitioner to correct the description appearing in paragraph 3 of said bill of complaint, and strike out the wording in said paragraph 3, mentioned in paragraph 3 above so that the bill of complaint will then contain the changes above mentioned.

Respectfully submitted;

LEWIN WETHERED
Solicitor for complainant

CONSENTS

William S. Levy, solicitor for Harry E. Gilbert Jr., trustee, Burshell Crewe, Leonard Crew, Jr., Amy C. Crew, Jesse B. Crew, John Hofmeister, Albert Crew, consents to the passage of a proper order upon the foregoing petition.

WILLIAM S. LEVY
William S. Levy, Solicitor

Clayton C. Carter, solicitor for John Bowman, Executor and Individually, consents to the passage of a proper order upon the foregoing petition.

CLAYTON C. CARTER
Clayton C. Carter, Solicitor

Wm. Dunbar Gould, solicitor for Carroll Startt and Minnie Vickers, consents to the passage of a proper order upon the foregoing petition.

WM. DUNBAR GOULD
Wm. Dunbar Gould, Solicitor

Filed Sept. 4, 1953

ORDER

Upon the foregoing petition, it is ORDERED this 4th day of September, 1953, by the Circuit Court for Queen Anne's County in Equity, that the complainant in the above entitled cause, be and he is hereby authorized and directed to correct the description of the property appearing in paragraph 3 of the bill of complaint filed by him in this cause on the 19th day of November, 1952, by interlineation and striking out the words appearing in paragraph 3 of said bill, so that the same will then contain the changes set forth in the within and foregoing petition.

Wm. R. HORNEY
Judge

Filed Sept. 4, 1953

DEPOSITIONS
Filed Sept. 4, 1953

WILLIAM B. COPPER,
EXECUTOR, ET AL.

VS.

M. ELIZABETH PERKINS #1966

HARTLEY C. WEER ET AL.

VS.

HARRY E. GILBERT, Jr., Et Al.

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

Having been notified by Lewin Wethered, one of the solicitors for the complainant in this cause, of his desire to take additional testimony in the above mentioned cause, and the solicitors for the defendant, John W. Bowman, having waived their right to be present at the taking of said testimony; and after swearing the stenographer and the witness, I proceeded to examine the said witness at the office of Clayton C. Carter, Esq., in the town of Centreville, at 10:30 A.M. on Thursday, September 3, 1953, at which time I was present and the solicitor for the complainant, who propounded said questions.

The examinations was properly conducted and I did not deem it necessary to examine said witness, and I wish to certify that there were no irregular or unusual circumstances in the taking of said testimony or in the conduct of the proceedings.

HARRY C. BUTLER
Harry C. Butler
Examiner

Filed Sept. 4, 1953

WILLIAM B. COPPER,
EXECUTOR, ET AL.

VS.

M. ELIZABETH PERKINS #1966

HARTLEY C. WEER ET AL.

VS.

HARRY E. GILBERT, JR. ET AL.
#3834

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

The witness having been duly sworn, deposes and says:

- Q. What is your name?
A. Clayton C. Carter
- Q. Where do you live?
A. Centreville, Maryland
- Q. What is your occupation?
A. Attorney at law
- Q. Did you examine the title to the property in the estate of William Perkins in the Vicinity of Templeville in Queen Anne's County?
A. I did
- Q. What did your examination reveal?
A. I found that on December 19, 1864 John W. Temple and wife conveyed the parcel of land in Templeville to William Perkins by deed which was recorded among the land records of Queen Anne's County in Liber S.E.D. No. 1, folio 407, which is the same deed filed in this cause and marked "Complainant's Exhibit B". I further found that on December 29, 1870, John W. Temple et al. conveyed another parcel of land to William Perkins, located in Templeville, which deed was recorded in Liber J.W. No. 2, folio 383 in said land records. The deed for said parcel is filed in this cause as "Complainant's Exhibit C".

I found that in the following year on August 31, 1871 William Perkins conveyed to one James E. Reed a portion of the tract which he had acquired in the previous year of 1870 from John W. Temple et ux, and this deed was recorded in Liber J.W. No. 3, folio 124, and is filed in this cause as "Complainant's Exhibit B".

I found no further conveyances from William Perkins to the date of his death in or about the year 1906 which would have affected the property he had acquired in 1864 or in 1870 mentioned above. I also checked the land records to determine whether Martha Elizabeth Perkins ever conveyed or attempted to con-

vey, any interest or title in the lands of William Perkins which she acquired under the Will of said William Perkins, which is recorded in Liber R.W.T. No. 1, folio 114, a Will Record Book in the Orphans' Court for Queen Anne's County; however, I did find that in the year 1910, a chancery proceeding was filed in the Circuit Court for Queen Anne's County, being Chy. #1825, in which William B. Copper and Martha Elizabeth Perkins were complainants and Mary F. Startt et al. were defendants, which related to the property in Templeville of which the said William Perkins died seized and possessed. I am of the opinion that this chancery proceeding related to a portion of the property of which William Perkins died seized and possessed, but there was no title reference in this proceeding to indicate such.

Hope H. Barroll was appointed trustee in said chancery proceeding and proceeded to sell to one Samuel C. Faulkner a lot in Templeville which is more fully described in said chancery proceeding and in a deed from the said Barroll to said Faulkner dated July 30, 1910 and recorded among the land records of Queen Anne's County in Liber S.S. No. 8, folio 304, of which there is a certified copy in this proceeding marked "complainant's Exhibit E".

EXAMINER'S SPECIAL.

NONE

Filed Sept. 4, 1953

CLAYTON C. CARTER
Clayton C. Carter

There being no other witnesses named or produced, I then, at the request of the solicitor for the complainant, closed the depositions taken in said cause, on this 3rd day of September, 1953.

Examiner's fee \$10.00
Doris L. Dillehunt, Stenopgraher. 5.00

HARRY C. BUTLER
Harry C. Butler
Examiner

Filed Sept. 4, 1953

Complainant's Exhibit C"
Filed Sept. 17, 1953

QUEEN ANNE'S COUNTY, to wit: Be it remembered That on the fifth day of January in the year Eighteen Hundred and seventy one, the following Deed was brought to be recorded, to wit:

| | | |
|-------------------|-------------------|---|
| U.S. | U.S. | This Deed made this 29 th day of December in the Year One Thousand Eight hundred and Seventy by John W. Temple and Lucy J. Temple his wife, and Elizabeth Cooper, the first named two of Caroline County and the last named of Templeville Queen Anne's County in the State of Maryland. |
| Int. Rev. | Int. Rev. | |
| JWT | JWT | |
| Dec. 29 70 25¢ | Dec. 29 70 25¢ | |

WITNESSETH, that in consideration of Two Hundred and twenty-five dollars the said John W. Temple and Lucy J. Temple his wife and Elizabeth J. Cooper do grant unto William Perkins of Templeville Queen Anne's County and State of Maryland. All that peace or parcel of land situated in Templeville, Queen Anne's County adjoining lands of said Perkins and is contained as follows. Beginning in the center of the public road, leading from Templeville to Rights red house at the East corner of the lot of said Perkins and the Blacksmith Shop lot and runs east with said road opposite the saw mill road, thence with said road to the ditch or bridge south of the saw mills thence with the ditch and fence as it now stands until it intersects the corner of said Perkins and Elizabeth Coppers lot and is intended to include the lot and blacksmith shop and the corner lot East of said blacksmith shop, they the said John W. Temple and Lucy J. Temple and Elizabeth Copper do hereby convey unto said William Perkins in fee simple all their right, title and claim to the above described lot or lots and warrant the same generally.

Witness our hands and seals

| | |
|----------------|-------------------------|
| Test: | John W. Temple (SEAL) |
| W. S. MEREDITH | Lucy J. Temple (SEAL) |
| | Elizabeth Copper (SEAL) |

STATE OF MARYLAND

Queen Anne's County, to wit: Be it remembered on this 29th day of December, Eighteen hundred and Seventy, personally appeared John W. Temple and Lucy J. Temple and Elizabeth Copper before me, the subscriber, a Justice of the Peace in and for Queen Anne's County and acknowledged the foregoing Deed to be their respective acts.

Acknowledged before me.

W. S. Meredith 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. 2, folio 383, 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 First day of September in the year nineteen hundred and fifty

Complainant's Exhibit "D"
Filed Sept. 17, 1953

QUEEN ANNE'S COUNTY, to wit: Be it remembered, that on the twenty fourth day of October, in the year eighteen hundred & seventy one, the following Deed was brought to be recorded, to wit:

U.S. This Deed, made this thirty first day of August, Eighteen hundred
Inter. Rev. and seventy one by William Perkins of Templeville Queen Anne's
50¢ Stamps 50¢ County, State of Maryland, Witnesseth that in consideration of
18 WP 71 the sum of one hundred and twelve Dollars & fifty cents the said
Aug. 31" William Perkins doth grant unto James E. Reed of Templeville,
County and State aforesaid, all that part of parcel of land situated in Templeville,
Queen Anne's County, State of Maryland, it being a part of that tract of land conveyed to Wm. Perkins by a deed bearing date December 29th 1870 by J.W. Temple, Lucy J. Temple and Elizabeth Cooper, and is recorded in Liber J.W. No. 2 folio 383, one of the Land Records for Queen Anne's County, and is described in the following metes and bounds, Beginning in the center of the public road leading from Templeville to Smyrna at a point where the road leading from Templeville to Sandfield intersects it and running thence with said road North one and a half degrees West one hundred and thirteen feet to a bridge in the road thence West sixty three feet to a post in a line of the aforesaid Wm. Perkins, thence South seven and three fourth degrees East one hundred and thirty three feet to the centre of the aforesaid road, thence with said road north seventy five degrees East forty four feet to the Place of Beginning, containing eight thousand four hundred and nineteen feet of land, be the same more or less, the said William Perkins doth hereby convey unto the said James E. Reed, in fee simple, all his right, title & claim to the above described lot or parcel of land, and warrant the same generally.

Witness

William Perkins (SEAL)

W. S. Meredith

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

Be it remembered, on this thirty first day of August, A.D. 1871, personally appeared William Perkins, before me the subscriber, a Justice of the Peace in and for Queen Anne's County, and acknowledged the foregoing Deed to be his respective act.

Acknowledged before

W. S. Meredith, J.P.

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

I hereby certify that the foregoing was truly taken and copied from Liber J.W. No. 3, folio 124, a Land Record Book 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 First day of September in the year nineteen hundred and fifty-three.

T. SORDEN PIPPIN
Clerk

Complainant's Exhibit "E"
Filed Sept. 17, 1953

#1188. QUEEN ANNE'S COUNTY, to wit: be it remembered that on the Sixteenth (16th) day of August in the year nineteen hundred and ten, the following DEED was brought to be recorded, to wit:

T H I S D E E D, made this 30th. day of July in the year 1910, betwee Hope H. Barroll of Chestertown, Maryland, Trustee, as hereinafter mentioned, of the one part, and Samuel C. Faulkner, of Queen Anne County, Maryland of the other part, WITNESSETH,

W H E R E A S, by a decree of the Circuit Court of Queen Anne County, Maryland dated on the 24th. day of October in the year 1908 and passed in a cause in said Court between William B. Cooper et al Complainants and Mary F. Startt et al Defendants, the above named Hope H. Barroll was appointed Trustee with authority to sell the real estate in the proceedings in said Cause mentioned; and the said Trustee, after complying with all the previous requisites of the decree, did, on or about the 7th. day of May in the year 1910 sell unto the said Samuel C. Faulkner at and for the sum of Five Hundred (\$501.00) and One Dollars, current money, the aforesaid property, situated in the village of Templeville in Queen Anne's County and State of Maryland, thus described: All that lot of land so as aforesaid situated, lying and being in the village of Templeville, in Queen Anne County, in the State of Maryland, situated on the north side of Main Street of said village on the public road leading from Hartley to Centreville. The said lot of land fronts on the said public road 5 6/10 rods more or less, and extends back 167/10 rods more or less. It is particularly laid down by metes and bounds, courses and distances, on a Plat and survey thereof made by Thomas B. Johns Surveyor, dated April 15th. 1909, it being the same real estate left by William Perkins, late of Queen Anne's County, in the State of Maryland, who died leaving a last Will and Testament dated 17th. day of September 1901, duly executed, admitted to probate and recorded among the Will Records in the office of the Register of Wills for Queen Anne's County, Maryland, which said Plat and survey describing by metes and bounds, courses

and distances is affixed to this Deed and made a part hereof and intended to be filed for record herewith. And WHEREAS, the aforesaid sale has been duly reported to, and ratified and confirmed by the said Circuit Court Queen Anne County, in the State of Maryland and whereas the purchase money aforesaid has been fully paid and satisfied to the said Trustee, he is authorized by the said decree to execute these presents. NOW this Deed Witnesseth, that the said Hope H. Barroll, Trustee as aforesaid, for and inconsideration of the premises, and the sum of Five (\$5.00) Dollars, current money, to him in hand paid by the said Samuel C. Faulkner at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged doth grant unto the said Samuel C. Faulkner, his heirs and assigns, all the property herein before described with its appurtenances, and all the right, title, interest and estate of the parties to the aforesaid decree, both at law and in equity, in and to the same. TO have and to hold the aforesaid property with its appurtenances unto the said Samuel C. Faulkner, his heirs and assigns forever.

Witness my hand and seal.

Test: HOPE H. BARROLL. (SEAL)
Trustee

Abram S. Crawford.

STATE OF MARYLAND, KENT COUNTY, to wit:-

I hereby certify that on this 30th. day of July 1910 before me, the subscriber, a Justice of the Peace of the said State in and for Kent County aforesaid, personally appeared Hope H. Barroll, Trustee and he acknowledged the foregoing Deed to be his act.

ABRAM S. CRAWFORD, J.P.

STATE OF MARYLAND, KENT COUNTY, Sct.:-

I hereby certify that Abram S. Crawford Esquire, before whom the annexed acknowledgment was made and who has hereto 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 handwriting of the said Justice and verily believe the signature to be his genuine signature.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the Seal of the Circuit Court for Kent County, this 2nd. day of August A.D. 1910.

Circuit Court SEAL

JAMES T. DIXON
Clerk of the Circuit Court for Kent County.

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

I hereby certify that the foregoing is truly taken and copied from Liber S.S. No. 8, folio 304, a Land Record Book 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 First day of September in the year nineteen hundred and fifty-three.

T. SORDEN PIPPIN
Clerk

Filed Sept. 17, 1953

DECREE
Filed Sept. 22, 1953

WILLIAM B. COPPER, EXECUTOR et al : IN THE
vs. :
M. ELIZABETH PERKINS No. 1966. : CIRCUIT COURT
HARTLEY C. WEER et al : FOR
vs. : QUEEN ANN COUNTY
HARRY E. GILBERT, Jr. et al :
No. 3834 : IN EQUITY

D E C R E E

The above consolidated cases standing ready for hearing, the bills, answers, exhibits, testimony and other proceedings were read and considered, argument of counsel and their briefs having been presented, and the opinion of the Court having been filed herein and made a part of this decree.

It is thereupon this 22nd day of September, 1953.

ADJUDGED, ORDERED AND DECREED by the Circuit Court of Queen Annes County in Equity as follows:

1. That the will of William Perkins devised his entire estate

to his niece, Martha Elizabeth Perkins, for life, with the remainder to her children if she had married and had had children, or, if she remained single, which she did; then the remainder to the daughters of the testator's sister, Amelia Minta Copper, that the title to the real estate and such of the personal property as remains both pass to the daughters or the descendants of the daughters of Amelia Minta Copper.

2. That the real estate consisting of a lot of ground and buildings thereon located in Templeville Queen Annes County mentioned in these proceedings now a part of this estate is not susceptible of division among the said descendants of Amelia Minta Copper without loss and injury and that the said real estate be sold and that L. Wethered Barroll be and he is hereby appointed Trustee to make said sale, and that the cause and manner of his proceeding shall be as follows:

He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by him and a corporate surety to be approved by this Court or the said Clerk in the penal sum of \$2500.00 conditioned for the faithful performance of the Trust reposed in him by any future decree or order in the premises; he shall then proceed to make said sale, having given at least three weeks notice by advertisement inserted in such newspaper or newspapers as he shall think proper, of the time, place, manner and terms of sale, which shall be one-third of purchase price cash on day of sale and the balance upon ratification of sale by the Circuit Court for Queen Annes County, in Equity, and as soon as may be convenient after such sale, the said Trustee shall return to the Court a full and particular account of his proceedings relative to such sale, with an annexed affidavit of the truth thereof, and of the fairness of said sale; and on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money (and not before), the said Trustee shall, by a good and sufficient deed, to be executed, acknowledged, and recorded according to law, convey to the purchaser or purchasers, his, her, or their heirs, the property and estate to him, her or them sold, free, clear and discharged of all claim of the parties hereto, Complainants and Defendants, and those claiming by, from, or under them, or any of them.

And the said Trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court, after deducting the costs of this suit, and such commission to the said Trustee as this Court shall think proper to allow, in consideration of the skill, attention and fidelity where-with he shall appear to have discharged his trust.

3. That the papers in these proceedings be referred to the Auditor of this Court for the statement of such account as may be proper under this decree and that the Trustee after deducting his commissions and other proper expenses, distribute the balance to such persons as may be entitled thereto under the terms of this decree

Wm. R. HORNEY
JUDGE

Filed Sept. 22, 1953

Certified Copy of Bond
Filed Oct. 14, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourteenth day of October in the year nineteen hundred and fifty-three, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That I, L. WETHERED BARROLL, of the City of Baltimore, State of Maryland, as Principal, and the HARTFORD ACCIDENT AND INDEMNITY COMPANY, a body corporate of the State of Connecticut, and duly authorized to transact business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Three Thousand Dollars (\$3000.00) 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, and successors, jointly and severally, firmly by these presents, sealed with our seals, and dated this 14th day of October, 1953.

WHEREAS, the above bounden, L. Wethered Barroll, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, has been appointed trustee to sell the property mentioned consolidated chancery causes entitled respectively "William B. Copper, et. al. vs. M. Elizabeth Perkins" (being cause No. 1966) and "Hartley C. Weer, et. al. vs. Harry E. Gilbert, Jr., et. al." (being cause No. 3834) now pending in said Court,

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden, L. Wethered Barroll, does 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.

Test:

L. WETHERED BARROLL (SEAL)
L. Wethered Barroll

VACHEL A. DOWNES JR

HARTFORD ACCIDENT AND INDEMNITY
COMPANY

ATTEST:

VACHEL A. DOWNES JR

By: WILLIAM M. FREESTATE
William M. Freestate, Agent
Corporate Seal

And at the foot of the foregoing is the following endorsement, to wit:
Security approved & Bond filed Oct. 14, 1953

T. Sorden Pippin, Clerk

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

I hereby certify that the foregoing was truly taken and copied from
Liber A.S.G.Jr. No, 1, folio 380, a Bond Record Book 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 Fourteenth
day of October in the year nineteen hundred
and fifty-three.

T. SORDEN PIPPIN
Clerk

| | | |
|------------------------------------|---|---------------------|
| WILLIAM B. COPPER, EXECUTOR et al. | : | |
| vs. | : | IN THE |
| M. ELIZABETH PERKINS | : | CIRCUIT COURT |
| No. 1966 | : | FOR |
| ----- | : | |
| HARTLEY C. WEER et al. | : | QUEEN ANNE'S COUNTY |
| vs. | : | IN EQUITY |
| HARRY E. GILBERT, JR. et al. | : | |
| No. 3834 | : | |
| ----- | : | |

Mr. Clerk:

Please enter an appeal to the Court of Appeals of Maryland from the
Decree of the Court in the above-entitled cases, dated September 22, 1953, with
the exception of Paragraph 2 thereof.

CLAYTON C. CARTER
Solicitor for John Bowman,
Executor of M. Elizabeth
Perkins, deceased, and John
Bowman, individually.

I HEREBY CERTIFY that I served a copy of the within order upon William S. Levy,
Esq., Solicitor for Harry E. Gilbert Jr., Trustee, Bursnell Crew, Leonard Crew,
Jr., Amy C. Crew, Jesse B. Crew, John Hofmeister, Albert Hofmeister and Albert
Crew, by mailing the same to his law offices, 2 E. Lexington St., Baltimore, 2,
Maryland, postage prepaid, this 21st day of October, 1953.

CLAYTON C. CARTER
Solicitor for John Bowman, etc.

I HEREBY CERTIFY that I served a copy of the within order upon L. Wethered Barroll,
Esq., Solicitor for Hartley C. Weer, Individually and Trustee of the Estate of
William Perkins, by mailing the same to his law offices, 100 St. Paul St.,
Baltimore 2, Maryland, postage prepaid, this 21st day of October, 1953.

