Adkins Julia C	Coulbourne Jennie or Jennie Bordale	342
Adkins Julia C	Purchaser of land of John Wesley Coulbourne	342
Ashley, Ira + Minnie	Purchasers of land of William Sidney Causey	438

Bank of Crisfield	Collegatte Ursula Heirs of	11
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Noah T. Boyd for taxes	25
Boyd, Noah T.	His land sold for taxes	25
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Cleveland Lawson for taxes	29
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Joseph Sterling (Col.)	32
Bank of Crisfield	Wyatt, Emma R. & others	41
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Alfred H. Johnson for taxes	86
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Dallas Waters for taxes	89
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of William E. Hoffman for taxes	93
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of John H. Revelle heirs for taxes	96
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Virginia R. Hurley for taxes	100
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Sarah E. Rowe for taxes	104
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Andrew J. Hall	107
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Frederick S. Jewett for taxes	111
Bennett, Alice & L. Atwood	Their land sold under Mortgage	115
Beauchamp, L. Creston, Assignee	Ex Parte under Mortgage from William M. Quinn et ux	135
Beauchamp, L. Creston, Assignee	Ex Parte under Mortgage from Crisfield Shipbuilding Co.	141
Bozman, Carlos, Ex Parte	Ex Parte Sale of land of James E. Stewart for taxes	146
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of John & Cora Johnson for taxes	151
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Douglas Rowe for taxes	155
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Sydney Kersey's heirs for taxes	184
Bounds, George & Ada	Purchasers of land of Arthur Carr	188
Bull, Dorothy Lorraine	Decree of Adoption	207
Barnette, Elizabeth E.	Her land sold under decree	245
Barnette, Elizabeth E.	Her land sold under decree	261
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Samuel H. Taylor et ux	301
Baltimore National Bank, Substitute Trustee	Seller of land of Country House Property	314
Bagley, Mary C.	Purchaser of land of Country House	314
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of John Horney for taxes	334
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Thos. W. S. Hinman for taxes	338
Bozman, Bessie	Her land sold under decree	362
Bennett, Alice C.	Purchaser of lands of Mary E. Sterling heirs	390
Bloodsworth, Lena et al	Bloodsworth, James D. Heirs of	401
Bloodsworth, James D. Heirs of	Their land sold under decree	401
Bounds, Geo. A. Co. et al	Webster, Samuel Smith, Heirs of	444
Bounds, George C et al	Purchasers of land of Heirs of Samuel Smith Webster	444
Bounds, George A & Co. et al	Purchasers of land of Heirs of Samuel Smith Webster	444
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of John H. Meier Estate for taxes	481
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of Mary Samuel Stewart's heirs	485
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of David Thomas Ward for taxes	489
Berry, Elizabeth O.	Purchaser of land of Charlotte Williams	505
Bozman, Carlos, Treasurer & Collector	Ex Parte Sale of land of J. W. Marsh for taxes	520
Butler, H. Clifton & Anna	Their land sold under Mortgage	569

