

On or about April 2, 1960 the Complainant by telephone notified Defendant to vacate the property, which Defendant refused. The Complainant then instituted the "Quia Timet" action at hand.

Further these entire proceedings have been brought about by the failure of the Complainant to produce a good and marketable Deed. This failure has caused the Defendant to:

- (1) Expend sizeable sums of money and time needlessly.
- (2) Become a party to legal action directly caused by the Complainants failure to maintain accurate legal records.
- (3) Suffer indeterminable damage to business and personal reputation.

WHEREFORE, the Defendant prays for a Decree and Order of this Honorable

Court, -

1. Complainants are not in actual possession of land - defendant is in possession, (as complaint avers) therefore a Bill Quia Timet should not lie by Statute Article 16, Section 128, Annotated Code of Maryland.
2. Complaint does not allege any facts to show there is not an adequate remedy at law. Defendant is in possession of land, (as complaint avers), and there is an adequate remedy at law to oust defendant. Therefore, equity jurisdiction is insufficient to sustain complaint.
3. That the Complainant take nothing by his action and that he be hence dismissed with his costs.
4. The Defendant have and recover his costs of suit here-in expended.
5. And for such other and further relief as may be just and equitable.

*E. S. Conway*  
 E. S. Conway  
 Defendant In Person  
 Lakeview Route 3  
 Frederick, Maryland

*I hereby certify that this date  
 July 10/62 I mailed  
 a copy of foregoing  
 answer to the Complainant's Attorney Mr. Sherman P. Bowers  
 of Frederick Md.  
 E. S. Conway*

Filed July 10, 1962