CLAYTON C. CARTER
Solicitor for John Bowman, etc.

I HEREBY CERTIFY that I served a copy of the within order upon Wm. Dunbar Gould,
Esq., Solicitor for Carroll Startt and Minnie Vickers, by mailing the same to his
law offices, Chestertwon, Maryland, this 21st day of October, 1953.

CLAYTON C. CARTER
Solicitor for John Bowman, etc.

Filed Oct. 22, 1953

Remaining Portion of the Wm. Perkins Lot

A lot or parcel of land, situated, lying and being in Templeville, the 1st Election District of Queen Anne's County, State of Maryland, lying on the Northerly side of the Barclay to Hartley State Road and is the remaining portions of the two lots of lands as set forth as follows -

(1) The lot conveyed unto William Perkins by a deed from John W. Temple et. al. dated Dec. 19 - 1864 and recorded amongst the land record books of the said county in Liber S.C.D. # 1 - Folio 407.

(2) The lot conveyed unto William Perkins by a deed from John Temple t. al. dated Dec. 29 - 1870 and recorded amongst the land record books of the said county in Liber # 2 - folio 383.

Beginning for the same at a point on the center line of the aforementioned state road N 73° 30' E - 96.2' from the intersection of the center lines of the Barclay to Hartley and Templeville to Marydell Public Road said beginning point is also 80.50 ft. Northeasterly from the northwesterly corner of the hotel mentioned in the original deed of Parcel one as heretofore mentioned, and running:-

(1) Thence by and with the center line of the State Road towards Hartley

N 73° 30' E --- 48.00 ft. to a point in the line of lands of N.B. Wooleyhan.

(2) Thence by and with the said Wooleyhan lands

N 07°35' W --- 174.30 ft. to a hub set in the line of lands of Leonard Boyles -

(3) Thence by and with the said Boyles lands

S 89°03' W ---- 70.40 ft. to a hub set in the line of lands of Raymond Johnson (originally a portion of the Wm. Perkins Lands)

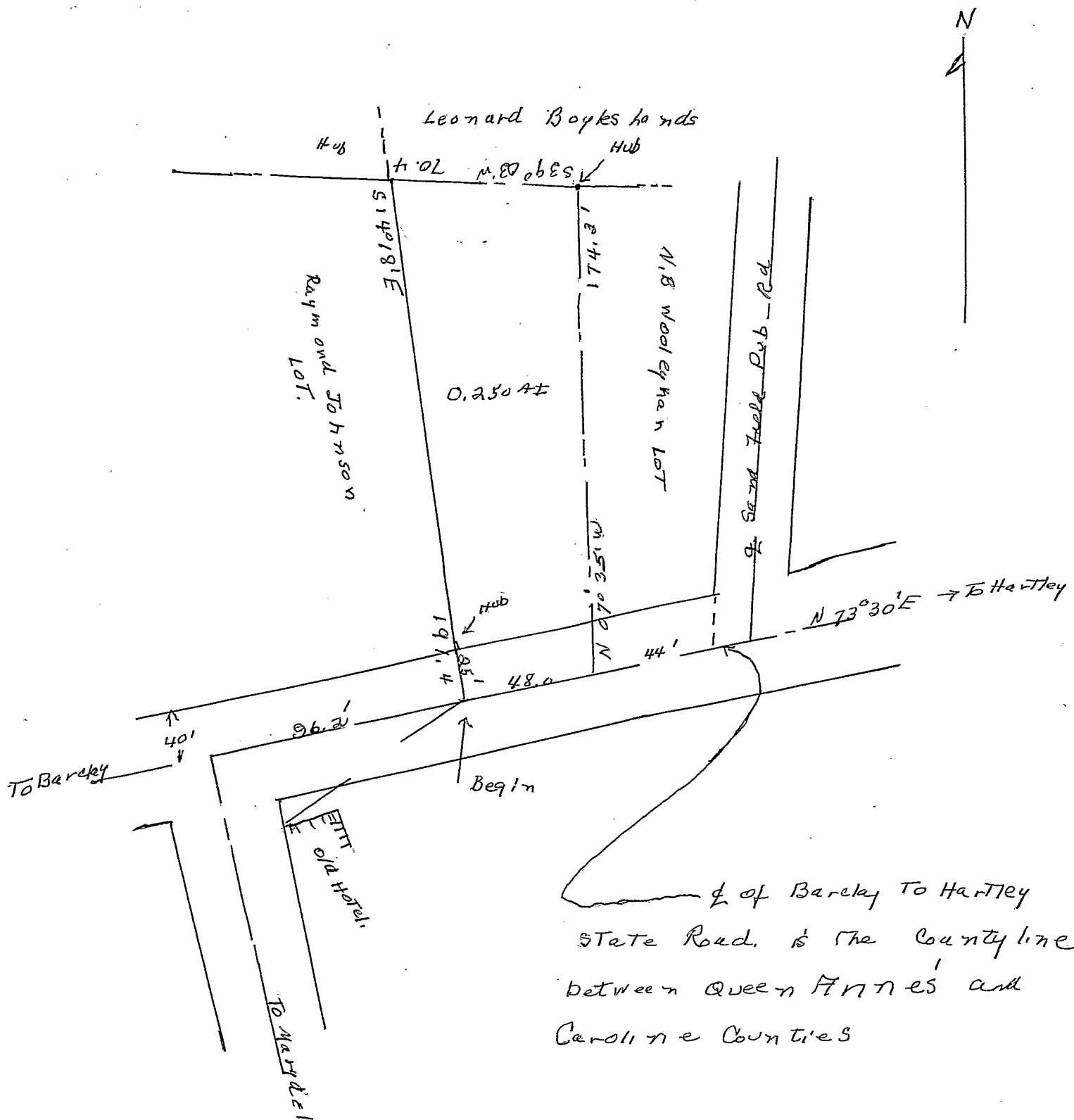
(4) Thence by and with the said Johnson lands

S 14° 18' # --- 191.40 ft. to the point of beginning.

containing 0.250 Acres of land more or less.

By a survey made on Nov. 5th 1953

J. B. METCALFE
Engr. & Surveyor



REPORT OF SALE
FILED Nov. 13, 1953

WILLIAM B. COOPER et. al.

vs.

M. ELIZABETH PERKINS

HARTLEY C. WEER et. al.

vs.

HARRY E. GILBERT, JR. et. al.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

IN CONSOLIDATED CHANCERY CAUSES No. 1966
and No. 3834

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the Real Estate made in this cause by L. Wethered Barroll, Trustee appointed to make such sale unto your Honors respectfully represents:

1. That pursuant to a Decree of this Honorable Court passed on the 22nd day of September, 1953, 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, State of Maryland, for more than three successive weeks prior to the 5th day of November, 1953, as will appear by reference to a Certificate of Advertisement of Sale attached hereto and made a part hereof.

3. That pursuant to said Decree and said Advertisement, your Trustee succeeded to sell the real estate described in said Advertisement on the premises in

the town of Templeville, Queen Anne's County, Maryland, at 1:30 o'clock, P.M., Eastern Standard Time, on Thursday, November 5, 1953, which said real estate is more particularly described as follows, to wit:

ALL that lot or parcel of land situate, lying and being in Templeville, in Queen Anne's County, State of Maryland, and being in the First Election District, on the Northerly side of the public road from Barclay in said County to Hartley, Delaware, and more particularly described by metes and bounds, courses and distances, according to a Plat and Survey thereof, by J.B. Metcalfe, Registered Surveyor, dated the 5th day of November, 1953, as follows, to wit:

BEGINNING for the same at a point in the center line of the aforementioned State Road North 73 degrees 30' East 96.2 feet from the intersection of the center lines of the Barclay-Hartley public road and the Templeville-Marydel public road, said beginning point being also 80.50 feet Northeasterly from the Northwesterly corner of the Hotel mentioned in the deed from John W. Temple to William Perkins, dated December 19, 1864, and recorded among the Land Records of Queen Anne's County in Liber S.E.D. No. 1, folio 407, and running

(1) thence by and with the center line of the Barclay-Hartley State Road towards Hartley North 73 degrees 30' East 48 feet to a point in the lines of the land of N.B. Wooleyhan

(2) thence by and with said Wooleyhan lands North 07 degrees 35' West 174.30 feet to a hub set in the line of the land of Leonard Boyles

(3) thence by and with said Boyles land South 89 degrees 03' West 70.4 feet to a hub set in the line of the land of Raymond Johnson (being originally a portion of the William Perkins' land)

(4) thence by and with said Johnson land South 14 degrees 18' East 191.4 feet to the place of beginning, and containing 0.250 acres of land, more or less.

4. That the aforesaid lot was sold by your Trustee unto Nell D. Knotts at and for the sum of Two Thousand Two Hundred Dollars (\$2,200.00), she being then and there the highest bidder therefore, and said purchaser has paid unto your Trustee one-third (1/3) of the purchase price, and has secured the balance to your Trustee's satisfaction.

Respectfully submitted,

JAMES C. BURCH
James C. Burch

L. WETHERED BARROLL
L. Wethered Barroll, Trustee

STATE OF MARYLAND
COUNTY OF BALTIMORE

to wit:

I HEREBY CERTIFY that on this 12th day of November, 1953, before me, the Subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared L. Wethered Barroll, Trustee in Consolidated Chancery Causes #1966 and #3834, 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.

WITNESS my hand and Notarial Seal.

Notary
Public
Seal.

JAMES C. BURCH
James C. Burch
Notary Public

TRUSTEE'S SALE OF REAL ESTATE
IN TEMPLEVILLE, QUEEN ANNE'S COUNTY, MD.

By virtue of the power and authority contained in a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 22nd day of September, 1953, in consolidated Chancery causes entitled respectively, "William B. Copper, et. al. vs. M. Elizabeth Perkins" (No. 1966) and "Hartley C. Weer, et. al. vs. Harry E. Gilbert, Jr. et. al" (No. 3834), the undersigned Trustee named therein will offer at public auction to the highest bidder, on the herein after described premises in or near the village of Templeville, on THURSDAY, Nov. 5, 1953 at 1:30 o'clock P.M. Eastern Standard Time, the following property, improved by a two-story frame dwelling, to wit:

All that certain piece or parcel of land and appurtenances thereto, situate in the village of Templeville, County of Queen Anne's and State aforesaid adjoining lands of, or formerly of E. Cooper and John W. Temple and described in the following metes and bounds, viz: Beginning in the center of the main road dividing Caroline and Queen Anne's Counties in Templeville North 54 degrees West 1.7 perches from the West corner of the Hotel of, or formerly of William H. Whitely and runs thence with said road, North 73½ degrees East to an Iron Mine in the center of the main road, thence North 18 degrees West to a corner along the fence back of the pond 16.7 perches, thence South 73¼ degrees West 4.8 perches, thence South 1½ degrees east 16.6 perches to the place of beginning, containing 2 rods, 6 perches and 250 feet of land, be the same more or less.

BEING the same lot or parcel of land conveyed unto William Perkins, by deed from John W. Temple and wife, dated December 19, 1864, and recorded among the Land Records of Queen Anne's County in Liber S.E.D. No. 1, folio 407.

ALL the piece or parcel of land situated in Templeville, Queen Anne's County, adjoining the lands of, or formerly of William Perkins, and is contained as follows: BEGINNING in the center of the public road leading from Templeville to Rights Red House at the East corner of the lot of said Perkins and the Blacksmith Shop lot and runs East with said road opposite the saw mill road, thence with said road, to the ditch or bridge South of the saw mill, thence with the ditch and fence as it now stands until it intersects the corner of said Perkins and Elizabeth Copper's lot and is intended to include the lot and blacksmith shop and the corner lot East of said blacksmith shop.

BEING the same lot or parcel of land conveyed unto William Perkins by deed from John Temple, et. al., dated December 29, 1870, and recorded among the Land Records aforesaid in Liber J.W. No. 2, folio 383.

SAVING AND EXCEPTING THEREFROM all those two lots or parcels of land more particularly described as follows, to wit:

ALL that part or parcel of land situated in Templeville, in Queen Anne's County, State of Maryland, and described as follows, to wit: BEGINNING in the center of the public road leading from Templeville to Smyrna at a point where the road leading from Templeville to Sandfield intersects it and running thence with said road North 1 1/2 degrees West 113 feet to a bridge in the road thence West 63 feet to a post in a line of the land of, or formerly of, Wm. Perkins, thence South 7 3/4 degrees East 133 feet to the center of the aforesaid road, thence with said road North 75 degrees East 44 feet to the place of beginning, containing 8,419 feet of land, be the same more or less.

BEING the same lot or parcel of land conveyed unto James E. Reed by deed from William Perkins, dated August 31, 1871, and recorded among the Land Records aforesaid in Liber J.W. No. 3, folio 124.

ALL that lot of land so situated, lying and being in the village of Templeville, in Queen Anne's County, State of Maryland, situated on the north side of Main Street of said village on the public road leading from Hartley to Centreville. The said lot of land fronts on the said public road 5.6 rods more or less and extends back 16.7 rods more or less. It is particularly laid down by metes and bounds, courses and distances on a plat and survey thereof made by Thomas B. Johns, Surveyor, dated April 15, 1909.

BEING the same lot or parcel of land conveyed unto Samuel C. Faulkner, by deed from Hope H. Barroll, Trustee, dated July 30, 1910, and recorded among the Land Records aforesaid in Liber S.S. No. 8, folio 304.

TERMS OF SALE

Whole of purchase price may be paid on day of sale, or one-third of purchase price may be paid on day of sale and the balance upon final ratification of sale, said balance to bear interest from day of sale and to be secured to Trustee's satisfaction. Title papers and cost of recording deed to be at purchaser's expense. Taxes will be pro-rated as of day of sale. Possession to be had upon final settlement.

L. WETHERED BARROLL
Trustee

J. Elmer Anthony, Auct.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. November 13 1953

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Trustee's Sale of Real Estate in the case/estate of William B. Cooper, et. al. vs. M. Elizabeth Perkins (No. 1966) and Hartley C. Weer, et. al. vs. Harry F. Gilbert, Jr., et. al. (No. 3834) L. WETHERED BARROLL, Trustee 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 5 day of November 1953, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 8 day of October 1953, and the last insertion on the 29 day of October 1953.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By DOLORES DADDS

Filed Nov. 13, 1953

ORDER NISI
Filed Nov. 13, 1953

N I S I

William B. Cooper, et al,

vs.

M. Elizabeth Perkins

Hartley C. Weer, et al,

vs.

Harry F. Gilbert, Jr., et al.

)
) IN THE CIRCUIT COURT
)
) FOR QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) CHANCERY NOS. 1966 & 3834 Consolidated
)
)
)

ORDERED, This 13th day of November A.D., 1953, that the sale of real estate made and reported in this cause by L. Wethered Barroll, 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 21st day of December next.

The Report states the amount of sales to be \$2,200.00

T. SORDEN PIPPIN Clerk

Filed November 13, 1953

Statement of the Case
Filed Dec. 15, 1953

HARTLEY C. WEER,
individually, and
HARTLEY C. WEER,
Trustee of the Estate
of William Perkins,
Complainant

vs.

HARRY E. GILBERT, JR.,
Trustee

JOHN BOWMAN, Executor of
M. Elizabeth Perkins,
deceased, and

JOHN BOWMAN, individually

CARROLL STARTT

MINNIE VICKERS

BURCHELL CREWE

LEONARD CREW, JR.

AMY C. CREW

JESSE B. CREW

JOHN HOFMEISTER

ALBERT HOSMEISTER

ALBERT CREW

Defendants

No. 3834

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

WILLIAM B. COPPER, Executor
and Trustee under the Will
of William Perkins

Vs.

M. ELIZABETH PERKINS

No. 1966

* * * * *

STATEMENT OF THE CASE

On November 19, 1952, the Complainant filed a Bill of Complaint in which he alleges, among other things, that one William Perkins of Queen Anne's County, died in or about the year 1906, leaving a Last Will and Testament dated September 17, 1901, duly probated January 29, 1907 in the Orphans' Court of Queen Anne's County, a copy of which is attached hereto as a part hereof.

The Bill further alleges that in an equity case entitled "William B. Copper, Executor and Trustee, under the Will of William Perkins vs. M. Elizabeth Perkins" Chancery No. 1966, the Circuit Court of Queen Anne's County assumed jurisdiction of the estate left by William Perkins and administered the same to the date of the death of M. Elizabeth Perkins as a trust estate, by appointing trustees, who paid the income from the same to M. Elizabeth Perkins until the date of her death on April 20, 1952, unmarried.

The Bill further alleges that at the time of the death of M. Elizabeth Perkins there was certain real estate that had been devised under the will of William Perkins that was not susceptible of partition or division in kind among the persons entitled thereto and it was necessary that the same be sold and the proceeds divided under the Court's direction to those entitled to receive the proceeds.

The Bill further alleges that Hartley C. Weer and Harry E. Gilbert, Jr., Trustees appointed in Equity Case No. 1966 have in their hands personal property which should now be distributed to the persons found to be entitled to the same.

The bill further alleges that this estate should now be distributed to the following grandchildren or great-grandchildren of Amelia Minter Copper:

(a) Carroll Startt and Minnie Vickers, a grandson and daughter respectively of Mary F. Startt, a deceased daughter of Amelia Minter Copper, deceased;

(b) Burchell Crew, Leonard Crew, Jr., and Albert Hofmeister, grandchildren of, and Amy C. Crew, Jesse B. Crew and Albert Crew, children of Elizabeth C. Crew, a deceased daughter of Amelia Minter Copper, deceased, and John Hofmeister, the widower of Lula Crew Hofmeister, a deceased daughter of Elizabeth C. Crew;

(c) Hartley C. Weer, a son of Minta C. Weer, deceased, a daughter of Amelia Minter Copper, deceased.

The Bill prays the Court to determine and declare to whom and in what proportions the estate, real and personal, in the estate of William Perkins should be distributed; and to appoint a trustee (1) take over the personalty of this estate, now in the hands of Hartley C. Weer and Harry E. Gilbert, Jr., Trustees in Equity Case No. 1966 and to sell the same (2) to sell the real estate which is a part of the estate of William Perkins; (3) to distribute the proceeds from said personalty and realty to the persons properly entitled to same.

That thereafter all of the Defendants answered the Bill or it was taken pro confesso against them. Those that did answer, excepting John Bowman, Executor and Individually, admitted the matters and facts and consented the passage of a decree as prayed. John Bowman, Executor and Individually answered, by alleging that the will of William Perkins vested a fee simple estate in all of the property of which William Perkins died seized and possessed, in the said M. Elizabeth Perkins, which she bequeathed and devised unto the said John Bowman as sole legatee and devisee by her last Will and Testament dated October, 1951, and duly admitted to probate in the Orphans' Court of Queen Anne's County on May 22, 1952.

Thereafter, on June 16, 1953, on the Petition of the Trustees in Equity No. 1966, alleging that the same subject matter and parties or privies asserting interests therein are before the Court in Equity Nos. 1966 and 3834, the Court consolidated the two cases.

Testimony was taken before a Standing Examiner for the Court supported the allegations of the Bill of Complaint as to the facts; more particularly, that M. Elizabeth Perkins died April 20, 1952, without ever marrying; that the real estate was not susceptible of division; that the persons named in the Bill of Complaint as grandchildren and great-grandchildren of Amelia Minta Copper were the same as therein alleged. There is no dispute over the allegation of John Bowman that Martha Elizabeth Perkins left a Last Will and Testament naming John Bowman as executor and sole legatee and devisee of all her real and personal property.

On July 31, 1953, the Hon. William R. Horney filed the following Opinion in the case, to wit:

"By this Proceeding the Court is required to construe the following paragraph of the Last Will and Testament of William Perkins, deceased:

'I give and devise to my niece Martha Elizabeth Perkins all my Estate Real, Personal and Mixed, and that is the whole of my Estate, with the understanding that she does not marry. She shall not sell the Real Estate, if she marries, and there is offsprings of course, her assets would go to her children, Sould she remain single, at her death, all the property to be divided equalley between my nieces her Cousins the daughters of my sister, Amelia Minta Copper....'

The defendants contend, principally, (1) that the terms of the Will did not create a life estate, but operated instead to divest or forfeit an absolute estate, previously given and vested, and that such a general restraint on marriage was void even though there was a gift over, and that Martha Elizabeth Perkins therefore took a fee in the real estate and an absolute interest in the personal property; or (2) that the Rule in Shelley's case applies to the real estate and the Rule in Wild's case as to the personal property on the ground that the word "offsprings" as used in this Will can only be interpreted as "Heirs of the Body", thus giving Martha Elizabeth Perkins an absolute estate in both kinds of property. This Court does not agree with either contention.