County Commissioners of Somerset Co	Purchasers of land of Noah J. Byrd	25
County Commissioners of Somerset Co.	Purchasers of land of Cleveland Lawson	29
County Commissioners of Somerset Co.	Purchasers of land of Joseph Stirling (Col.)	32
County Commissioners of Somerset Co.	Purchasers of land of Alfred A. Jones	86
County Commissioners of Somerset Co	Purchasers of land of Dallie Waters	89
County Commissioners of Somerset Co.	Purchasers of land of William E. Maddox	93
County Commissioners of Somerset Co.	Purchasers of land of John W. Revelle heirs	96
County Commissioners of Somerset Co.	Purchasers of land of Annie R. Hurley	100
County Commissioners of Somerset Co.	Purchasers of land of Sarah E. Rowe	104
County Commissioners of Somerset Co.	Purchasers of land of Andrew J. Hall	107
County Commissioners of Somerset Co.	Purchasers of land of Frederick S. Jewett	111
Christy Clarence A + Olive S.	Purchasers of land of William M. Quinn + wife	135
Crisfield Shipbuilding Co. Inc	Its land sold under Mortgage	141
Christy Clarence A. + Olive S.	Purchasers of land of Crisfield Shipbuilding Co.	141
County Commissioners of Somerset Co.	Purchasers of land of James E. Stewart	146
County Commissioners of Somerset Co	Purchasers of land of John + Cora Johnson	151
County Commissioners of Somerset Co.	Purchasers of land of Douglas Rowe	155
Child Bobbey	Ex Bobbe under Mortgage from George Riley Watson + wife	159
County Commissioners of Somerset Co.	Purchasers of land of Sydney Kersey's heirs	184
Carr Arthur	His land sold under Mortgage	188
Cropper J. Hanson	Cropper, Robert J. + Virginia Heirs of	208
Cropper J. Hanson	Cropper, Robert J. + Virginia Heirs of	215
Cropper J. Hanson	Cropper, Robert J. + Virginia Heirs of	20'
Cropper, Robert J. + Virginia Heirs of	Their land sold under decree	208
Cropper, Robert J. + Virginia Heirs of	Their land sold under decree	215
Cropper, Robert J. + Virginia Heirs of	Their land sold under decree	222
Cropper, J. Hanson	Purchaser of land of Robert J. + Virginia Cropper heirs	208
Cropper, Thomas Floyd	Purchaser of land of Robert J. + Virginia Cropper heirs	215
Cropper, Thomas Floyd	Purchaser of land of Robert J. + Virginia Cropper heirs	222
Chelton W. Guy	Purchaser of land of Henry B. Ward heirs	318
County Commissioners of Somerset Co	Purchasers of land of John Horsey	334
County Commissioners of Somerset Co.	Purchasers of land of Mrs. W. P. Hermon	338
Coulbourne, John Wesley	His land sold under decree	342
Chelton W. Guy	Purchaser of land of Zipporah Horsey heirs	374
Causey, William Sidney	His land sold under decree	438
Culp, Harry Perry + Leola Nelson	Decree of adoption	444
Clark Ernest C. Assignee et al	Webster, Samuel Smith Heirs of	444
County Commissioners of Somerset Co.	Purchasers of land of David Thomas Ward	489
Cullen Carrie J.	Her land sold under decree	494
Croswell Frank J. + Mary R.	Their land sold under Mortgage	514
County Commissioners of Somerset Co.	Purchasers of land of J. W. Marsh Jr taxes	520
Cullen A Kinsloving + Catherine L	Cullen, Paul Heirs of	531
Cullen, Paul	His land sold under decree	531
Cullen, A Kinsloving	Purchaser of land of Paul Cullen	531
Charnick, Eloise	Purchaser of land of Paul Cullen	531
Carmine, Sidney + Mary Anne	Purchasers of land of Woodland Melbourne	577
Christy, Olive et al	Hickman, Ellsworth	587

Daugherty, Millard & Lawson	vs	Ward Mary Alice Heirs of	1
Daskiell, Harry C. Assignee		Ex Parte under Mortgage from Clark Ward	36
Dorsey, Washington W. & Thomas W. t/a Dorsey Bros.		Purchasers of land of Lemuel T. Cooks heirs	193
Davis Robert N.		Dorsey, Cornelius Jr	293
Daskiell, Harry C., Assignee		Ex Parte under Mortgage from Ted Fitz Randolph	500
Doane, Morris		Doane, Malinda	524
Doane, Morris & Malinda		Their land sold under decree	524
Doane, Malinda		Purchaser of land of Morris & Malinda Doane	524
Cullen, A. Armstrong & Catherine L.		Culley Paul, Heirs of	531
Cullen, Paul		His land sold under decree	531
Cullen, A. Armstrong		Purchaser of land of Paul Culley	531
Chronick, Eloise		Purchaser of land of Paul Culley	531
Dutton, Hand		Her land sold under decree	555
Deze, Norman E. Jr.		Purchaser of land of H. Clifton & Anna Butler	569

Evans, Thelma & others	vs Roach, George W & others	53
Evans, Paul R.	vs Evans, George Sr., Heirs of	121
Evans, George Sr., Heirs of.	Their land sold under decree	121
Evans, Paul R.	Purchaser of land of George Evans Sr.	121
Evans, Gentry N.	Ex Parte under Mortgage from Zachariah Ward	324
Evans, Gentry N.	Ex Parte under Mortgage from Lorenzo D. Ward & wife	354
Evans, Harry	Purchaser of land of Lorenzo D & Florence Ward	354
Evans, Glenwood	Reed, Otho L. deceased & others	430
Evans, Glenwood	Purchaser of land of Otho L. Reed	430
Evans, Granville J.	Smith, Ida Beach & husband	461
Evans, Granville J.	Purchaser of land of Heirs of Mary J. Wilson	461
Evans, Gentry N.	Ex Parte under Mortgage from Frank J. Connell & wife	514
Evans, Gentry N.	Ex Parte under Mortgage from H. Clifton Butler & wife	569

Fred L. Shorley + Della	Purchaser of land of John H. Muir Estate	481
Fitzrandolph, Fred	His land sold under Mortgage	500