On the other hand, and despite the fact that this Will was most inartificially drawn, the intent of the testator, with the exception as to what he meant by not marrying, seems quite clear, and by the rules governing the construction of Wills, seems simple clear if the provision as to marriage is disregarded. One of the fundamental rules is that the entire instrument must be considered in order to ascertain the intention of the testator. If this is done in the instant case it becomes apparent that the absolute gift to Martha Elizabeth Perkins, being followed by provisions indicating that a life estate was intended to be given, the absolute estate first given must be cut down to a life estate. Therefore disregarding the provision as to marriage, which the Court must in this case, it appears that the Testator devised his entire estate to his niece, Martha Elizabeth Perkins, for life, with the remainder to her children if she had married and had had children, or, if she remained single, which she did, then with the remainder to the daughters of the testator's sister, Amelia Minta Copper.

It is by no means certain what the Testator meant in providing that his niece should not marry, but it does not matter inasmuch as she had only a life estate in any event. If she married the remainder was devised to her children if she had any. If she remained single the remainder was devised to her cousins, the daughters of her Aunt Amelia. No provision was made for the event of the marriage of the niece and her death without having had children.

There is no reason to distinguish between the devolution of the title to the real estate and such of the personal property as remains. Both kinds of property pass to the same parties under the Will.

A decree in conformity with this Opinion will be passed when presented."

On September 22, 1953, the Court passed a decree in conformity with the above Opinion, and John A. Bowman, Executor and Individually, noted an appeal from the decree, with the exception of Paragraph 2 thereof, on October 22, 1953.

In accordance with Rule 22 of the Rules and Regulations Respecting Appeals of the Court of Appeals of Maryland, the foregoing Statement of the Case is hereby filed for the purposes of the appeal to supersede all parts of the record in these cases other than the decree from which the appeal is taken.

CLAYTON C. CARTER

RICHARD T. EARLE

Solicitors for John Bowman, Executor of the Last Will and Testament of M. Elizabeth Perkins, deceased, and John Bowman, Individually

WILLIAM S. LEVY

Solicitor for Harry E. Gilbert, Jr., Trustee, Bursnell Crew, Jr., Amy C. Crew, Jesse B. Crew, John Hofmeister, Albert Hofmeister and Albert Crew

L. WETHERED BARROLL

Solicitor for Hartley C. Weer, Individually and Trustee of the Estate of William Perkins

WM. DUNBAR GOULD

Solicitor for Carroll Startt and Minnie Vickers

The foregoing Statement of the case is hereby approved.

Wm. R. HORNEY
Judge

Filed Dec. 15, 1953

I William Perkins of Queen Anne's County in the State of Maryland being of sound and disposing mind, memory and understanding, 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 expences, I give and devise my Estate as follows:

I give and devise to my niece Martha Elizabeth Perkins, all my Estate Real, Personal, and Mixed, that is the whole of my Estate, with the understanding that she does not marry, She shall not sell the Real Estate, if she marries, and there is offsprings of course, her assetts would go to her childre, Should she remain single, at her death, all the Property to be divided equalley between my nieces her Cousins the daughters of my sister, Amelia Minta Copper Kent Co Md.

I hereby appoint William Bradford Copper (My Nephew) my Executor of this my last will and testament, hereby making all other wills and testaments heretofore made by me void.

In Testamoney whereof I hereunto sett my hand and seal this seventeenth day of Sept Nineteen Hundred and one, to this my last will and testament.

Wm Perkins (SEAL)

Signed, Sealed, Published and declared by William Perkins the above named testator, and as 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 hereunto subscribed our names as witnesses.

John T Temple

Bennett H. Emory

Filed Dec. 15, 1953

N I S I

Willaim B. Cooper, et. al.

vs.

M. Elizabeth Perkins

WILLIAM B. COPPER, Executor *
and Trustee under the Wills *
of William Perkins *

vs. *

M. ELIZABETH PERKINS *

No. 1966 *

* * * * *

PETITION AND ORDER

TO THE HONORABLE THE JUDGE OF THE CIRCUIT COURT FOR QUEEN ANNE COUNTY:

The Petition of Wm. S. Levy respectfully shows:

(1) That the object of this petition is to secure an order from this Court directing the Trustees now acting in the above causes, which have heretofore been consolidated by order of this Court to pay to this Petitioner the amounts he, as attorney for certain heirs, has heretofore advanced for the benefit and protection of the estate of Wm. Perkins, deceased, now being administered under this Court's jurisdiction in the two above cases.

(2) That in the cause of Hartley C. Weer, et. al. vs. Harry E. Gilbert, Jr., Trustee et. al., this Petitioner has advanced the sum of \$61.32 as per annexed itemized account marked "Petitioner's Exhibit A" which amount should be repaid him by L. Wethered Barroll, Trustee in said cause;

(3) That in the cause of Wm. B. Copper, Executor etc., vs. M. Elizabeth Perkins, this Petitioner has advanced the sum of \$81.35 as per annexed itemized account marked "Petitioner's Exhibit B" which amount should be repaid him by Hartley C. Weer and Harry E. Gilbert, Jr., Trustees in said cause.

(4) That a portion of the above amounts this Petitioner has paid from the proceeds of coupons cashed in by him as agent in the total amount of \$67.57 for the Trustees in the cause of Wm. B. Copper, Executor vs. M. Elizabeth Perkins which amounts he will account for and promptly repay to the Trustees as soon as he is paid the amount claimed by him to be due him in this Petition.

(5) That so Petitioner is advised it is proper for this Court to authorize the payment by said Trustees of the amounts above set forth.

WHEREFORE your Petitioner prays your Honors to grant him the relief to which he is entitled.

Wm. S. LEVY
Wm. S. Levy, Petitioner

STATE OF MARYLAND, CITY OF BALTIMORE:

I hereby certify that on this 26th, day of January, 1954 before me a Notary Public of the State of Maryland, personally Wm. S. Levy, and made oath in due form of law that the matters set forth in above Petition are true.

As Witness my hand and Notarial Seal.

Archey C. New, ARCHEY C. NEW Notary
Notary Public Public
Seal.

Filed May 28, 1954

I approve the signing of an order pursuant to this Petition ordering Wm. S. Levy reimbursed for advances.

L. WETHERED BARROLL
Trustee Hartley C. Weer, et. al., vs.
Harry E. Gilbert, Jr.

Filed May 28, 1954

We approve the signing of an order pursuant to this Petition ordering Wm. S. Levy reimbursed for advances.

HARTLEY C. WEER
HARRY E. GILBERT JR.
Trustee W.B. Copper, et. al., vs.
M. Elizabeth Perkins

Filed May 28, 1954

O R D E R

Ordered by the Circuit Court for Queen Anne's County in Equity upon the foregoing Petition, affidavits and consents, by Trustees that L. Wethered Barroll, Trustee, pay to Wm. S. Levy \$61.32 and Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, pay to Wm. S. Levy \$81.35, upon Wm. S. Levy paying to Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, the sum of \$67.76 as a credit due the estate against the above advances made by him, subject to the usual exceptions.

Wm. R. HORNEY
Judge

Dated - May 28th, 1954
Filed May 28th, 1954

"Petibners Exhibit A"

William S. Levy
Attorney at Law
2 East Lexington Street
Baltimore 2, Md. Plaza 2-3019

December 21, 1953

L. Wethered Barroll, Esq.,
Trustee- Estate of William Perkins,

To

William S. Levy, Dr.

Cash advanced as follows:

| | | |
|----------------|-------------------------------|--------------|
| Oct. 29, 1952, | To taxes 1951-52 on | |
| | Real Estate, Templeville, Md. | 30.30 |
| June 18, 1953, | to W.M. Freestate-fire | |
| | insurance on house | 11.02 |
| Aug. 17 | To Clayton Carter, title | |
| | fee - - - - - | <u>20.00</u> |
| | | 61.32 |

WILLIAM S. LEVY
Attorney at Law
2 East Lexington Street
Baltimore 2, Md.

December 21, 1953

"Petitioners Exhibit B"

Messrs. Hartley C. Weer &
Harry E. Gilbert, Jr., Trustees,
Estate of William Perkins

To

William S. Levy, Dr.

| | | |
|-----------------|-------------------------------------|-------------|
| May 1952 | To telephone calls 4/22/52 | |
| | to Salisbury & Greensbore in | |
| | re death of Martha E. Perkins | 3.25 |
| Nove. 14, 1952, | To one year's premium | |
| | on bond advanced- pd. Fidelity | |
| | & Deposit Co. of Md. - - - - - | 35.00 |
| Nov. 16, 1953. | To do----- | 35.00 |
| May 1952 | To expenses in getting Chicago | |
| | Rys, Certificate in name of Present | |
| | Trustees: | |
| | Certified Copy of Mr. Copper's | |
| | Will - - - - - | 3.50 |
| | Clerk of Ct. Q.A. Co. | 1.00 |
| | Baker, Watts & Co. | <u>3.60</u> |
| | | \$81.35 |

MANDATE
Filed June 2, 1954

MANDATE
COURT OF APPEALS OF MARYLAND

No. 121, OCTOBER TERM, 1953

| | |
|-------------------------------|--|
| John Bowman, Exec. & Individ. |) Appeal from the Circuit Court for |
| |) Queen Anne's Co. |
| vs. |) Filed: Dec. 21, 1953 |
| |) Apr. 26, 1954, Decree affirmed, with |
| Hartley C. Weer et al |) costs. |
| |) Opinion filed. Op. Collins, J. |

Appellant's Cost in the Court of Appeals of Maryland,
Clerk's Cost \$ 10.00
Brief. 83.23
Appearance Fee. 10.00
. \$103.23

Appellee's Cost in the Court of Appeals of Maryland,

| | | |
|--------------------------|----------|--------------------|
| Brief | \$ 54.03 | |
| Appearance Fee | 10.00 | |
| | | 64.03 \$167.26 |

STATE OF MARYLAND, Scti

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 twenty-sixth day of May A.D. 1954.

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 THOUGHT THIS OFFICE

REPORT OF TRUSTEE FILED July 23, 1954

| | | |
|---|---|---------------------|
| HARTLEY C. WEER, ET. AL. Complainant | : | |
| vs. | : | IN THE |
| HARRY E. GILBERT, JR., TRUSTEE, ET. AL., Defendants | : | CIRCUIT COURT |
| | : | FOR |
| No. 3834 | : | QUEEN ANNE'S COUNTY |
| ----- | : | IN EQUITY |
| WILLIAM B. COPPER, EXECUTOR, ET. AL. | : | |
| vs. | : | |
| M. ELIZABETH PERKINS | : | |
| No. 1966 | : | |

REPORT OF TRUSTEE

To the Honorable the Judges of the Circuit Court of Queen Anne's County:

The Report of L. Wethered Barroll, Trustee in this cause (Equity 3834) respectfully shows:

(1) That this Trustee has received from the sale of the fee simple property in Templeville on November 5, 1953 the following:

| | |
|------------------|-----------|
| November 9, 1953 | \$ 733.33 |
| February 5, 1954 | 1485.18 |

(2) That this Trustee has expended the following sums for which he craves allowance or credit:

| | |
|---|---------|
| November, 1953 Centreville Observer Advt. | \$90.00 |
| November 25, 1953 Taxes due Comm. of Templeville | 4.38 |
| December 2, 1953, J.B. Metcalfe, Surveyor | 60.00 |
| December 3, 1953, Freestate Agency Bond Premium | 12.00 |
| December 2, 1953, Observer - order nisi | 7.50 |
| December 14, 1953, John McKenney, appraisal | 25.00 |
| January 11, 1954, C. Lowery, County Treasurer Taxes | 16.96 |
| February 4, 1954, Typing Brief, Court of Appeals | 5.10 |
| February 10, 1954, Daily Record - printing brief | 54.03 |
| June 8, 1954, Wm. S. Levy per order Court 5/28/54 | 61.32 |

(3) That the balance in this hands should be distributed under the orders of this Court to the parties entitled to be paid the same, and this Trustee craves

Trustee requests that this Report be referred to the Auditor of this Court for the purpose of having an account stated so that said fund may be properly distributed.

AND AS IN DUTY BOUND, ETC.

L. WETHERED BARROLL
Trustee

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I hereby certify that on this 12th day of July, 1954 before me, a Notary Public of the State of Maryland, in and for the City of Baltimore foresaid, personally appeared L. Wethered Barroll and made oath in due form that the above is true.

Witness my hand and Notarial seal.

Notary
Public
Seal.

M. EUNICE PRENGER
Notary Public

O R D E R

Ordered by the Circuit Court for Queen Anne's County this 22nd day of July 1954 that the papers in this case be referred to the Court Auditor for the purpose of stating an account for the distribution of this estate under the Decree herein dated the 22nd day of September, 1953.

WM. R. HORNEY
Judge

Petition and Order
Filed July 23, 1954

| | | |
|--|---|---------------------|
| HARTLEY C. WEER, ET AL. Complainants, | : | IN THE |
| vs. | : | CIRCUIT COURT |
| HARRY E. GILBERT, JR., Trustee, et al. Defendants. | : | FOR |
| | : | QUEEN ANNE'S COUNTY |
| No. 3834 | : | IN EQUITY |
| ----- | : | |
| WILLIAM B. COPPER. Executor, et al. | : | |
| vs. | : | |
| M. ELIZABETH PERKINS. | : | |
| NO. 1966 | : | |

PETITION AND ORDER

To the Honorable, the Judges of said Court:

The Petition of Hartley C. Weer and Harry E. Gilbert, Jr., Trustees in No. 1996 Equity, respectfully shows:

1. That Martha Elizabeth Perkins, the life tenant under the Will of William Perkins, departed this life on or about April 20th, 1952, and by her death the remainder men under said Will are entitled to have the estate distributed to them.

2. That the Corpus of said Estate consists of:
\$4,800 U.S. Government 2-7/8% bonds due 1961,
\$500 6% bond of Greek Stabilization Loan-, in default since 1933.
7 shares of Baltimore Transit Company Common Stock,
11/20 do- script,
and in CASH:

CASH corpus as per last report - - - - - 63.82

and this sum received in full distribution in Court
proceedings for Certificate of Deposit of Chicago Rapid
Transit Co. face \$200 1st. & Rfdg. bond. - - - - - 63.05
126.87

INCOME

3. That the income since last Report August 11, 1950 to date of her death, Martha Elizabeth Perkins, April 20, 1952 is as follows:

| | |
|----------------------------------|---------------|
| Undistributed income - - - - - | 2.70 |
| September 15, 1951, U.S. Coupons | 67.48 |
| April 15, 1953 do | 67.60 |
| | <u>137.78</u> |

Payments made during and for this period:

| | |
|---------------------------------------|------------------------|
| Sep. 15, 1951 to M. Elizabeth Perkins | 43.61 |
| " " Trustees' Commissions | 3.37 |
| Sep. 29 " Bond to 3/10/51 | 35.00 |
| " 14 " Auditor | 3.00 |
| Mch. 15, 1952 M. Elizabeth Perkins | 46.72 |
| " " Trustees' Commissions | 3.38 |
| Nov. 14, 1952 Bond due 3/10/52 | 35.00 |
| | <u>160.08</u> - 170.08 |

| | |
|------------------------|----------------------|
| OVERPAYMENTS - - - - - | 22.30-32.30 |
| | <u>160.08-170.08</u> |

INCOME since April 20, 1952:

| | |
|---|---------------|
| Sep. 15, 1952 U.S. Coupons - - - - - | 67.57 |
| Mch. 15, 1953 do | 67.60 |
| Sep. 15, " do | 67.48 |
| Mc. 15, 1954 do | 67.60 |
| Jan. 27, " Baltimore Transit Co. | 3.50 |
| Feb. 5. " Return premium fire insurance | 2.98 |
| | <u>276.73</u> |

PAYMENTS:

| | |
|--|-----------------|
| To overpayments - - - - - | 22.30 - 32.30 |
| May. 19, 1952 Telephone calls- Expense in getting Chicago Ry. Certificate in name of present trustees | 3.25 8.10 |
| Nov. 11, 1953. Trustee's Bond | 35.00 |
| June 6, 1954, du-due 3/10/54 | 35.00 |
| | <u>103.65</u> |
| Hartley C. Weer, Safe Deposit box rental 13 years @1.80 | 23.40 |
| | <u>127.05</u> |
| Undistributed income for benefit of remaindermen | 149.68 - 139.68 |
| | <u>276.73</u> |

(Order of Court dated May 28, 1954 has been complied with)

4. That it would be to the benefit and advantage of all interested parties that the securities be sold and converted into cash in order to make proper division of said estate.

WHEREFORE, your Petitioners pray this Honorable Court to pass an order authorizing and directing them to sell said securities, and referring the papers in this cause to the Auditor for the stating of a distribution account.

As in duty bound etc.

HARTLEY C. WEER
Hartley C. Weer

HARRY E. GILBERT JR.
Harry E. Gilbert, Jr.
Trustees

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

I hereby certify, that on this 12th day of July, 1954, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Hartley C. Weer and Harry E. Gilbert, Jr. Trustees, and made oath in due form of law, that the matters and facts set forth in the afore-going Petition are true to the best of their knowledge and belief.

Witness my hand and Notarial Seal.

WILLIAM S. LEVY
Notary Public
Notary
Public
Seal.

Filed July 23, 1954

HARTLEY C. WEER, ET AL,
Complainants,

vs.

HARRY E. GILBERT, JR.,
Trustee, et al.

:
:
: IN THE
:
: CIRCUIT COURT
:

Defendants. :
 No. 3834 :
 ----- :
 WILLIAM B. COPPER, : FOR
 Executro, et al. : QUEEN ANNE'S COUNTY
 vs. : IN EQUITY
 M. ELIZABETH PERKINS :
 No. 1966 :

ORDER

Upon the foregoing Petition it is this 22nd day of July, 1954, ordered by the Circuit Court for Queen Anne's County, in Equity, that Hartley C. Weer and Harry E. Gilbert, Jr., Trustees Estate of William Perkins, sell through a stock broker in Baltimore City or through a stock broker in Baltimore City or through the Mercantile-Safe Deposit & Trust Co. of said City the \$4,800 face value U.S. Government 2-7/8% bonds due 1960, the \$500 6% bond of Greek Stabilization Fund, the 7 shares of Baltimore Transit Company common stock certificate CL8844 and 11/20 share of said stock-scrip.

And it is further ordered that the papers in this cause be referred to the Auditor of the Court for the purpose of stating and account and distributing the fund according to the terms of Decree of this Court of September 22, 1953.

Wm. R. HORNEY
 Judge.

Filed July 23, 1954

Petition for Counsel Fees
 Filed July 23, 1954

HARTLEY C. WEER, ET. AL. :
 Complainant :
 vs. : IN THE
 HARRY E. GILBERT, JR., : CIRCUIT COURT
 TRUSTEE, ET. AL., : FOR
 Defendants : QUEEN ANNE'S COUNTY
 No. 3834 : IN EQUITY
 ----- :
 WILLIAM B. COPPER, :
 EXECUTOR, ET. AL. :
 Vs. :
 M. ELIZABETH PERKINS :
 No. 1966 :

: : : : : : : :

PETITION FOR COUNSEL FEES

To the Honorable the Judges of the Circuit Court for Queen Anne's County:

The Petition of Barroll & Wethered respectfully shows:

(1) That the object of this Petition is to secure from this Court an order directing the Trustees in these two consolidated cases to pay Petitioners a fee for services heretofore rendered this estate.

(2) That Petitioners were employed in 1952 by Hartley C. Weer and Harry E. Gilbert, Jr., Trustees (in Equity No. 1966) to advise them as to the distribution of the corpus of the estate in their hands to which the remaindermen were properly entitled, the life tenant Martha Elizabeth Perkins, under the Will of William Perkins having died in April 1952; that pursuant to this employment Petitioners:

(a) examined the proceedings in the Chancery case in Queen Anne County (Equity No. 1966) which had been administered under the orders of this Court for a period of some forty years.

(b) Ascertained the assets of the estate consisting of securities or cash in the hands of the Trustees and a parcel of fee simple real estate in the town of Templeville which had been occupied as her dwelling during her life by Martha Elizabeth Perkins.

(c) Interviewed various "daughters of---Amelia Minta Copper---" or descendants of daughters who were entitled under the will of William Perkins to have the estate distributed to them, for the purpose of determining the pedigree of each party who might be properly entitled to share in the estate. This necessitated considerable correspondence and among other personal calls a visit October 25, 1952 to Mrs. Minnie Vickers a remainderman in Broad Neck, Kent County.

(d) That the Administrator of the estate of Martha Elizabeth Perkins having filed a Petition (in Equity 1966) demanding certain income alleged to have accrued and not paid by Trustees to her during her lifetime, these Petitioners on November 3, 1952 prepared and filed in behalf of these Trustees an answer to this Petition.

(e) On November 18, 1952 these Petitioners filed a Bill in Equity in the Circuit Court for Queen Anne's County based on all the foregoing data, asking for the appointment of a Trustee to sell the fee simple real estate located in Templeville and the distribution of the estate to those entitled to receive same. After this Bill was filed Petitioners corresponded with various Counsel of Remaindermen, explaining fully what was being done, furnished them with records, also advised the Sheriff of Baltimore City in the service of write on Remaindermen who were difficult to serve.

(f) Obtained decree pro confesso against all Defendants who did not file answers to Bill in Equity.

(g) After setting case down on April 10, 1953 took the testimony of Hartley C. Weer on questions of pedigree and of John McKenney who appraised the fee simple real estate at Templeville, before the Court Examiner Harry C. Butler.

(h) Prepared petition for and secured Order of Court June 16, 1953 consolidating causes in Equity No. 1966 and 3834.

(i) Clayton C. Carter, Esq. appearing for the Administrator of the Will of Martha Elizabeth Perkins, life tenant, raised questions as to the proper interpretation of the will of William Perkins, asserting that this entire estate of William Perkins should properly pass under the will of said life tenant and not to the "daughters of---Amelia Minta Copper---". That the Trustees differed with this asserted interpretation of the will of William Perkins and requested Petitioners to present an argument in support of the Trustees position. This was accordingly done and in May, 1953 Judge W. Raymond Horney heard full arguments by Richard T. Earle and Clayton Carter, Esquires in behalf of the contention of the Administrator of the life tenant and by Petitioners in behalf of the Trustees. Full briefs were submitted to the Court: thereafter this Court on September 22, 1953 signed a Decree sustaining contention of Petitioners; that John Bowman, Administrator of life tenant, appealed from said decree to Court of Appeals of Maryland (No. 121 October Term 1953); THAT Petitioners prepared brief and argued the case in Court of Appeals January 1954, that this Court thereafter affirmed the Decree of Judge W. Raymond Horney.

Pending the signing of above Decree and Appeal from same.

(j) Conferred with Clayton Carter, Esquire and arranged an agreement so that sale of real estate could proceed, and property not deteriorate further while vacant; that with the full cooperation of Clayton Carter, Esquire, certain defects in descriptions by deed filed with original Bill in Equity were corrected, Order of Court of September 1953 obtained by Petitioners allowing necessary procedural corrections to be made and testimony of Clayton Carter, Esquire taken before the Court Examiner to clarify the title;

(k) That L. Wethered Barroll Trustee on November 5, 1953 sold the Templeville real estate, in person, thereafter collected purchase price and filed report of sale.

(l) That in May 1954 Petitioner prepared petition and secured Order of Court adjusting transactions between Wm. S. Levy, Esquire and Trustees over a period of years whereby sums of money due the Trustees were paid them by Wm. S. Levy, Esquire and likewise money due from Trustees to Wm. S. Levy, Esquire were paid to him.

That Petitioners have received no compensation for any of above services and are advised they should request an order from this Court directing the Trustees to pay them reasonable compensation.

Wherefore your Petitioners pray that they may have such order as they are entitled to.

BARROLL & WETHERED,
Petitioners

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I hereby certify that on this 13th day of July, 1954 before me, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared L. Wethered Barroll and made oath in due form that the above is true.

Witness my hand and notarial seal.

Notary
Public
Seal.

M. EUNICE PRENGER
Notary Public

We, the undersigned members of the Bar have read the above petition and certify that in our opinion a fee of \$1000.00 Dollars is a reasonable amount to be paid Barroll & Wethered.

EDWARD D. E. ROLLINS
H. VERNON ENEY

O R D E R

Ordered by the Circuit Court for Queen Anne's County this 22nd day of July 1954 upon the foregoing Petition, affidavit and certificate of counsel that Hartley C. Weer and Harry E. Gilbert, Jr. Trustees (Equity No. 1966) and L. Wethered Barroll, Trustee (Equity No. 3834) are hereby authorized and directed to pay the sum of One Thousand-----Dollars to Barroll & Wethered, their Solicitors for the services rendered as set forth in this petition, subject to exceptions that may be filed to same.

Wm. R. HORNEY
Judge

Filed July 23, 1954

Petition & Order
Filed July 30, 1954

HARTLEY C. WEER, ET. AL.
Complainant

vs.

HARRY E. GILBERT, JR.,
TRUSTEE, ET. AL.
Defendants

No. 3834

WILLIAM B. COPPER,
EXECUTOR, ET. AL.

vs.

M. ELIZABETH PERKINS

No. 1966

: : : : : : : : : : :

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

PETITION & ORDER

To the Honorable the Judges of said Court:

The Petition of Hartley C. Weer respectfully shows:

(1) That the object of this Petition is to secure an Order from this Court directing Hartley C. Weer and Harry E. Gilbert, Trustees (in Equity No. 1966) to pay from the funds in their hands as Trustees the funeral expenses of Martha Elizabeth Perkins, the life tenant of this estate.

(2) That this bill in the sum of \$345.00 was paid by Hartley C. Weer from his personal funds to the Rawlings Funeral Home of Greensboro, Maryland, on or about April 23, 1952, as per attached copy of receipt of said bill, since at that time there were no funds available, the estate of the deceased being insolvent; that this bill has been presented to John Bowman, Administrator of said decedent, but his attorney advises Petitioner there were not sufficient funds in the estate to pay Court costs.

(3) That Petitioner requests the Court to order the said Trustees in making a distribution of the funds in their hands to pay to Hartley C. Weer the sum of \$345.00 expended by him as aforesaid, that all of the remaindermen residing in Baltimore City consent to this order as per annexed consent signed by them.

AND AS IN DUTY BOUND will ever pray etc.

HARTLEY C. WEER
Petitioner

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I hereby certify, that on this 21st day of July, 1954 before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared Hartley C. Weer and made oath to the aforesaid statements.

WITNESS my hand and official seal.

Notary
Public
Seal.

M. EUNICE PRENGER
Notary Public

Filed July 30, 1954

The request made in this Petition is approved by Trustees of personal estate and real estate.

HARTLEY C. WEER
HARRY E. GILBERT, JR.
L. WETHERED BARROLL
Trustees

Filed July 30, 1954

ORDER

Ordered by the Circuit Court for Queen Anne's County this 30th day of July, 1954 upon the foregoing Petition, affidavit, annexed consent by four remaindermen, and approval that Hartley C. Weer and Harry E. Gilbert, Jr., Trustees in (No. 1966 Equity) one of the above consolidated cases be and they are hereby ordered to pay to Hartley C. Weer, the sum of \$345.00 from the funds in their hands as Trustees on account of money advanced by him as set forth in this Petition, provided that

Carroll Startt
416 W. 29th St.
Baltimore 18, Md.,

Minnie Vickers
c/o Wm. D. Gould, her attorney,
Chestertown, Md.,

Burchell Crew
6851 Parkton Ave.
Chicago, Ill.,

Leonard Crew, Jr.,
Sparks, Md.,

John Hofmeister
808 E Street
Sparrows Point, Md.

show cause on or before the 20th day of August, 1954 if any they have, why the order prayed for in foregoing Petition should not be passed, and provided further that a copy of said Petition and this Order be mailed to said parties at the above mentioned addresses forthwith by registered mail, with return receipt requested.

Wm. R. HORNEY
Judge

Filed July 30, 1954

Raymond B. Rawlings

FUNERAL DIRECTORS
RAWLINGS FUNERAL HOME
Dial 2511
Greensboro, Maryland
April 23, 1952

John E. Boulais

Mr. Hartley C. Weer
c/o American National
Building & Loan Asso.
Lexington & Liberty Streets
Baltimore 1, Maryland

| | |
|--|------------------|
| Casket and services for Martha Elizabeth Perkins | \$250.00 |
| Embalming Body | 20.00 |
| Dress | 10.00 |
| Cement Vault | 50.00 |
| Opening Grave | 15.00 |
| | <u>\$ 345.00</u> |

April 23, 1952

Received from Mr. Hartley C. Weer \$345.00 payment in full with thanks,

Rawlings Funeral Home

JOHN E. BOULAIS
John E. Boulais

We, the undersigned, remaindermen under the Will of William Perkins, deceased, do hereby agree and consent that there be distributed out of the corpus of said estate to Hartley C. Weer, the sum of Three Hundred and Thirty-five Dollars, to reimburse him for this amount he paid out of his personal funds for the funeral expenses of the late Martha Elizabeth Perkins.

AMY C. CREWE

ALBERT CREW

JESSE B. CREW

C. ALBERT HOFMEISTER

Filed July 30, 1954

EXCEPTIONS

Filed Aug. 11, 1954

HARTLEY C. WEER, et al
Complainant

vs.

HARRY E. GILBERT, Trustee,
et al
Defendants

No. 3834

WILLIAM B. COPPER, Executor
et al

vs.

M. ELIZABETH PERKINS

No. 1966

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

* IN EQUITY

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Carroll Startt and Minnie Vickers, by their Solicitor, Wm. Dunbar Gould, move that this Honorable Court rescind or modify its Order, passed on the 22nd day of July, 1954, whereby it authorized Hartley C. Weer and Harry E. Gilbert, Trustees (Equity No. 1966) and L. Wethered Barroll, Trustee (Equity No. 3834) to pay to the firm of Barroll & Wethered the sum of One Thousand (\$1,000.00) dollars as a fee for the services referred to in the petition upon which said Order was passed, and in support of said motion say:

1. That the amount of said fee is excessive.
2. And for other reasons to be shown at the hearing.

WM. DUNBAR GOULD
Wm. Dunbar Gould
Solicitor for Exceptants

I HEREBY CERTIFY that I have this 10th day of August, 1954, mailed a copy of the above motion to the firm of Barroll & Wethered, 100 St. Paul Place, Baltimore 2, Maryland.

Wm. DUNBAR GOULD
Wm. Dunbar Gould
Solicitor for Exceptants

Filed Aug. 11, 1954

ANSWER TO SHOW CAUSE
Filed Aug. 11, 1954

HARTLEY C. WEER, et al
Complainat

vs.

HARRY E. GILBERT, Trustee,
etal
Defendants

No. 3834

WILLIAM B. COPPER, Executor

et al

vs.

M. ELIZABETH PERKINS

No. 1966

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

* IN EQUITY

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Now come Carroll Startt and Minnie Vickers, by their Solicitor, Wm. Dunbar Gould, and in answer to the Petition of Hartley C. Weer filed July 30, 1954, and on which an Order was obtained on the 30th day of July, 1954, reference

the payment by Hartley C. Weer and Harry E. Gilbert, Jr., Trustees (Equity No. 1966) to Hartley C. Weer the sum of Three Hundred and Forty-five (\$345.00) Dollars for money from personal funds of Hartley C. Weer for the funeral expenses of Martha Elizabeth Perkins, life tenant, show unto Your Honors as follows:

1. That the funds in the hands of Hartley C. Weer and Harry E. Gilbert, Jr., as Trustees, should not be used to re-imburse the said Hartley C. Weer for personal expenditure because said expenditure is not properly chargeable against the Estate.

2. That in any case the interest in said Trust Estate due the said Carroll Startt and Minnie Vickers should not be diminished by the allowance of any re-imburement to the said Hartley C. Weer because the expenditure for funeral expenses of the said Martha Elizabeth Perkins, life tenant, is not properly chargeable against the amounts due the said Carroll Startt and the said Minnie Vickers.

Whereby having fully answered the Petition and Order thereon the said Carroll Startt and Minnie Vickers pray that the said Order be rescinded or modified insofar as it affects their interest.

WM. DUNBAR GOULD
Wm. Dunbar Gould
Solicitor for Carrol Startt and
Minnie Vickers

I HEREBY CERTIFY, that I have this 10th day of August, 1954, mailed a copy of the above Answer to Hartley C. Weer at 3315 Walbrook Avenue, Baltimore 16, Maryland.

Wm DUNBAR GOULD
Wm. Dunbar Gould
Solicitor for Carroll Startt and
Minnie Vickers

Filed Aug. 11, 1954

Petition & Order
Filed Aug. 18, 1954

HARTLEY C. WEER, ET. AL.
Complainant

vs.

HARRY E. GILBERT, JR.,
TRUSTEE, ET. AL.
Defendants

No. 3834

WILLIAM B. COPPER,
EXECUTOR, ET. AL.

vs.

M. ELIZABETH PERKINS

No. 1966

: : : : : :

PEITITON & ORDER

To the Honorable the Judges of said Court:

The Petition of Hartley C. Weer respectfully shows:

(1) That the object of this Petition is to secure an Order from this Court directing Hartley C. Weer and Harry E. Gilbert, Trustees (in Equity No. 1966) to pay from the funds in their hands as Trustees the funeral expenses of Martha Elizabeth Perkins, the life tenant of this estate.

(2) That this bill in the sum of \$345.00 was paid by Hartley C. Weer from his personal funds to the Rawlings Funeral Home of Greensboro, Maryland, on or about April 23, 1952, as per attached copy of receipt of said bill, since at that time there were no funds available, the estate of the deceased being insolvent; that this bill has been presented to John Bowman, Administrator of said decedent, but his attorney advises Petitioner there were not sufficient funds in the estate to pay Court costs.

(3) That Petitioner requests the Court to order the said Trustees in making a distribution of the funds in their hands to pay to Hartley C. Weer the sum of \$345.00 expended by him as aforesaid, that all of the remaindermen residing in Baltimore City consent to this order as per annexed consent signed by them.

AND AS IN DUTY BOUND will ever pray etc.

Hartley C. Weer
Petitioner

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I hereby certify, that on this 31st. day of July, 1954 before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared Hartley C. Weer and made oath to the aforesaid statements.

WITNESS my hand and official seal.

Notary
Public
Seal

M. Eunice Prenger
Notary Public

Filed July 30, 1954

APPROVAL

The request made in this Petition is approved by Trustees of personal estate and real estate.

Hartley C. Weer
Harry E. Gilbert Jr.
Wethered Barroll
Trustees

Filed July 30, 1954

ORDER

Ordered by the Circuit Court for Queen Anne's County this 30th. day of July, 1954, upon the foregoing Petition, affidavit, annexed consent by four remaindermen, and approval that Hartley C. Weer and Harry E. Gilbert, Jr., Trustees in (No. 1966 Equity) one of the above consolidated cases be and they are hereby ordered to pay to Hartley C. Weer, the sum of \$345.00 from the funds in their hands as Trustees on account of money advanced by him as set forth in this Petition, provided that

Carroll Startt
416 W. 29th St.
Baltimore 18, Md.,

Minnie Vickers
c/o Wm. D. Gould, her attorney,
Chestertown, Md.,

Burchell Crew
6851 Parkton Ave.
Chicago, Ill.,

Leonard Crew, Jr.
Sparks, Md.,

John Hofmeister
808 E Street
Sparrows Point, Md.

show cause on or before the 20th. day of August, 1954 if any they have, why the order prayed for in foregoing Petition should not be passed, and provided further that a copy of said Petition and this Order be mailed to said parties at the above mentioned addresses forthwith by registered mail, with return receipt requested.

Wm. R. Horney
Judge

Filed July 30, 1954

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

I HEREBY CERTIFY THAT THE foregoing is truly taken and copied from the original petition and order filed in the above entitled cause, and the same now remains on file in this office.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this 2nd. day of August, in the year nineteen hundred and fifty four.

Seal's
Place

T. SORDEN PIPPIN
Clerk

August 16/54 I certify that I complied with above order, mailed certified copies of Petition & Order to parties named in order & attached hereto "Return Receipts", signed by all said parties.

L. WETHERED BARROLL
ATTORNEY FOR PETITIONERS

Filed Aug. 18, 1954

REPORT OF SALE

To the Honorable, the Judges of said Court:

The Report of Hartley C. Weer and Harry E. Gilbert, Jr., Trustees Estate of William Perkins, respectfully shows:

That in pursuance of an order of this Honorable Court passed on July 23, 1954, for the purpose of reducing the assets into cash they have sold said bonds and stock set forth in said order through Baker, Watts & Co. stock brokers in Baltimore City, and set forth the net proceeds of said sales, as follows:

| | |
|--|-------------|
| For the U.S. Treasury Bonds, net the sum of | \$4,740.75 |
| accrued interest | 11.20 |
| For the Greek Government Stabilization Bond for the net sum of | 158.74 |
| accrued interest collected | 62.40 |
| For the 7 shares of Baltimore Transit the net sum of | 46.12 |
| For 11/20 share of said stock-scrip | <u>1.89</u> |
| Net sales and accrued interest - - - - - | \$ 5,021.10 |

As in duty bound etc.

HARTLEY C. WEER
Hartley C. Weer

HARRY E. GILBERT Jr.
Harry E. Gilbert, Jr.
Trustees.

State of Maryland, Baltimore City, to wit:

I hereby certify, that on this 3rd day of November, 1954, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Hartley C. Weer and Harry E. Gilbert, Jr., Trustees Estate of William Perkins, and each made oath in due form of law, that the matters and facts set forth in the foregoing Report of Sale are true to the best of their knowledge and belief, that the above securities were sold for the most money which could be obtained and that the sales therein reported were fairly made.

Witness my hand and Notarial Seal.

WILLIAM S. LEVY
William S. Levy, Notary Public
Notary Public
Seal.

Filed Nov. 5, 1954

AUDIT
Filed Dec. 29, 1954

Hartley C. Weer, et al.,
vs.

Harry E. Gilbert, Jr.,
Trustee, et al.

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

No. 3834

William B. Copper,
Executor, et al.,

vs.

M. Elizabeth Perkins

No. 1966

To The Honorable, the Judges of said Court:

The report of J. Thomas Clark, Auditor, unto Your Honor respectfully sets forth:

1. That this account is stated pursuant to the order of this Court dated July 8, 1954.

2. That the within account is stated separately, one part concerning the sale of real estate, another part concerning personalty of the trust, both corpus and income and the last part concerning the distribution of the net proceeds of the trust.

3. That in the first part concerning the real estate, L. Wethered Barroll, Trustee, duly appointed by order of this Court, dated September 22, 1953, is charged with the proceeds of sale and thereafter allowed expenses not personal in accordance with the order of this Court for which proper vouchers and receipts have been produced. However, no trustee's commissions were allowed said trustee in accordance with order of this Court of September 16, 1954, and the expenses of John McKenney, appraiser, in the sum of \$25.00 and of J.B. Metcalfe, surveyor, in the sum of \$60.00 were allowed subject to the usual exceptions. The premium on the corporate surety bond was allowed only on a bond of \$2500.00 in accordance with the decree of this Court of September 22, 1953, in the total sum of \$20.00 for two years instead of the total of \$24.00 as claimed by said trustee for a \$3000.00 bond; and the testimony of W.M. Freestate, insurance agent, who issued the corporate surety bond was taken by your auditor on December 20, 1954, in accordance with the provisions of Article 16, Section 23, however, no party to this cause was notified of the time of the taking of this testimony.

4. Hartley C. Weer and Harry E. Gilbert, Jr., Trustees of this trust, were allowed the usual commissions for winding up this trust and disbursing the assets to the beneficiaries. In their account proper receipts were presented for all disbursements. However, in view of the fact that the trustees did not take any annual commissions after the death of the life tenant, it is presumed by your auditor that they are waiving same.

5. Distribution was directed to be made by all three trustees to the residuary legatees in accordance with the decree of this Court of September 22, 1953. The said trustees were directed to pay to E. Clyde Walls, Register of Wills as collector of inheritance tax, a collateral inheritance tax at the rate of 2½%, the rate in effect on the date of death of the testator in the year 1906, the date the estates rested in the remaindermen as a class. See Art. 81, Sec. 102, 1888 Md. Code, and State v. Safe Deposit and Trust Company of Baltimore, 132 Md. 251, P. 255.

Respectively submitted,

J. THOMAS CLARK
Auditor.

Dec. 27, 1954.
Filed Dec. 29, 1954

W.M. Freestate having been duly sworn, deposes and says:

State your name, age, occupation and place or residence.

A. W. M. Freestate, Centreville, Maryland, operating an insurance agency, age 36 years.

Q. Are you the operator of W. M. Freestate Agency, which sells trustee's bonds?

A. Yes.

Q. Did you issue a corporate trustee's surety bond for one L. Wethered Barroll, Trustee in Weer versus Gilbert on October 17, 1953?

A. Yes, and also a renewal of the same on October 17, 1954.

Q. How much was the bond issued for in each instance?

A. \$3,000.00.

Q. What are the rates on corporate surety bonds?

A. There is a minimum rate of \$10.00 for each bond issued, and the rate per thousand is \$4.00, and \$2.00 for each \$500.00 of a bond if you want it broken down.

Q. What would be the cost of a corporate surety bond per year issued in the sum of \$2,500.00

A. \$10.00 per year.

Exam Sp.

A. No.

W. M. FREESTATE

Dec. 27, 1954

J. Thomas Clark
Auditor

Cause Nos. 3834 and 1966 - Consolidated

The proceeds of the sale of real estate reported in this cause, in account with L. Wethered Barroll, Trustee in Cause No. 3834, appointed by this Honorable Court to make the sale in these proceedings (and vendor of said land); and the proceeds of the balance of the corpus of the trust in Cause No. 1966, after conversion, per order of this Honorable Court, in account with Hartley C. Weer and Harry E. Gilbert, Jr., Trustees of said trust.

REAL ESTATE

The Proceeds of the sale of real estate reported in cause No. 3834, in account with L. Wethered Barroll, Trustee, appointed by this Honorable Court to make the sale in these proceedings (and vendor of said land).

CR.

1953
Nov. 5

By gross proceeds of the sale of said land
and interest, per report of said vendor,
to wit:..... \$2218.51

Dr.

To Barroll & Wethered, Attys., in lieu of
all trustee's coms., fee per order of
Court 7/22/54 as modified by order of
9/16/54.....\$1000.00

To L. Wethered Barroll, trustee, for court
costs of this cause, per statement of
Clerk for same exhibited, and due therefor;
Costs of T. Sorden Pippin, Clerk..\$140.10
Costs of Joseph C. Deegan, Shff. Bal-
timore City..... 2.35
Costs of B.O. Vickers, Shff. Kent Co. .95
Cost of H.C. Butler, Examiner..... 20.00
Cost of Jane B. Wright, Steno..... 5.00
Cost of Doris L. Dillehunt, Steno.... 5.00
Appearance fee of L.W. Barroll..... 10.00
Appearance fee of Richard T. Earle,
Clayton C. Carter, Wm. D. Gould &
William S. Levy..... 10.00
Costs of E. Clyde Walls, Reg. of
Wills..... 3.50 196.90

To do. for an amount paid Wm. Freestate
Agency for the premium on the corporate
surety bond to the sum of \$2500.00 for
two years, same filed by said trustee in
this cause, per order of Court Sept. 22,
1953, per receipts for same exhibitee.... 20.00

Dec. 27, 1954

J. THOMAS CLARK
Auditor

To do., for an amount paid J. Elmer
Anthony, Actner., for crying sale,
per receipt for same exhibited..... 25.00

To do., for an amount paid Claude
Lowery, Treasurer of Queen Anne's
County, Md., for pro rata share of
1954 real estate taxes on property
sold in this cause, per terms of sale
per receipt for the same exhibited..... 15.31

To do., for an amount paid Commissioners
of Templeville for 1954 taxes of
property sold in this cause, per
receipt exhibited..... 4.38

To do., for an amount paid Queen Anne
Record-Observer, per receipts for the
same exhibited, to wit:
Cost of publishing notice of
sale.....\$90.00
Cost of publishing order nisi
of sale..... 7.50 97.50

To do., for an amount paid John McKenney
for appraisal and testimony, per re-
ceipt for same exhibited..... 25.00

To do., for an amount paid J.B. Metcalfe
for survey of real estate sold in
this cause, per receipt for same ex-
hibited..... 60.00

To do., for an amount paid Daily Record
Co. for printing the brief of trus-
tee in this cause, per receipt for same
exhibited (appeal) 54.03

To do., for an amount paid Martin & Martin
for typing appeal brief in this cause,
per receipt for same exhibited..... 5.10

| | | |
|---|------------------|------------------|
| To do., for an amount allowed said trustee for publishing the order nisi to be passed as to this audit, same to be published in Queen Anne-Record Observer..... | 7.50 | |
| To J. Thomas Clark, auditor, for stating this audit..... | 72.50 | |
| To do., for an amount paid Wm. S. Levy per order of Court of 5/28/54, per receipt for same exhibited..... | 61.32 | |
| To balance carried forward for distribution of residuary legatees from sale of real estate, per order of Court of Sept. 22, 1953 | 574.47 | |
| | <u>\$2218.51</u> | <u>\$2218.51</u> |

Dec. 27, 1954

J. THOMAS CLARK
Auditor

PART A

INCOME ACCOUNT

Income received and disbursements made by Hartley C. Weer and Harry E. Gilbert, Jr., trustees in Chancery No. 1966 from August 11, 1950, to date of this audit.

1. From August 11, 1950, to date of death of Martha Elizabeth Perkins life tenant, on April 20, 1952:

CR.

Undistributed income per annum report of 8/14/51..... \$ 2.70

9/15/51 U.S. coupons on U.S. Treas. bonds..... 67.48
4/15/52 Do 67.60 \$137.78

DR.

9/15/51 To M. Elizabeth Perkins per receipt..... 43.61
9/15/51 Commissions of trustees @ 5% on \$67.48..... 3.37
9/29/51 Trustees' corporate surety bond premium..... 35.00
9/14/51 Expenses of Auditor per receipt..... 3.00
3/15/52 To M. Elizabeth Perkins per receipt..... 46.72
Trustees' commissions on \$67.60..... 33.38
11/14/52 Trustees' corporate surety bond premium..... 35.00
\$ 170.08

Overpayment of income

32.30
170.08

2. From April 20, 1952, date of death of life tenant to date of audit:

Cr.

9/15/52 U. S. coupons on U. S. Treas. bonds..... \$ 67.57
3/15/53 do 67.60
9/15/53 do 67.48
3/15/54 do 67.60
9/15/54 do 67.57
~~9/15/54 do 31.50~~
1/27/54 Div., Balto. Transit Co. stk. 3.50
2/5/54 Return premium, Fire Ins..... 2.98

Dec. 27, 1954

J. THOMAS CLARK
Auditor

| | | | |
|----------|--|-----------------|------------------|
| 11/3/54 | Accrued interest U.S. coupons and U.S. Treas. bonds..... | 11.20 | |
| 11/3/54 | Div. on Chicago Rys. bond..... | .78 | |
| 11/3/54 | Greek Govt. Stab. bond..... | <u>62.40</u> | \$418.68 |
| DR. | | | |
| | To overpayment of income for 1951..... | 32.30 | |
| 5/19/52 | Tel. calls re: trust per receipt..... | 3.25 | |
| 1952 | Exp. transfer of stock to present trust- ees per receipt..... | 8.10 | |
| 11/11/53 | Trustee's corporate bond premium per rcpt | 35.00 | |
| 6/6/54 | do..... | 35.00 | |
| | Trustee's safe deposit box rental for 13 years @ \$1.80 per year..... | 23.40 | |
| | Undistributed income for residuary legattes | <u>281.62</u> | |
| | | <u>\$418.68</u> | <u>\$ 418.68</u> |

CORPUS

Corpus of trust in hands of Hartley C. Weer and Harry E. Gilbert, Jr., trustees in Chancery No. 1966 from August 11, 1950, to date of this audit.

CR.

| | | | |
|---------|---|--------------|-----------|
| 8/11/50 | 4800 U. S. Treas. 2-7/8% bonds due 1960..... | \$4800.00 | |
| 8/11/50 | \$500 6% Greek Govt. Stab. bond..... | 500.00 | |
| 8/11/50 | 7 Shs. Balto. Trnst. Co. stock..... | No par | |
| 8/11/50 | 11/20th. shs. do..... | No par | |
| 8/11/50 | Chicago Rapid Trnst. Co. 6% bond due 1963..... | 200.00 | |
| 8/11/50 | Cash..... | <u>63.82</u> | \$5563.82 |

DR.

| | | | |
|---------|---|------------------|------------------|
| 7/12/54 | Sale Chicago Rapid Trnst. bond..... | 63.05 | |
| 8/11/50 | Cash..... | 63.82 | |
| 11/3/54 | Sale - U.S. Treas. bonds..... | 4740.75 | |
| 11/3/54 | Sale - Greek Govt. Stab. bond..... | 158.74 | |
| 11/3/54 | Sale - Balto. Trnst. Co. bond..... | 46.12 | |
| 11/3/54 | Sale - 11/20ths. share Balto. Trnst. Co bond. | <u>1.89</u> | |
| | | <u>\$5074.37</u> | <u>\$5563.82</u> |
| | Net loss | <u>489.45</u> | |
| | | <u>\$5563.82</u> | <u>\$5563.82</u> |

J. THOMAS CLARK
Auditor

Dec. 27, 1954

Cr.

By total assets in the hands of L. Wethered Barroll, Trustee in Cause No. 3834 and Hartley C. Weer and Harry E. Gilbert, Jr., Trustees in Cause No. 1966, to wit:

By net proceeds brought forward from the sale of
real estate in account with L. Wethered Barroll,
Trustee.....\$574.47

By cash in account with Hartley C. Weer and Harry E.
Gilbert, Jr., Trustees, after conversion of per-
sonal corpus of trust.....\$5074.37

By cash in account with Hartley C. Weer and Harry
E. Gilbert, Jr., Trustees, being accumulated in-
come..... 281.62 \$5930.46

DR.

To Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, as their commissions for distributing trust to legatees @ rate of $\frac{1}{2}$ of 1% on the sum of \$5930.46.....\$ 29.65

To T. Sorden Pippin, Clerk of the Circuit Court of Queen Anne's County, as follows:
 Clerk's costs per statement, due.....\$5.00
 Clerk's costs per receipt, paid..... 1.00 6.00

To balance for distribution to the residuary legatees of William Perkins, deceased, per decree of Circuit Court for Queen Anne's County, in Equity of Sept. 22, 1953, as modified by its orders of July 30, 1954 and September 16, 1954 the sum of..... \$5894.91

\$5930.46 \$5930.46

CR.

By balance carried forward for distribution to residuary legatees of William Perkins, deceased, per Decree of Circuit Court for Queen Anne's County, in Equity of September 22, 1953, as modified by its orders of July 30, 1954, and September 16, 1954, the sum of \$5894.81

DR.

To E. Clyde Walls, Register of Wills for Queen Anne's County an inheritance tax of $2\frac{1}{2}$ % on the sum of \$1964.93 inherited by Hartley C. Weer, devisee of William Perkins, deceased, or the sum of..... \$ 49.12

To Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, a $\frac{1}{8}$ share of the sum of \$345.00 to be deducted from the sum inherited by Hartley C. Weer in these causes, and used by said trustees to repay Hartley C. Weer for his personal expenditure of the funeral expenses of Martha Elizabeth Perkins, deceased, per orders of the Circuit Court for Queen Anne's County in Equity of July 30, 1954 and September 16, 1954, or the sum of..... 43.13

J. THOMAS CLARK
Auditor

Dec. 27, 1954

To Hartley C. Weer, residuary legatee under the will of William Perkins, deceased, a $\frac{1}{3}$ share of the above balance or the sum of \$1964.93, less the State inheritance tax at the rate of $2\frac{1}{2}$ % or the sum of \$49.12, and less the $\frac{1}{8}$ share of the funeral expenses of Martha Elizabeth Perkins, deceased, in the sum of \$345.00 or the sum of \$43.13, both of which sums have been set forth above leaving the sum of \$1872.68

To E. Clyde Walls, Register of Wills for Queen Anne's County, an inheritance tax of $2\frac{1}{2}$ % on the sum of \$982.47 inherited by Minnie Vickers, devisee of William Perkins, deceased, or the sum of..... 24.56

To Minnie Vickers, residuary legatee under the will of William Perkins, deceased, a $\frac{1}{6}$ share of the above balance or the sum of \$982.47, less the state inheritance tax at the rate of $2\frac{1}{2}$ % or the sum of \$24.56 heretofore directed to be paid to E. Clyde Walls, Register of Wills, as collector of the same, or the sum of..... 957.91

To E. Clyde Walls, Register of Wills of Queen Anne's County, an inheritance tax of $2\frac{1}{2}$ % on the sum of \$982.47 inherited by Carroll Startt, devisee of William Perkins, deceased, or the sum of..... 24.56

To Carroll Startt, residuary legatee under will of William Perkins, deceased, a $\frac{1}{6}$ share of the above balance or the sum of \$982.47, less the state inheritance tax at the rate of $2\frac{1}{2}$ % or the sum of \$24.56 heretofore directed to be paid to E. Clyde Walls, Register of Wills, as collector of the same, or the sum of..... 957.91

To E. Clyde Walls, Register of Wills of Queen Anne's County, an inheritance tax of $2\frac{1}{2}$ % on the sum of \$392.99 inherited by Amy C. Crew, devisee of William Perkins, deceased, or the sum of..... 9.82

To Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, a 1/8 share of the sum of \$345.00, for their use to repay Hartley C. Weer for his personal expenditure of the funeral expenses of Martha Elizabeth Perkins, to be deducted from the sum inherited by Amy C. Crew in these causes, per orders of the Circuit Court for Queen Anne's County, in Equity of July 30, 1954 and September 16, 1954, or the sum of..... 43.13

To Amy C. Crew, residuary legatee under will of William Perkins, deceased, a 1/15 share of the above balance or the sum of \$392.99, less the state inheritance tax at the rate of 2½% or the sum of \$9.82 heretofore directed to be paid to E. Clyde Walls, Register of Wills, as collector of the same, and less the 1/8 share of the sum of \$345.00 which represents the funeral expenses of Martha Elizabeth Perkins paid by Hartley C. Weer, personally, heretofore directed to be paid to Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, and by them paid to Hartley C. Weer, or the sum of..... 340.04

J. THOMAS CLARK
Auditor

Dec. 27, 1954

To E. Clyde Walls, Register of Wills of Queen Anne's County, an inheritance tax of 2½% on the sum of \$392.99 inherited by Jesse B. Crew, devisee of William Perkins, deceased, or the sum of..... 9.82

To Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, a 1/8 share of the sum of \$345.00, for their use to repay Hartley C. Weer for his personal expenditure for the funeral expenses of Martha Elizabeth Perkins, to be deducted from the sum inherited by Jesse B. Crew, per orders of Court of July 30, 1954, and September 16, 1954, or the sum of..... 43.13

To Jesse B. Crew, residuary legatee under will of William Perkins, deceased, a 1/15 share of the above balance or the sum of \$392.99, less the state inheritance tax at the rate of 2½% or the sum of \$9.82 heretofore directed to be paid to E. Clyde Walls, Register of Wills, as collector of the same, and less than 1/8 share of the sum of \$345.00 which represents the funeral expenses of Martha Elizabeth Perkins paid by Hartley C. Weer personally, heretofore directed to be paid to Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, and by them to be paid to Hartley C. Weer, the sum of..... 340.04

To E. Clyde Walls, Register of Wills of Queen Anne's County, an inheritance tax of 2½% on the sum of \$392.99 inherited by Albert Crew, devisee of William Perkins, deceased, or the sum of..... 9.82

To Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, a 1.8 share of the sum of \$345.00, for their use to repay Hartley C. Weer for his personal expenditure for the funeral expenses of Martha Elizabeth Perkins, deceased, to be deducted from the sum inherited by Albert Crew, per orders of Court of July 30, 1954 and September 16, 1954, or the sum of..... 43.13

To Albert Crew, residuary legatee under will of William Perkins, deceased, a 1/15 share of the above balance or the sum of \$392.99, less the state inheritance tax at the rate of 2½% or the sum of \$9.82 heretofore directed to be paid to E. Clyde Walls, Register of Wills, as collector of the same, and less the 1.8 share of the sum of \$345.00 which represents the funeral expenses of Martha Elizabeth Perkins paid by Hartley C. Weer personally, heretofore directed to be paid to Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, and by them to be paid to Hartley C. Weer, the sum of..... 340.04

To E. Clyde Walls, Register of Wills of Queen Anne's County an inheritance tax of 2½% on the sum of \$196.49 inherited by Burchell Crew, devisee of William Perkins, deceased, or the sum of..... 4.91

To Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, a 1/8 share of the sum of \$345.00, for the use of said trustees to repay Hartley C. Weer for his personal expenditures of the funeral expense of Martha Elizabeth Perkins, deceased, to be deducted from the sum inherited by Burchell Crew, per orders of Court of July 30 and September 16, 1954, or the sum of..... 43.12

J. THOMAS CLARK
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- To Burchell Crew, residuary legatee under will of William Perkins, deceased, a 1/30 share of the above balance or the sum of \$196.49, less the state inheritance tax at the rate of 2½% or the sum of \$4.91 heretofore directed to be paid to E. Clyde Walls, Register of Wills, as collector of the same, and less the 1/8 share of the sum of \$345.00 which represents the funeral expenses of Martha Elizabeth Perkins paid by Hartley C. Weer personally, heretofore directed to be paid to Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, and by them to be paid to Hartley C. Weer, the sum of..... \$148.46
- To E. Clyde Walls, Register of Wills of Queen Anne's County, an inheritance tax of 2½% on the sum of \$196.49 inherited by Leonard Crew, Jr., devisee of William Perkins, deceased, or the sum of..... c 4.91
- To Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, a 1/8 share of the sum of \$345.00, for the use of said trustees to repay Hartley C. Weer for his personal expenditures of the funeral expense of Martha Elizabeth Perkins, deceased, to be deducted from the sum inherited by Leonard Crew Jr., per orders of Court of July 30 and September 16, 1954, or the sum of..... 43.12
- To Leonard Crew, Jr., residuary legatee under will of William Perkins, deceased, a 1/30 share of the above balance or the sum of \$196.49, less the state inheritance tax at the rate of 2½% or the sum of \$4.91 heretofore directed to be paid to E. Clyde Walls, Register of Wills, as collector of the same, and less the 1/8 share of the sum of \$345.00 which represents the funeral expenses of Martha Elizabeth Perkins paid by Hartley C. Weer personally, heretofore directed to be paid to Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, and by them to be paid to Hartley C. Weer, the sum of 148.46
- To E. Clyde Walls, Register of Wills of Queen Anne's County, an inheritance tax of 2½% on the sum of \$261.99 inherited by Albert Hofmeister, devisee of William Perkins, deceased, or the sum of..... 6.55
- To Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, a 1/8 share of the sum of \$345.00 for the use of said trustees to repay Hartley C. Weer for his personal expenditures of the funeral expense of Martha Elizabeth Perkins, deceased, to be deducted from the sum inherited by Albert Hofmeister, per orders of Court of July 30 and September 16, 1954, or the sum of..... 43.12
- To Albert Hofmeister, residuary legatee under will of William Perkins, deceased, a 2/45 share of the above balance or the sum of \$261.99, less the state inheritance tax at the rate of 2½% or the sum of \$6.55 heretofore directed to be paid to E. Clyde Walls, Register of Wills, as collector of the same, and less the 1/8 share of the sum of \$345.00 which represents the funeral expenses of Martha Elizabeth Perkins paid by Hartley C. Weer personally, heretofore directed to be paid to Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, and by them to be paid to Hartley C. Weer, the sum of 212.32

J. THOMAS CLARK
Auditor

Dec. 27, 1954

- To E. Clyde Walls, Register of Wills of Queen Anne's County, an inheritance tax of 2½% on the sum of \$131.00 inherited by John Hofmeister, devisee of William Perkins, deceased, or the sum of 3.28
- To Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, a 1/8 share of the sum of \$345.00, for the use of said trustees to repay Hartley C. Weer for his personal expenditures of the funeral expenses of Martha Elizabeth Perkins, deceased, to be deducted from the sum inherited by John Hofmeister, per orders of Court of July 30 and September 16, 1954, or the sum of.... 43.12
- To John Hofmeister, residuary legatee under will of William Perkins, deceased, a 1/45 share of the above balance or the sum of \$131.00, less the state inheritance tax at the rate of 2½% or the sum of \$3.28 heretofore directed to be paid to E. Clyde Walls, Register of Wills, as collector of the same, and less the 1/8 share of the sum of \$345.00 which represents the funeral expenses of Martha Elizabeth Perkins paid by Hartley C. Weer personally, heretofore directed to be paid to Hartley C. Weer and Harry E. Gilbert, Jr., Trustees, and by them to be paid to Hartley C. Weer, the sum of 84.60

\$5894.81 \$5894.81

Brought Forward from Folio 244

Luther E. Downes, et al.

vs.

Ella Mae Warner, et al.

FINAL RATIFICATION OF AUDIT

ORDERED, this 25th day of April, 1953, 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 Special 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.

s/Wm. R. Horney
Judge

I hereby certify that the report and account filed herewith in the cause of Luther E. Downes, et. al. versus Ella Mae Warner, et. al. being Cause No. 3815, is a true copy of the same as taken from own retained personal copy, which copy is a carbon copy of the original report and account of auditor, which was personally made by me at the time of the original account.

VACHEL A. DOWNES JR.
Special Auditor in Cause #3815

Filed March 23, 1954

ORDER OF COURT

Upon the foregoing petition, it is this 31st day of March, 1954, Ordered by the Circuit Court for Queen Anne's County, in Equity, that J. Thomas Clark and Harry C. Butler, Trustees in this cause, substitute the copy of the report and account of Vachel A. Downes, Jr., Special Auditor, and the final ratification thereof, in the place and stead of the original audit and final ratification thereof heretofore filed in this cause, the same having been lost, and the Clerk is hereby directed to record said copy in the place and stead of the originals.

J. DeWeese Carter
Judge.

Filed March 31, 1954

Brought forward from Folio 610

RECAPITULATION

| | |
|---|-----------|
| Hartley C. Weer | \$1872.68 |
| Minnie Vickers | 957.91 |
| Carroll Startt | 957.91 |
| Amy C. Crew | 340.04 |
| Jesse B. Crew | 340.04 |
| Albert Crew | 340.04 |
| Burchell Crew | 148.46 |
| Leonard Crew, Jr. | 148.46 |
| Albert Hofmeister | 84.60 |
| Hartley C. Weer & Harry E. Gilbert, Jr., Trustees, for payment to Hartley C. Weer | 345.00 |
| E. Clyde Walls, Register of Wills | 147.35 |
| Total | \$5894.81 |

J. THOMAS CLARK
Auditor

Dec. 27, 1954.

NISI RATIFICATION OF AUDIT

| | | |
|--------------------------|---|-------------------------|
| Hartley C. Weer, et al., |) | In the Circuit Court |
| vs. |) | for Queen Anne's County |
| Harry E. Gilbert, Jr., |) | In Equity |
| William B. Copper, |) | Cause Nos. 3834 & 1966 |
| Executor, et al., |) | |
| vs. |) | |
| M. Elizabeth Perkins |) | |

ORDERED, This 29th. day of December in the year nineteen hundred and fifty four, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 21st. day of January, 1955; provided a copy of this order be published once a week in each of two successive weeks before the 14th. day of January, 1955, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed December 29, 1954

NISI RATIFICATION OF AUDIT

| | | |
|--------------------------|---|--------------------------|
| Hartley C. Weer, et al., |) | In the Circuit Court for |
| vs. |) | Queen Anne's County |
| Harry E. Gilbert, Jr. |) | in Equity |
| Trustee, et al. |) | Cause Nos. 3834 & 1966 |
| William B. Cooper, |) | |
| Executor, et al., |) | |
| vs. |) | |
| M. Elizabeth Perkins |) | |

Ordered, This 29th day of December, in the year nineteen hundred and fifty-four, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before, the 21st day of January, 1955; provided a copy of this order be published once a week in each of two successive weeks before the 14th day of January, 1955, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

Filed December 29, 1954

True Copy

Test: T. SORDEN PIPPIN, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md., Jan. 19, 1955

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 Hartley C. Weer, et al vs. Harry E. Gilbert Jr. Trustee, et. al. William B. Cooper Executor, et. al. vs. M. Elizabeth Perkins 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 Jan., 1955, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 30 day of Dec. 1954, and the last insertion on the 6 day of Jan. 1955.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By Mrs. Ada Lee Mills

Filed Jan. 19, 1955

ORDER
Filed Jan. 22, 1955

HARTLEY C. WEER, ET. AL.
Complainant

vs.

HARRY E. GILBERT, JR.,
TRUSTEE, ET. AL.,
Defendants

No. 3834

WILLIAM B. COPPER,
EXECUTOR, ET. AL.

vs.

M. ELIZABETH PERKINS

No. 1966

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

: : : : : : : :

ORDER

Ordered by Circuit Court for Queen Anne's County, this 22nd day of January, 1955, that the foregoing Report and Account 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 by the preceding Order Nisi passed thereon, and the Trustee is hereby directed to apply the proceeds accordingly.

Wm. R. HORNEY
Judge

Filed Jan. 22, 1955

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Third day of May, in the year nineteen hundred fifty five, the following Order to Docket Suit For Foreclosure was brought to be recorded, to wit:-

JOHN PALMER SMITH,
Centreville, Maryland,

IN THE CIRCUIT COURT

FOR

ASSIGNEE,

QUEEN ANNE'S COUNTY,

VS.

IN EQUITY.

ELWOOD H. COLLIER,
Queenstown, Md.,

Chancery NO. 3992

WILLARD HARMON COLLIER, Jr.,
Queenstown, Md.,

MORTGAGORS.

To: Mr. T. S. Pippin, Clerk of the Court:

Docket suit forthwith on the Chancery Docket of this Court in accordance with the above titling for the foreclosure of the mortgage hereinafter described, and file in the papers of this suit a certified copy of said mortgage and the assignment thereon, to wit:

Mortgage from Elwood H. Collier and Willard Harmon Collier, Jr., to Joseph W. A. Evans and Marion E. Evans, his wife, dated March 16th, 1946, and recorded in Liber A. S. G. Jr., No. 13, folio 269, a land record book for Queen Anne's County, and assigned at the foot of said mortgage to John Palmer Smith on May 2nd, 1955, for collection by foreclosure or otherwise.

This suit is docketed as aforesaid, for the foreclosure of the above described mortgage under the Power of Sale contained in the said mortgage, default having occurred in the payment of the principal mortgage debt and default having occurred in the payment of the interest on said principal mortgage debt as provided for in said mortgage and the terms, covenants and conditions of the said mortgage at the times therein provided for the payment thereof.

JOHN PALMER SMITH.
John Palmer Smith, Assignee.

Filed May 3, 1955

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

This is to certify, that on this 3rd day of May, 1955, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, Assignee, of Centreville, Maryland, and made oath in due form of law that Elwood H. Collier and Willard Harmon Collier, Jr., the mortgagors, are now residents of Queenstown, Queen Anne's County, Maryland where they have resided many years, that the said Elwood H. Collier and Willard Harmon Collier, Jr., are both laborers, and of the respective approximate ages of 40 and 42 years, and that the said Elwood H. Collier and Willard Harmon Collier, Jr., are not now, nor have they been within three months prior hereto in the military service of the United States of America as defined in The Soldiers' and Sailors' Civil Relief Act of 1940, to the best of his knowledge and belief.

T. SORDEN PIPPIN
Clerk.

Filed May 3, 1955

CERTIFIED COPY OF MORTGAGE
Filed May 3, 1955

.....

#23,978. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Nineteenth day of March, in the year nineteen hundred and forty-six, the following Mortgage was brought to be recorded, to wit:-

THIS PURCHASE MONEY MORTGAGE, Made this 16th. day of March, in the year nineteen hundred and forty-six, by Elwood H. Collier, single-man, and Willard Harmon Collier, Junior, single-man, "Mortgagors", of Queen Anne's County, in the State of Maryland.

WHEREAS, the said Elwood H. Collier and Willard Harmon Collier, both single men, have borrowed from Joseph W. A. Evans and Marion E. Evans, his wife, of said County and State, the full sum of One Thousand Dollars (\$1,000.00), to be repaid, with interest half-yearly, at five per cent per annum, at the expiration of two years from the date of these presents, to secure the payment of which sum with interest as aforesaid, these presents are executed.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH: That, in consideration of the premises and of the sum of one dollar, the said Elwood H. Collier, single man, and Willard Harmon Collier, Junior, single-man, do hereby grant and convey unto Joseph W. A. Evans, and Marion E. Evans, his wife, their heirs and assigns, as tenants by the entireties, in fee simple, the following described real estate, to wit:

ALL that lot, part of a lot and parcel of ground, improved by a former millinery store and dwelling house occupied by one Miss Quinn in the year 1892, situate, lying and being in the Town of Queenstown, in the Fifth Election District of Queen Anne's County, Maryland, on the left or southeastern side of the public road lead-

ing from Centreville through Queenstown to Kent Island, which lot hereby conveyed is bounded on the eastern side by the property of The Queenstown Volunteer Fire Company, on the southern side by the property of Mrs. Lillie Baker, on the western side by the property of the August Shellberg Heirs, and on the northern or northwestern side by the aforesaid public road, the lot hereby conveyed having a frontage on said public road of one and three-fifths perches, more or less, and having a width in the rear of one and ninety-two-one-hundredths perches, more or less, and having a depth on its eastern side of six and one-fifth perches, more or less, and having a depth on its western side of seven and fifteen-one-hundredths perches, more or less.

Being the same property conveyed unto the Mortgagors by R. Carter Bryan and others by deed bearing even date herewith and intended to be recorded immediately preceding the recording of this mortgage.

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

AND it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

PROVIDED, that if the said Mortgagors, their heirs, executors, administrators or assigns, shall well and truly pay to the said Mortgagees, their executors, administrators or assigns, the aforesaid sum of One Thousand Dollars (\$1,000.00), 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 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 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 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 JOHN PALMER SMITH their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and 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 date 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 of 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 JOHN PALMER SMITH their said attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one-half the commission allowed Trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said Mortgagors, for themselves and for their heirs, executors, administrators and assigns, hereby covenant to pay.

Witness the hands and seals of the Mortgagors.

TEST as to both Mortgagors:-

PAUL B. SMITH
Paul B. Smith

ELWOOD H. COLLIER (SEAL)
Elwood H. Collier

WILLARD HARMON COLLIER, JR. (SEAL)
Willard Harmon Collier, Jr.,

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

I HEREBY CERTIFY, that on this 16th day of March, 1946, before the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Elwood H. Collier and Willard Harmon Collier, Jr., both single-men, to me personally known, and each acknowledged the foregoing Mortgage to be their respective act and deed. And at the same time also before me personally appeared Joseph W. A. Evans

and Marion E. Evans, 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.

Notary
Public
Seal.

PAUL B. SMITH
Paul B. Smith

Notary Public

My commission expires: My Commission
Expires May 5th, 1947

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Third day of May, in the year nineteen hundred and fifty five, the following Assignment was brought to be recorded, to wit:-

The within and foregoing Mortgage is hereby transferred and assigned unto John Palmer Smith for collection by foreclosure, or otherwise.

Witness our hands and seals this 2nd day of May, 1955.

Witness:-

VACHEL A. DOWNES, JR.
Vachel A. Downes, Jr.

JOSEPH W. A. EVANS (SEAL)
Joseph W. A. Evans

MARION E. EVANS (SEAL)
Marion E. Evans

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the foregoing was truly taken and copied from Liber A.S.G. Jr. No. 13, folios 269 etc., a Land Record Book for Queen Anne's County.

Circuit Court
Seal.

In Testimony Whereof, I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this Third day of May in the year nineteen hundred and fifty five.

T. SORDEN PIPPIN
Clerk

CERTIFIED COPY OF BOND
Filed May 3, 1955.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Third day of May in the year nineteen hundred and fifty five, the following Bond was filed for record, to wit:

KNOW ALL MEM BY THESE PRESENTS: That we, John Palmer Smith, of Queen Anne's County, 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 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 and successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this 3rd day of May, 1955.

WHEREAS, a certain mortgage from Elwood H. Collier and Willard Harmon Collier, Jr., to Joseph W. A. Evans and Marion E. Evans, his wife, bearing date the 16th day of March, 1946, and recorded in Liber A. S. G. Jr., No. 13, folio 269, 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 assignment is recorded among the land records aforesaid at the foot of said mortgage, and dated May 2nd, 1955, and said assignment being for the purpose of collection and foreclosure or otherwise; and

Whereas, the above bounded, John Palmer Smith, as the assignee as aforesaid of the above described 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 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 due thereon covenants 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 virtue in law.

JOHN PALMER SMITH (SEAL)
John Palmer Smith.

Signed, sealed and delivered
in the presence of:

PAULINE E. MIDDLETON

GLENS FALLS INSURANCE COMPANY
By W. M. FREESTATE
Attorney

Corporate Seal

And at the foot of the foregoing is the following endorsement, to wit:

Security approved and Bond filed May 3, 1955

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

I hereby certify that the foregoing was truly taken and copied from Liber T.S.P. 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 Third day of May in the year nineteen hundred and fifty five.

Circuit Court Seal.

T. SORDEN PIPPIN
Clerk

REPORT OF SALE
Filed May 31, 1955.

JOHN PALMER SMITH,
ASSIGNEE,

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY, IN EQUITY.
CHANCERY NO. 3992.

VS.

ELWOOD H. COLLIER,
WILLARD HARMON COLLIER, JR.,
MORTGAGORS.

REPORT OF SALE.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT OF SALE of real estate made by John Palmer Smith, Assignee, respectfully sets forth:

THAT default having occurred in the terms of the mortgage from Elwood H. Collier and Willard Harmon Collier, Jr., to Joseph W. A. Evans and Marion E. Evans, his wife, dated March 16, 1946, and recorded in Liber A.S.G. Jr., No. 13, fol. 269, a land record book for Queen Anne's County, the undersigned Assignee of said Mortgage, after docketing suit for foreclosure, and after advertising the mortgaged real estate for sale in the Queen Anne's Record-Observer, a newspaper printed and published in Queen Anne's County, Maryland, once in each of four (4) successive weeks before May 31st, 1955, in accordance with the Certificate of Advertisement attached hereto and made a part hereof, and after filing in this Cause his bond to the State of Maryland with surety approved by the Clerk of this Court, did attend in front of the Courthouse Door in the Town of Centreville, Queen Anne's County, Maryland, on Tuesday, May 31st, 1955, at 1:30 P. M. (DAYLIGHT SAVING TIME), and after reading the attached advertisement and having the Auctioneer cry the sale for a considerable length of time, did sell said real estate unto Joseph W. A. Evans and Marion E. Evans, his wife, as tenants by the entireties, at and for the sum of Two Thousand One Hundred Dollars (\$2,100.00)....., they being there and then the highest bidders therefor, said real estate being described as follows:

ALL that lot, part of a lot and parcel of ground, improved by a frame Store, Restaurant and Dwelling House situate, lying and being on Main Street in the Town of Queenstown, in the Fifth Election District of Queen Anne's County, Maryland, on the left or southeastern side of the public road leading from Centreville through Queenstown to Kent Island, which lot hereby described is bounded on the eastern side by the property of The Queenstown Volunteer Fire Company, on the southern side by the property of Mrs. Lillie Baker, on the western side by the property of the August Shellberg Heirs, and on the northern or northwestern side by the aforesaid public road, said lot having a frontage on said public road of 1-3/5s perches (about 27 feet), more or less, and having a width in the rear of 1.92 perches (about 32 feet), and having a depth on its eastern side of 6-1/5 perches (about 102 feet), more or less, and having a depth on its western side of 7.15 perches (about 118 feet), more or less.

The Purchasers have complied with the terms of sale by giving their check to your Assignee in the sum of \$700.00, and it is believed they will comply with the other terms of sale upon ratification of the sale by the Court.

The Report states the amount of sales to be \$2,100.00.

Respectfully submitted,
JOHN PALMER SMITH
John Palmer Smith,
Assignee.

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

I HERENY CERTIFY, that on this 31st day of May, 1955, 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 the said and 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 3rd day of May, 1955, 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.

T. SORDEN PIPPIN
Clerk.

CERTIFICATE OF PUBLICATION OF
ADVERTISEMENT OF SALE.

MORTGAGE SALE OF
STORE AND DWELLING

In Queenstown, Md.

Under and by virtue of the Power of Sale contained in a Mortgage from Elwood H. Collier and Willard Harmon Collier, Jr., to Joseph W. A. Evans and Marion E. Evans, his wife, dated March 16, 1946, and recorded in Liber A.S.G. Jr., #13, folio 269, etc., a land record book for Queen Anne's County, default having occurred in the terms of said mortgage by the non-payment of the principal mortgage debt and the interest thereon, and suit having been docketed in the Circuit Court for Queen Anne's County, in Equity, for foreclosure, the undersigned, Assignee of said mortgage for the purpose of foreclosure, will offer at public sale to the highest bidder, on TUESDAY, MAY 31, 1955 at 1:30 P.M. (DST) in front of the Court House Door in the Town of Centreville, Queen Anne's County, Maryland, the mortgaged real estate described as follows, to wit:

ALL that lot, part of a lot and parcel of ground, improved by a frame Store, Restaurant and Dwelling House situate, lying and being on Main Street in the Town of Queenstown, in the Fifth Election District of Queen Anne's County, Maryland, on the left or southeastern side of the public road leading from Centreville through Queenstown to Kent Island, which lot hereby described is bounded on the eastern side by the property of The Queenstown Volunteer Fire Company, on the southern side by the property of Mrs. Lillie Baker, on the western side by the property of the August Shellberg Heirs, and on the northern or northwestern side by the aforesaid public road, said lot having a frontage on said public road of 1-3/5s perches (about 27 feet), more or less, and having a width in the rear of 1.92 perches (about 32 feet), and having a depth on its eastern side of 6-1/5 perches (about 102 feet), more or less, and having a depth on its western side of 7.15 perches (about 118 feet), more or less.

TERMS OF SALE: 1/3 of purchase money to be paid in cash on day of sale, and the balance thereof in cash or certified check within 60 days from date of sale. Taxes to be adjusted as of date of sale. Possession date of final settlement. Title papers and revenue stamps to be at the expense of purchaser.

J. Elmer Anthony, Auct.

JOHN PALMER SMITH, Assignee
4t-5-26

Queen Anne's Record-Observer

Centreville, Md., May 31, 1955

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Mortgage sale of store and dwelling in the case of John Palmer Smith, assignee, vs. Elwood H. Collier and Willard Harmon Collier, Jr., 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 31st day of May, 1955, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 5th day of May 1955, and the last insertion on the 26th day of May, 1955.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By SHIRLEY L. KINNEAR

Filed May 31, 1955

ORDER NISI
Filed May 31, 1955

NISI

John Palmer Smith,
Assignee,

VS.

Elwood H. Collier
Willard Harmon Collier, Jr.,
Mortgagors.

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

IN EQUITY

NO. 3992.

ORDERED, this 31st. day of May, 1955, that the sale of real estate made and reported in this cause by John Palmer Smith, Assignee, be ratified and confirmed, on or after the 1st. day of July next, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once a week for three successive weeks commencing on the 9th. day of July 1955, and ending on the 23rd. day of June 1955.

The report states the amount of sales to be \$2,100.00.

T. SORDEN PIPPIN Clerk

Filed: May 31, 1955

CERTIFICATE OF PUBLICATION
OF ORDER OF NISI
Filed July 1, 1955

LEGAL NOTICES

NISI

John Palmer Smith
Assignee
vs.
Elwood H. Collier
Williard Harmon Collier, Jr.
Mortgagors

IN EQUITY
No. 3992

ORDERED, this 31st day of May, 1955, that the sale of real estate made and reported in this cause by John Palmer Smith, Assignee, be ratified and confirmed, on or after the 1st day of July, next, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once a week for three successive weeks commencing on the 9th day of June, 1955, and ending on the 23rd day of June, 1955.

The report states the amount of sales to be \$2,100.00.

Filed: May 31, 1955

T. SORDEN PIPPIN, Clerk

True Copy

Test:

T. SORDEN PIPPIN, Clerk

3t-6-23.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. July 1, 1955.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Order of Nisi in the case of Smith vs. Collier, Chancery 3902 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 1st day of July, 1955, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 9th day of June 1955, and the last insertion on the 22nd day of June, 1955.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By SHIRLEY L. KINNEAR

Filed July 1, 1955

STATEMENT OF MORTGAGE DEBT
Filed July 1, 1955.

JOHN PALMER SMITH,
ASSIGNEE,
vs.
ELWOOD H. COLLIER,
WILLARD HARMON COLLIER, JR.,
MORTGAGORS,

IN THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY,
IN EQUITY.
CHANCERY NL 3992.

STATEMENT OF THE MORTGAGE DEBT.
as of May 31st, 1955.

| | |
|---|-------------|
| Mortgage from Elwood H. Collier and Willard Harmon Collier to Joseph W. A. Evans and Marion E. Evans, his wife, dated March 16th, 1946, at 5% interest per annum..... | \$ 1,000.00 |
| Interest from March 16, 1946, to Sept. 16, 1947 | 75.00 |
| 1947 | \$ 1,075.00 |
| October 14th, Credit by payment on account of mortgage | 300.00 |
| | \$ 775.00 |

| | |
|--|------------------|
| Interest on \$1,00.00 for 1 month from Sept. 16, 1947, to October. 14th, 1947, (date of partial payment shown above) | 4.17 |
| Interest from Oct. 16th, 1947, to May 31st, 1955, on \$700.00 at 5% per annum, being for 7 years, 7 months and 15 days | <u>267.50</u> |
| | \$ 1,046.67 |
| 10% attorney's commissions for collection on \$ 1,046.67 | \$ 104.67 |
| Fire insurance premiums paid by Joseph W. A. Evans to protect mortgage property upon failure of Mortgagors to pay the premiums | <u>\$ 277.50</u> |
| | \$ 1,428.84 |

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

I hereby certify, that on this 1 day of July, 1955, 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.

T. SORDEN PIPPIN
Clerk of the Court.

Filed July 1, 1955

Mortgage and Mortgage Note are attached to the foregoing.

FINAL ORDER OF RATIFICATION
Filed July 1, 1955

JOHN PALMER SMITH,
ASSIGNEE,
VS.
ELWOOD H. COLLIER,
WILLARD HARMON COLLIER, JR.,
MORTGAGORS,

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY, IN EQUITY.
CHY. # 3992.

FINAL ORDER OF RATIFICATION.

ORDERED by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, this 1st day of July, 1955, that the sale of the real estate made and reported by John Palmer Smith, Assignee, in the aforesaid Cause of "John Palmer Smith, Assignee, vs. Elwood H. Collier and Willard Harmon Collier, Jr., Mortgagors", be and the same is hereby FINALLY RATIFIED AND CONFIRMED, no cause to the contrary having been shown, although due notice appears to have been given as required by the preceding Order Nisi. The Assignee is allowed the usual commissions and all expenses, not personal, upon producing proper vouchers therefor before the Auditor.

Wm. R. HORNEY
Judge.

Filed July 1, 1955

AUDIT
Filed July 11, 1955

John Palmer Smith, Assignee

vs.

Elwood H. Collier,
Willard Harmon Collier, Jr.,
Mortgagors

In The Circuit Court For
Queen Anne's County In
Equity Cause No. 3992

To the Honorable, the Judges of said Court:

The report of J. Thomas Clark, your auditor, unto your Honors, respectfully sets forth:

1. That this account is stated at the request of John Palmer Smith, 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, other charges and costs of collection in full.

2. That in the within account said Assignee is charged with the gross proceeds of the same, the sale made by him, per his report of sale filed in this cause, and he is allowed there out as follows: commissions for making the sale in accordance with the terms of the mortgage, the court costs and assignment costs of mortgage in this cause, per receipted statement of the Clerk, the charges of the auctioneer for crying the sale per receipt for the same, costs of the premium on said Assignee's corporate surety bond per receipt statement, the costs of advertising the sale and the order nisi of same, per receipts for same exhibited, the costs for publishing the nisi to this audit and the auditor's fee, and the amount of the mortgage claim, including principal, interest, fire insurance premiums paid by the mortgagee and attorney's commissions for collection as per this account, there being a mistake in the statement of the mortgage debt as filed in this cause.

3. Your auditor has directed that the balance of the proceeds of

sale be paid to the Mortgagors, Elwood H. Collier and Willard Harmon Collier, Jr., as joint tenants, the same being in accordance with the tenancy in which the said Mortgagors held title to the real estate sold in this cause, as per deed from R. Carter Bryan, widower, et.al. to Elwood H. Collier and Willard Harmon Collier, Jr., dated February 28, 1946, duly recorded among the land records for Queen Anne's County, Maryland in Liber A.S.G. Jr., No. 13, Folio 267.

Respectfully submitted,

J. THOMAS CLARK
Auditor

July 9, 1955

Filed July 11, 1955

Cause No. 3992

The proceeds of the sale of real estate reported in this cause in account with John Palmer Smith, Assignee of the mortgage and vendor of said land foreclosed in these proceedings.

| | | | |
|----------------|-----|--|------------------|
| 1955 May 31 | Cr. | By gross proceeds of the sale of said land per report of said vendor, to wit..... | \$2,100.00 |
| | Dr. | To John Palmer Smith, assignee (and vendor) for his commissions for making said sale, per terms of the mortgage, to wit:..... | \$127.00 |
| | | To do., for an amount paid for court costs of this cause, per receipts of Clerk, to wit: Costs of T. Sorden Pippin, Clerk..... | \$28.15 |
| | | Appearance fee of John Palmer Smith... | 10.00 38.15 |
| | | To do., for an amount paid T. Sorden Pippin, Clerk, for assignment to the assignee of the mortgage foreclosed in these proceedings, per receipt for the same exhibited..... | .50 |
| | | To do., for an amount paid W. M. Freestate Agency, (agent) for the premium on the corporate surety bond filed in this cause by said assignee, per receipt for the same exhibited..... | 10.00 |
| | | To do., for an amount paid J. Elmer Anthony, auctioneer, for crying the said sale, per receipt for the same exhibited..... | 25.00 |
| | | To do., for an amount paid Queen Anne's Record-Observer, per receipts for the same exhibited, to wit: To costs of advertising sale..... | \$58.50 |
| | | To costs of publishing nisi of sale..... | 9.00 67.50 |
| | | To do., for an amount paid Charles E. Anthony, Sr., Treasurer, for assignee's share of state and county taxes for the year 1955, on real estate sold in these proceedings, per receipt exhibited, to wit:..... | 16.92 |
| | | To do., for an amount paid Town Commissioners of Queenstown, for taxes on the real estate sold in these proceedings for the years 1953 and 1954, per receipts for same exhibited, to wit:..... | 31.10 |
| | | To do., for the costs of advertising the order nisi to be passed as to this audit in Queen Anne's Record-Observer..... | 7.50 |

J. THOMAS CLARK
Auditor

July 9, 1955

| | |
|--|-----------------|
| To J. Thomas Clark, auditor, for stating this account, the sum of..... | 27.00 |
| To John Palmer Smith, Assignee of Mortgage in full of the mortgage debt, interest, and other charges, as follows, to wit: Original amount of mortgage debt..... | \$1000.00 |
| Interest from 3/16/46 to 10/14/47 @ 5%..... | 79.17 |
| Balance due on mortgage as of 10/14/47..... | 1079.17 |
| Credit by payment on account..... | 300.00 |
| | <u>\$779.17</u> |

| | | |
|--|--------|-----------------------------------|
| Interest on above balance from 10/14/47 to 5/31/55 @ 5%..... | 293.82 | \$1072.99 |
| Attorney's commissions at rate of 10% on \$1072.99 as provided by mortgage note..... | | 107.30 |
| Fire Insurance premiums paid W. M. Freestate Agency in sum of \$277.50, less rebate in sum of \$25.83..... | 251.67 | \$1431.96 |
| To Elwood H. Collier and Willard Harmon Collier, Jr., as joint tenants, this balance, being surplus proceeds of said sale..... | 317.37 | |
| | | <u>\$2100.00</u> <u>\$2100.00</u> |

July 9, 1955

J. THOMAS CLARK
Auditor

Filed July 11, 1955

NISI RATIFICATION OF AUDIT
Filed July 11, 1955

NISI RATIFICATION OF AUDIT

| | | |
|------------------------------|---|-------------------------|
| John Palmer Smith, Assignee |) | In the Circuit Court |
| vs. |) | for Queen Anne's County |
| Elwood H. Collier, |) | In Equity |
| Willard Harmon Collier, Jr., |) | Cause No. 3992 |
| Mortgagors |) | |

ORDERED, This 11th. day of July in the year nineteen hundred and fifty five, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th. day of August, 1955; provided a copy of this order be published once a week in each of two successive weeks before the 29th. day of July, 1955, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN Clerk

Filed July 11, 1955

CERTIFICATE OF PUBLICATION
OF NISI RATIFICATION OF AUDIT
Filed Oct. 10, 1955

NISI RATIFICATION OF AUDIT

John Palmer Smith, Assignee

vs.

Elwood H. Collier,
Willard Harmon Collier, Jr.,
Mortgagors

In the Circuit Court for
Queen Anne's County

In Equity

Cause No. 3992

ORDERED, This 11th day of July, in the year nineteen hundred and fifty-five, that the Report and Account filed in these proceedings by J. Thomas Clark, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th day of August, 1955; provided a copy of this order be published once a week in each of two successive weeks before the 29th day of July, 1955, in some newspaper printed and published in Queen Anne's County.

Filed: July 11, 1955.

T. SORDEN PIPPIN, Clerk

True Copy
Test:

T. SORDEN PIPPIN, Clerk

2t-7-21

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 John Palmer Smith, Assignee vs. Elwood H. Collier, Willard Harmon Collier, Jr., Mortgagors, Chancery No. 3992 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 29th day of July, 1955, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 14th day of July 1955, and the last insertion on the 21st day of July, 1955.

THE QUEEN ANNE'S RECORD AND OBSERVER
PUBLISHING COMPANY

By SHIRLEY L. KINNEAR

Filed Oct. 10, 1955

FINAL RATIFICATION OF AUDIT.
Filed July 1, 1957

JOHN PALMER SMITH, ASSIGNEE,

vs.

ELWOOD H. COLLIER, ET AL.,

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY, IN EQUITY.
CHANCERY NO. 3992.

FINAL RATIFICATION OF AUDIT.

ORDERED, this 1st day of July, 1957, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that the Report and Account of J. Thomas Clark, Auditor, heretofore filed in this Cause, be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed, and John Palmer Smith, Assignee, is hereby directed to apply the proceeds of sale in accordance with and in the manner set forth in said Audit.

Wm. R. HORNEY
Judge

Filed July 1, 1957

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourteenth day of August, in the year nineteen hundred and twenty, the following Certified Copy of Proceedings from Caroline County was brought to be recorded, to wit:-

IN THE CIRCUIT COURT FOR CAROLINE COUNTY

IN EQUITY NO. 1998.

MERRICK CLEMENTS

ET AL

VS

ANNIE CARTER SINCLAIR

ET AL

BILL OF COMPLAINT

(Filed May 8" 1920)

| | | |
|------------------------------|---|--------------------------|
| MERRICK CLEMENTS; | : | IN THE CIRCUIT COURT FOR |
| BERTIE CLEMENTS, HIS WIFE, | : | |
| DAVID CLEMENTS, | : | CARLINE COUNTY. |
| VIRGINIA CLEMENTS, HIS WIFE, | : | |
| ANNIE CLEMENTS, | : | |
| ALDIE CLEMENTS, | : | |
| GEORGE CLEMENTS, | : | |
| RUTH CLEMENTS, | : | |
| MARGARET E. JARRELL, | : | IN EQUITY. |
| THOMAS S. CLEMENTS | : | |
| VS | : | |
| ANNIE CARTER SINCLAIR, | : | |
| JAMES HUNTLY SINCLAIR, HER | : | |
| HUSBAND. | : | |

TO THE HONORABLE, THE JUDGES OF SAID COURT;

Your orators, complaining, say:

FIRST. That Catherine S. Downes, late of Caroline County, Maryland, died January 3rd, 1920, testate, seized and possessed in fee simple of the following described real property, to wit:

A. All that farm or tract of land situate, lying and being in the Sixth Election District of Caroline County, Maryland on the County Road from Denton to Hillsboro and on the county road leading from said Denton-Hillsboro road to Ridgely, by the way of Downes Station, adjoining the lands of Isaac T. Sparklin, Thomas A. Smith and James E. Wright, containing about two hundred ten (210) acres; except two small lots or parcels of land containing an aggregate of two and ninety five hundredths (2 95/100) acres sold by the said Catherine S. Downes to Isaac T. Sparklin and the Queen Annes Railroad and being, including the exceptions aforesaid, the same land conveyed unto the said Catherine S. Downes, then Catherine S. Slaughter by deed of R. C. Carter and wife dated February 10, 1860, and recorded among the land records for said Caroline County in Liber R. J. No. 29, Folio 360 Certified copy of which said deed is filed herewith and marked Exhibit A.

B. All that farm or tract of land situate, lying and being in the Sixth, formerly the First, Election District of Queen Anne County, formerly known by the name of "Rachel's Desire" "Hinesleys Plains", on the County road leading from Bridgetown to Ingleside and on the county road leading from said Bridgetown-Ingleside road to Goldsboro; adjoining the lands of Edridge W. Downes, Robert Jarrell and others, and containing one hundred forty four (144) acres, two (2) roods and fifteen (15) perches, more or less.

C. Also a lot of wood land situate, lying and being in the said Sixth Election District of Queen Anne County, known by the name of "Tom's Fancy Enlarged", located in a forest that is commonly known as the "Crow's Nest", containing twenty acres, one rood and thirty-one perches of land more or less.

The two parcels last above described are the same conveyed to the said Catherine S. Downes by deed of George Walls dated January 1, 1876, and recorded among the land records for said Queen Anne County in Liber J.W. No. 5, Folios 254 and 255, Certified copy of which said deed is filed herewith and marked Exhibit B.

SECOND. That the said Catherine S. Downes, by the first item of her last will and testament dated September 6th, 1906, and duly admitted to probate by the Orphan's Court of Caroline County and of record among the Will Records thereof, directed that the whole of her estate real, personal and mixed should be sold by the executor named in said last will and testament and divided among the persons named and in the manner set forth in the 2nd, 3rd, 4th, 5th, 6th, and 7th items of said last will and testament. That Alday Clements was the executor named in said last will and testament, but that by a codicil thereto, dated February 28th, 1910 duly admitted to probate by the said Orphan's Court of Caroline County and of record with said will among the Will Records thereof, the appointment of the said Alday Clements was revoked and he and Richard T. Carter were named and appointed the executors of said will. All of which will appear by a certified copy of said last will and testament and codicil thereto herewith filed marked exhibit C.

THIRD, That Sarah E. Carter, legatee named in the 3rd item of the said last will and testament died January 22nd, 1914, before the death of the said Catherine S. Downes and that her only heir at law is the defendant, Annie Carter Sin-

clair, her grand-daughter, who has intermarried with the defendant, James Huntley Sinclair.

FOURTH. That Richard T. Carter, legatee named in the fourth item of the said last will and testament died June 28th, 1913, before the death of the said Catherine S. Downes and that his only heir at law is the said Annie Carter Sinclair, his daughter.

FIFTH. That Alday Clements, legatee named in the fifth item of the said last will and testament, died in March, 1912 before the death of the said Catherine S. Downes, and that his heirs at law are Merrick Clements, whose wife is Bertie Clements, David Clements, whose wife is Virginia Clements, and Annie Clements, Aldie Clements, George Clements and Ruth Clements who are unmarried.

SIXTH That Margaret E. Jarrell and Thomas S. Clements the legatees named in the Sixth and seventh items of the said last will and testament are living and are a widow and widower, respectively.

SEVENTH. That all the parties to this suit are above the age of twenty one years and that the defendants reside in Caroline County, Maryland.

EIGHTH that the said Alday Clements and Richard T. Carter, executors died as set forth in the fourth and fifth paragraphs of this bill before the death of the said Catherine S. Downes and that there is no-one authorized to sell the property in accordance with the terms and provisions of her said last will and testament without the intervention of a Court of Equity.

To the end therefore

(a) That this Honorable Court may by its decree, appoint a trustee to sell the said real property mentioned in the first paragraph of this bill and distribute the proceeds of sale according to the directions of the said last will and testament of the said Catherine S. Downes.

(b) 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 defendants, Annie Carter Sinclair and James Huntley Sinclair, her husband, who resides in Caroline County, Maryland, commanding them to be and appear in this court on some certain day to be named therein to answer the premises and show cause (if any they have) why a decree ought not to be passed as prayed.

And as in duty, etc.

Fred R. Owens
Solr. for Plaintiffs.

DECREE
(Filed May 28th 1920)

| | | |
|-----------------------------|---|----------------------|
| Merrick Clements et al | : | In the Circuit Court |
| VS. | : | of Caroline County |
| Annie Carter Sinclair et al | : | In Equity No. 1998. |

The above cause standing ready for hearing and being submitted without argument, and the proceedings being read and considered-

It is thereupon this twenty seventh day of May in the year nineteen hundred and twenty by the Circuit Court of Caroline County, in Equity, and by the authority thereof ADJUDGED, ORDERED and DECREED; that the real estate and property mentioned in the proceedings be sold, that Merrick Clements and Fred R. Owens (respectively of Queen Anne's and Caroline Counties) be and they hereby appointed TRUSTEES to make said sale, and that the course and manner of their proceedings shall be as follows: they shall first file with the Clerk of this Court a bond to the State of Maryland executed by themselves, and a surety or sureties to be approved by this Court or the Clerk thereof in penalty of Sixty thousand dollars if personal surety be given, Thirty thousand dollars if corporate surety be given, conditioned for the faithful performance of the trust reposed in them by this decree, or to be reposed in them by any future decree or order in the premises; they 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 they shall think proper, of the time, place, manner, and terms of sale, which shall be one-third cash on day of sale and the residue in two equal installments of one and two years the deferred payments to be secured by the notes or bonds of the purchaser or purchasers with sureties to be approved by the trustees and to bear interest from day of sale or all cash at the option of the purchaser or purchasers and as soon as may be convenient after any such sale or sales, the said Trustees shall return to this Court a full and particular account of their proceedings relative to such sale, with an annexed affidavit of the truth thereof, and of the fairness of said sale; and on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money (and not before), the said Trustees shall, by a good and sufficient deed, to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers his, her, or their heirs, the property and estate to him, her, or them sold, free, clear and discharges 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 direction of this Court after deducting the costs of this suit and such commission to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

Philemon B. Hopper

TRUSTEES REPORT OF SALES AND ORDER NISI

(Filed August 7th 1920)

MERRICK CLEMENTS ET AL : IN THE CIRCUIT COURT FOR
 VS : CAROLINE COUNTY
 ANNIE CARTER SINCLAIR ET AL : IN EQUITY. NO. 1998.

TO THE HONORABLE, THE JUDGES OF SAID COUNTY:

The report of Merrick Clements and Fred R. Owens, Trustees appointed by a decree of this Court passed in the above entitled cause on the 27th day of May, nineteen hundred and twenty, to make sale of certain land and premises therein mentioned, respectfully shows:

That after having given bond with security for the faithful performance of their trust and after having complied with all the other pre-requisites as required by law and the said decree and after giving notice of the time, place, manner and terms of sale by advertisement inserted in The Centreville Observer, a newspaper printed and published in Queen Anne County for at least three successive weeks before the day of sale, as will fully appear by reference to a certified copy of said advertisement filed herewith as part hereof and marked Trustee's Exhibit B. and also by posting handbills in said County, they did in pursuance of said notice, attend in front of the Court House door in Centreville, Queen Anne County, Maryland, on Tuesday, June 29th, nineteen hundred and twenty, between the hours of two and four o'clock P. M. and then and there proceeded to sell said property in manner following, that is to say:

Your Trustees offered at Public Sale to the highest bidder, that part of the property mentioned in said decree, situate, lying and being in Queen Anne County and described as follows, that is to say:

PARCEL No. 1. Described in Exhibit A, containing one hundred forty four acres, two roods and fifteen perches.

Your Trustees offered the above tract and the same was bid off by Charles L. Brown of Queen Anne County for the sum of ten thousand eight hundred thirty seven dollars and fifty cents (\$10,837.50) he being at that sum the highest bidder therefor.

PARCEL NO. 2. Being the wood lot and containing twenty acres, one rood and thirty perches.

Your Trustee offered the above tract and the same was bid off by Charles L. Brown of Queen Anne County, for the sum of one hundred dollars (\$100.00) he being at that sum the highest bidder therefor.

Your Trustees then offered the above two parcels as a whole, the same being fully described in Trustee's Exhibit A. which is filed herewith as part hereof, containing one hundred sixty-five and one-thirty second (165 1/32) acres, and your said Trustees sold the above described property as a whole to Charles L. Brown, for the sum of twelve thousand, four hundred fifty nine dollars and eighty six cents (\$12,459.86) he being at that sum the highest bidder therefor.

TERMS OF SALE.

The said purchaser elected to pay cash on ratification of sale.

Respectfully submitted,

Merrick Clements

Fred R. Owens
Trustees.

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I hereby certify that on this 31 day of July, in the year nineteen hundred and twenty before me, the subscriber, a Notary Public of the State of Maryland, in and for Kent County, personally appeared Merrick Clements, one of the Trustees named in the above 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.

As witness my hand and Notarial seal.

Seals
Place

Jas. W. Crouch.
Notary Public

STATE OF MARYLAND, CAROLINE COUNTY TO WIT:

I hereby certify that on this 7th day of July, in the year nineteen hundred and twenty before me, the subscriber the Clerk of the Circuit Court for Caroline County, personally appeared Fred R. Owens, one of the Trustees named in the above 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.

Lawrence B. Towers, Clerk.

MERRICK CLEMENTS ET AL : IN THE CIRCUIT COURT FOR
 VS. : CAROLINE COUNTY.
 ANNIE CARTER SINCLAIR ET AL : IN EQUITY. NO. 1998.

Ordered this 7th day of August nineteen hundred and twenty, that the sale of the property mentioned in these proceedings made and reported by Merrick Clements and Fred R. Owens, Trustees, be ratified and confirmed unless cause to the con-

trary thereof be shown on or before the 15th day of October 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 13 day of Sept. next. The report states the amount of sales to be \$12,459.86.

Lawrence B. Towers, Clerk.

STATE OF MARYLAND, CAROLINE COUNTY TO WIT:

I HEREBY CERTIFY that the foregoing is a true copy of the Bill of Complaint, Decree, Trustees report of Sales and Order Nisi in the above entitled cause in conformity with article 16 Sec. 87. Vol. 1 Annotated Code of Maryland.

Seal's Place

IN TESTIMONY WHEREOF I hereunto subscribe my name and the Seal of the Circuit Court for Caroline County affix this 11th day of August A.D. 1920.

LAWRENCE B. TOWERS, Clerk.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Tenth day of November, in the year nineteen hundred and fifty eight, the following Decree was brought to be recorded, to wit:-

Philemon B. Hopper, Trustee,
vice Edwin H. Brown, trustee,
deceased,

vs.

William J. Price, et al

In The Circuit Court for

Queen Anne's County

In Equity:

Case No. 1383:

This cause standing ready for hearing and being submitted on briefs filed by the attorneys for the plaintiff and defendants, all the proceedings were read and considered:

It is Thereupon, this Seventh day of November in the year nineteen hundred and six, ADJUDGED, ORDERED and DECREED by The Circuit Court for Queen Anne's County in Equity, and by the authority of the said Court, that there is now due and owing unto the plaintiff in this case the sum of nine thousand seven hundred and twenty two dollars and eighty nine cents (\$9722.89) and interest; seven thousand five hundred and sixty four dollars and seventy one cents of which said amount, (\$7564.89) with interest thereon from the twenty third day of June, in the year eighteen hundred and ninety six, the real estate of W. Kent Sparks, late of Queen Anne's county, deceased, and the specific legacies given by him are liable for and chargeable with, and which said last named sum and interest the devisees and specific legatees of said W. Kent Sparks shall pay in the proportions hereinafter set forth and upon their failure to pay the same the land and property taken by them as such devisees and legatees shall be sold as hereinafter directed to pay same: that the remaining part of said first named sum, to wit: two thousand one hundred and fifty eight dollars and eighteen cents (\$2158.18) with interest thereon from the tenth day of May, in the year eighteen hundred and ninety two, is chargeable to the personal property of the said W. Kent Sparks which was paid over to his widow Annie Sparks and the same shall be paid out of the proceeds of the dwelling house and premises, hereinafter decreed to be sold, as the representative of said personal property:

And it is further adjudged, ordered and decreed that the defendant Ida C. Price, formerly Sparks, forthwith pay, or bring into this court to be paid, unto the plaintiff the full amount of two thousand three hundred and six dollars and fourteen cents, with interest thereon from the twenty third day of June, eighteen hundred and ninety six, until paid, as her proportion of the said sum of \$7564.71 and interest thereon:

And it is further adjudged, ordered and decreed that the defendant Annie R. Price, formerly Sparks, forthwith pay, or bring into this court to be paid, unto the plaintiff the full amount of two thousand three hundred and seventeen dollars and twenty eight cents, with interest thereon from the twenty third day of June, eighteen hundred and ninety six, until paid, as her proportion of the said sum of \$7564.71 and the interest thereon:

And it is further adjudged, ordered and decreed that the defendant Rachel A. Price, formerly Sparks, forthwith pay, or bring into this court to be paid, unto the plaintiff the full amount of eighteen hundred and twenty dollars seventy two cents, with interest thereon from the twenty third day of June, eighteen hundred and ninety six, until paid, as her proportion of the said sum of \$7564.71 and the interest thereon:

And it is further adjudged, ordered and decreed that the defendant Louisa J. Faithful, formerly, formerly Sparks, Kent Sparks, Faithful, Sarah E. Faithful, George T. Faithful, L. Julia Faithful, and William E. Faithful, forthwith pay, or bring into this court to be paid, unto the plaintiff the full amount of nine hundred and ninety three dollars and twelve cents, with interest thereon from the twenty third day of June, eighteen hundred and ninety six, until paid, as then proportion of the sum of \$7564.71 and the interest thereon:

It is further adjudged, ordered and decreed by the said Court that unless the said defendant Annie R. Price, nee Sparks, shall forthwith pay, or bring into this court to be paid, unto the said plaintiff forthwith as aforesaid the said amount of two thousand three hundred and seventeen dollars and twenty eight cents with interest thereon from the twenty third day of June, eighteen hundred and ninety six, until paid, the land and premises which she took under the will of her father W. Kent Sparks and now holds, to wit: all that farm in Queen Anne's County, State of Maryland, called "Chestnut Meadows" devised to her in the fifth item of the said will and therein described, or so much thereof as may be necessary to pay and discharge the said sum of money and interest and costs, be sold; that Philemon B. Hopper and Edwin H. Brown, of Queen Anne's county, Maryland, be and they are hereby appointed trustees to make said sale and the course and manner of their proceedings shall be as follows; they shall first file with the clerk of The Circuit Court for Queen Anne's County a bond to the State of Maryland, executed by them and a surety or sureties, to be approved by said clerk, in the penalty of Fourteen Thousand dollars, conditioned for the faithful performance of the trust reposed in them by this decree, or by any future decree or order in the premises; they shall then proceed to make the said sale having given at least three weeks previous notice by advertisement inserted in a newspaper printed and published in Queen Anne's county aforesaid and such other notice as they may deem proper, of the time, place, manner and terms of sale, which terms shall be one fourth of the purchase money cash and the residue in two equal instalments at one and two years from day of sale, or all cash at option of the purchaser, the deferred payments to bear interest from day of sale and to be secured to the satisfaction of the trustees, and as soon as may be convenient after such sale, the said trustee shall return to this court a full and particular account of their proceedings relative to such sale with annexed affidavit of the truth thereof and of the fairness of said sale, and on payment of the whole purchase money (and not before) and the final ratification of the sale by this court, the said Trustees shall by good and sufficient deed convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharg-

ed from all claims of the parties hereto, plaintiff and defendants, and those claiming by, from or under them or either of them: and the said trustees 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 sale and such commissions to the said trustees as this court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

The said land and premises shall be sold clear and free of the mortgage liens of William J. Price thereon created by two mortgages given him by Annie R. Price and the mortgage debt will be first paid out of proceeds of sale:

It is further adjudged, ordered and decreed by the said court that unless the said defendant Rachel A. Price, nee Sparks, forthwith pay, or bring into this court to be paid, unto the plaintiff the aforesaid amount of eighteen hundred and twenty dollars and seventy two cents, with interest thereon from the twenty third day of June, eighteen hundred and ninety six, until paid, the land and premises which she took under the will of her father W. Kent Sparks, to wit: all that farm in Queen Anne's County, State of Maryland, called "The Richardson Farm", devised to her in the fourth item of the said will and described therein, or such part thereof as may be necessary, to pay and discharge the said sum of money with the interest thereon and costs, be sold; that Philemon B. Hopper, and Edwin H. Brown, of Queen Anne's County, in the State of Maryland, be, and they are hereby appointed trustees to make said sale and that the course and manner of their proceedings shall be as follows; they shall first file with the clerk of The Circuit Court for Queen Anne's County a bond to the State of Maryland, executed by them and a surety or sureties, to be approved by the said clerk, in the penalty of Eleven thousand dollars, conditioned for the faithful performance of the trust reposed in them by this decree, or by any future decree or order in the premises; they shall then proceed to make the said sale having given at least three weeks previous notice by advertisement inserted in a newspaper printed and published in Queen Anne's County aforesaid and such other notice as they may deem proper, of the time, place, manner and terms of sale, which terms shall be one fourth of the purchase money cash and the residue in two equal instalments at one and two years from day of sale, or all cash at option of the purchaser, the deferred payments to bear interest from the day of sale and to be secured to the satisfaction of the trustees, and 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 annexed affidavit of the truth thereof and of the fairness of said sale, and on ratification of said sale and the payment of the whole purchase money (and not before) the said trustees by good and sufficient deed 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 of all claims of the parties hereto, plaintiff and defendants, and those claiming by, from or under them or any of them; and the said trustees shall bring into this court the money arising from such sale to be distributed under the direction of this court after deducting the costs of sale and such commissions to the said trustees as this court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust:

The said land and premises shall be sold clear and free from all claims thereon of William J. Price and his lien on, or claim against, the same will be first paid out of the proceeds of said sale.

It is further adjudged, ordered and decreed by the said court that unless the said defendant Louisa J. Faithful, nee Sparks, Kent Sparks Faithful, Sarah E. Faithful, George T. Faithful, L. Julia Faithful, and William E. Faithful, forthwith pay, or bring into this court to be paid, unto the plaintiff the aforesaid amount of nine hundred and ninety three dollars and twelve cents, with interest thereon from the twenty third day of June, eighteen hundred and ninety six, until paid, the land and premises which they took under the will of the late W. Kent Sparks, to wit; all that farm, called "The Downs Farm", the parcel of land called "Relief" and two unnamed parcels of land, all mentioned and devised to them in the second item of the said will, or so much thereof as may be necessary to pay and discharge the said sum of money and interest and costs, be sold; that Philemon B. Hopper and Edwin H. Brown, of Queen Anne's county, State of Maryland, be, and they are hereby appointed trustees to make said sale and that the course and manner of their proceedings shall be as follows; they shall first file with the clerk of the Circuit Court of Queen Anne's County a bond to the State of Maryland, executed by them and a surety or sureties, to be approved by said clerk, in the penalty of Six Thousand dollars, conditioned for the faithful performance of the trust reposed in them by this decree, or by any future decree or order in the premises: they shall then proceed to make the said sale having given at least three weeks previous notice by advertisement inserted in a newspaper printed and published in Queen Anne's County aforesaid and such other notice as they may deem proper, of the time, place, manner and terms of sale, which terms shall be one fourth of the purchase money cash and the residue in two equal instalments at one and two years from day of sale, or all cash, at option of the purchaser, the deferred payments to bear interest from the day of sale and to be secured to the satisfaction of the trustees, and 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 annexed affidavit of the truth thereof and of the fairness of said sale, and on ratification of said sale and the payment of the whole purchase money (and not before) the said trustees by good and sufficient deed 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 of all claims of the parties hereto, Plaintiff and defendants, and those claiming by, from or under them or any of them; and the said trustees shall bring into this court the money arising from such sale to be distributed under the direction of this court after deducting the costs of sale and such commissions to the said trustees as this court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust;

It is further adjudged, ordered and decreed that the dwelling house and premises devised to Ida C. Sparks (now Ida C. Price) by her father W. Kent Sparks in the sixth item of his said last will and testament and therein described, be sold, and the proceeds of such sale be first applied to pay to the said plaintiff the sum of twenty one hundred and fifty eight dollars and eighteen cents, with interest thereon from the tenth day of May, eighteen hundred and ninety two, and costs, for and in lieu of the personal property distributed and delivered to Annie E. Sparks, widow of W. Kent

Sparks, deceased, out of his personal estate, and that the excess of such proceeds over the sum named, with interest and costs, (if there be any excess) shall be paid to said plaintiff on account of the sum of money and interest thereon, to wit; the sum of twenty third day of June, eighteen hundred and ninety six, hereinbefore adjudged to be due from the said Ida C. Sparks, now Price,; that Philemon B. Hopper and Edwin H. Brown, of Queen Anne's county, State of Maryland, be, and they are hereby appointed trustees to make said sale and that the course and manner of their proceedings shall be as follows; they shall first file with the clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland, executed by them and a surety or sureties, to be approved by said clerk, in the penalty of Five Thousand dollars, conditioned for the faithful performance of the trust reposed in them by this decree, or by any future order or decree in the premises; they shall then proceed to make the said sale having given at least three weeks previous notice by advertisement inserted in a newspaper printed and published in Queen Anne's county aforesaid, and such other notice as they may deem proper, of the time, place, manner and terms of sale, which terms shall be one fourth of the purchase money cash and the residue in two equal instalments at one and two years from day of sale, or all cash, at option of purchaser, the deferred payments to bear interest from the day of sale and to be secured to the satisfaction of the trustees, and 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 annexed affidavit of the truth thereof and of the fairness of said sale, and on ratification of said sale and the payment of the whole purchase money (and not before) the said trustees by good and sufficient deed 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 of all claims of the parties hereto, Plaintiff and Defendants, and those claiming by, from or under them, or any of them; and the said trustees shall bring into this court the money arising from such sale to be distributed under the direction of this court after deduct- the costs of sale and such commissions to the said trustees as this court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

It is further adjudged, ordered and decreed that the costs of this suit, to be taxed by the clerk of this court, be paid by the defendants.

JAMES A. PEARCE

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Seventh day of November, in the year nineteen hundred and nineteen, the following Fi Fa was brought to be recorded, to wit:-

NO. 7 JUDICIALS NOVEMBER TERM 1919.

(FI. FA.)

THE STATE OF MARYLAND

To the Sheriff of Queen Anne's County, Greeting:

Circuit Court Seal. WHEREAS at a Circuit Court for Queen Anne's County, begun and held at Centreville in said County on the First Monday of May in the year of our Lord one thousand nine hundred and Eighteen a certain The Centreville National Bank, a body Corporate by judgment of the same Court, recovered against a certain John F. Quail, Marie O. Quail, Walter Shelton, Glen A. Thomas as well the sum of Three Hundred Fifty Two dollars & thirty cents, with interest from the 27th day of May 1918 and Eight dollars & ten cents for h its costs and charges by it about its suit laid out and expended, whereof the said John F. Qail, Marie O. Quail, Walter Shelton, Glen A. Thomas are convict, as it appears of record: with all exemption waived

THEREFORE, you are hereby commanded, that of the goods and chattels, lands and tenements of the said John F. Quail, Marie O. Quail, Walter Shelton Glen A. Thomas 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 said County, on the 1st Monday of November next, to render unto the said The Centreville National Bank, a body corporate the debt, costs and charges, aforesaid

Hereof, fail not at your peril, and have you then and there this writ.

WITNESS, the Honorable Wm. H. Adkins Judge of our said Court, the Third Monday of July in the year of our Lord nineteen hundred and Nineteen

Issued this Third day of Sept. 1919

J. F. ROLPH _____ CLERK.

And on the back of the foregoing is the following endorsement, to wit:-

Lands and tenements, seized a and levied upon and taken as per schedule and the real estzte of Walter Shelton sold as per the special return filed in this case. SANFORD E. SPRY, Sheriff of Queen Anne's County, Md.

SCHEDULE
Filed November 7, 1919

A SCHEDULE of the goods and chattels, lands and tenements of Walter Shelton, seized, 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, and to me directed at the suit of The Centreville National Bank of Maryland. vs. John F. Quail, Marie O. Quail, Walter Shelton, Glen A. Thomas. I have seized and levied on the following property to-wit:

1 Dwelling and Store house, with garage on premises, including the lot or parcel of land whereon said buildings are located., in Winchester, Queen Anne's County, Maryland, known as the "Shelton Property".

Levy made Sept. 18th 1919
S. E. SPRY Sheriff

SHERIFF'S SPECIAL RETURN OF SALE.
Filed November 7, 1919.

The Centreville National Bank of
Maryland, a body corporate,

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY.

vs.

John F. Quail, Marie O. Quail,
Walter Shelton and Glen A. Thomas,

To the Honorable, the Judges of said Court:-

The Return of Sanford E. Spry, Sheriff of Queen Anne's County, in the State of Maryland, respectfully shows:-

That by virtue of a writ of fieri facias issued out of the Circuit Court for Queen Anne's County, aforesaid, at the suit of The Centreville National Bank of Maryland, a body corporate, against John F. Quail, Marie O. Quail, Walter Shelton and Glen A. Thomas, dated the second day of September, in the year nineteen hundred and nineteen, said writ was directed to Sanford E. Spry as the Sheriff of said Queen Anne's County, in the said State of Maryland, and in obedience to the commands in the said writ contained, the said Sanford E. Spry, Sheriff as aforesaid, seized, entered upon and levied upon and took possession of all the right, title, interest and estate of the

said Walter Shelton, all that triangular or three cornered lot or parcel of land situate, lying and being at or near the upper end of the village of Winchester, in the Second Precinct of the Fifth Election District of Queen Anne's County, Maryland, on the right side of the public road leading through said village of Winchester from Queenstown to Kent Island, having a frontage on said road of fifty-four feet, running to a depth on one side one hundred and thirty seven feet and running to a depth on the other side one hundred and twenty four feet, improved by a frame dwelling and store house and other outbuildings; after having given public notice of the time, place, manner and terms of sale by advertisement inserted in the Centreville Observer, a newspaper printed and published in Queen Anne's County, Maryland, being the newspaper selected by the said Sheriff, for more than twenty days previous to the day of sale, and by notice of the said sale being given by posters set up for more than twenty days previous to the day of sale at the Court House Door in the Town of Centreville, Queen Anne's County, Maryland, as is shown by a certified copy of the advertisement of the said sale and of the Notice set up at the Court House Door, filed herewith and asked to be taken as a part of this Report of Sale, the said Sanford E. Spry, as the Sheriff of Queen Anne's County aforesaid, offered the said parcel of land above described and fully described in the advertisements above mentioned, in front of the Court House Door in the town of Centreville, Queen Anne's County, Maryland, on Monday, November 3rd, 1919, between the hours of 1.30 and 2.00 o'clock P. M., for cash, and then and there sold the same to one Thomas Lawrence for the sum of Three Hundred and Ninety Dollars (\$390.00), he being then and there the highest bidder therefor at and for the sum of \$390.00, and the said real estate was sold to pay and satisfy the said writ, interest and costs thereon, the said writ of fieri facias the schedule thereto attached, and the copy of the advertisement and of the notice set up at the Court House Door is hereto attached.

All of which is respectfully submitted by

SANFORD E. SPRY.
SHERIFF OF QUEEN ANNE'S, MARYLAND.

CERTIFICATE OF NOTICE SET UP AT COURT HOUSE DOOR
Filed November 7, 1919.

John Palmer Smith,
Attorney-At-Law.

SHERIFF'S SALE
OF
HOUSE AND LOT OF
LAND

Under and by virtue of a writ of fieri Facias issued out of the Circuit Court for Queen Annes county, Maryland, at the suit of The Centreville National Bank of Maryland, a body corporate, against the goods and chattles, lands and tentaments of John F. Quail, Marie O. Quail, Walter Shelton and Glen A. Thomas and to me directed, I have seized, levied upon and taken into execution all the right, title and interest at law and in equity of the said Walter Shelton in and to the following described property.

All that triangular or three cornered lot or parcel of land, situate, lying and being at or near the upper end of the village of Winchester, in the Second Precinct of the Fifth Election District of Queen Annes county, Maryland, on the right hand side of the public road leading through said village of Winchester from Queenstown to Kent Island, having a frontage on said road of fifty four feet, running to a depth on one side one hundred and thirty seven feet and running to a depth on the other side one hundred and twenty four feet, improved by a frame dwelling and store house, blacksmith shop, bottling room and garage, being the same and all the land conveyed to said Walter Shelton by deed from Nellie D. Sparks and Joseph R. Sparks, Sr., dated Dec. 19, 1912, and recorded in Liber W. F. W. No. 2, folio 397, etc., a land record book for Queen Annes county, Maryland.

And I hereby give notice that on Monday, Nov. 3rd, 1919 between the hours of 1.30 and 2 o'clock in front of the Court House door in Centreville, Queen Annes county, Maryland, I will sell to the highest bidder for cash all the right, title, interest and estate of said Walter Shelton in and to said real estate and buildings so seized and taken into execution to satisfy said writ, debt, interest and costs due and to become due thereon.

SANFORD E. SPRY,
Sheriff of Queen Annes county, Md.

T. FRANK SEWARD, Auctioneer.

Centreville, Md. Nov. 5th, 1919.

I HEREBY CERTIFY, that the annexed Advertisement is a copy of the one published in the Centreville Observer for more than twenty days prior to the 3rd day of November, 1919, and set up at the Court Houwe Door in the town of Centreville, in Queen Anne's County, Maryland, for more than twenty days previous to the day of sale (the 3rd day of November, 1919) being stuck up in front of the said Door on the 11th day of October, 1919.

SANFORD E. SPRY
 Sheriff of Queen Anne's County,
 Maryland.

CERTIFICATE OF PUBLICATION OF
 ADVERTISEMENT OF SALE
 Filed November 7, 1919.

John Palmer Smith,
 Attorney-At-Law.

SHERIFF'S SALE

of

HOUSE AND LOT OF

LAND

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SANFORD E. SPRY,
 Sheriff for Queen Annes county, Md.

T. FRANK SEWARD, Auctioneer.

THE CENTREVILLE OBSERVER

CENTREVILLE, MD., Nov. 3d 1919

THE CENTREVILLE OBSERVER PUBLISHING CO. hereby certifies that the annexed advertisement in the case of The Centreville National Bank of Maryland vs. John F. Quail, Marie O. Quail, Walter Shelton & Glen A. Thomas a true copy of which is here-
 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 (being more than 20 days) before the 3d day of November in the year 1919

The Centreville Observer Publishing Co.

By BERTHA G. DURNEY