Graham, Theresa	Graham L. Bryan Heirs of	230
Graham, L. Bryan, Heirs of	Their land sold under decree	230
Gale, Dennis H.	His land sold for taxes	240
Goe, Ernest J.	Purchaser of land of Agnes Phillips	309
Griffith, Ruth C.	Purchaser of land of Harry Kircher	540

Hall, Josephine C + others		Book of Cripsed	41
Howard, Marie + others	25	Brach, Gerry W. + others	53
Hurley, Annie M		Her land sold for taxes	100
Hall, Andrew J		His land sold for taxes	107
Holloway & Asbury		Purchaser of land of Alice C + L. Atwood Bennett	115
Horsey, Emma J. heirs of		Their land sold under decree	293
Hart, W. Melbourne		Ex parte under Mortgage from Eleanor M. Tyler	304
Horsey, John		His land sold for taxes	334
Hunman, Mrs. W. B.		Her land sold for taxes	338
Horsey, Samuel J. Administrator + others		Horsey, Cornelius Jr	374
Horsey, Zipporah Heirs of		Their land sold under decree	374
Holloway, Maude E.		Purchaser of land of Fred Fitzrandolph	500

Jones, Joyce + others	ats	Beatrice Lundgren + others	53
Johnson, Alfred H.		His land sold for taxes	86
Jewett, Frederick S.		His land sold for taxes	111
Jones, Edgar A.		Ex Corte under Mortgage from Alice C + Lattard Barrett	115
Johnson, John + Cora		Their land sold for taxes	151
John, Evelyn Watson + Another		Purchasers of land of George Riley Watson + wife	159
Jones, Edgar A.		Ex Corte under Mortgage from Arthur Carr	188
Jones, Edgar A.		Ex Corte under Mortgage from Rollin Riley	349
Jones, Frank C.		Purchaser of land of Rollin Riley	349
Jones, Edgar A.		Ex Corte under Mortgage from Timothy W Langley + wife	475

Kersey, Sydney, Heirs of	Their land sold for taxes	184
Kincher, Henry	His land sold under decree	540

Lyman, Cleveland	His land sold for taxes	29
Lyndgren, Beatrice + others	vs Brock, Geo. N. + others	53
Logan, William F.	Purchaser of land of heirs of Emma J. Harvey	293
Langhery, Timothy W. + Laura Ann	Their land sold under Mortgage	475

Muir, Mary Beal & Others	Book of Cuspied	41
Moore Blanche Executrix	Book of Cuspied	41
Marine Book of Cuspied	Book of Cuspied	41
Matthews, Lake D.	VS Heirs of Charles Smith	61
Maddox, William E.	His land sold for taxes	93
Maddrix, George E.	Purchaser of land of Zechariah Ward	319
Muir, John H. Estate	His land sold for taxes	481
Matthews C. Foster et al	Their land sold for taxes	485
Matthews Robert	Purchaser of land of King Samuel Stewart's heirs et al	485
Marsh, J. W.	His land sold for taxes	520
Mills, Eva Tull	Purchaser of land of Sarah Dixon	555
Melbourne, Woodland, Heirs of	Their land sold under decree	577
Matthews, Stanley W. et al	Purchaser of land of John Edward Stirling	587

McBath Hammond W.	Bozman, Morgan Son of Wesley	362
McBath, Hammond W.	Purchaser of land of Bessie Bozman	362
McDorman Eli Heirs of	Nelson, Frederick R + Morgan	382
McDorman Eli Heirs of	Their land sold under decree	382

Nelson Benjamin F. & Florence Green	Nelson Benjamin W. Heirs of	164
Nelson, Benjamin W., Heirs of	Their land sold under decree	164
Nelson Benjamin Freely	Purchaser of lands of Benj. W. Nelson's heirs	164
Nelson, Frederick R. & Margaret	Purchaser of land of Eli McDowell heirs	382
Nelson, Elva & others	Tyler, Bertha Sterling & others	390
Noble George A. & others	Noble, George W. Heirs of	419
Noble George W. Heirs of	Their land sold under decree	419
Noble Ralph & J. Lockwood	Purchasers of lands of George W. Noble heirs	419
Nelson, Annie D. et al	Nelson, Ellen Cullen et al	494
Nock, Minnie & Mayhew	Melbourne Woodland, heirs of	577

Coleyette, Ursula, Heirs of	Their land sold under decree	11
Coleyette, Harold F.	Purchaser of lands of Ursula Coleyette	11
Coates, J. Freeman, Leonard Jr.; Francis H. & Agnes	Coates, Lenine J., Heirs of	193
Coates, Lenine J., Heirs of	Their land sold under Mortgage	193
Cochran, Harry J. Trustee & Collector	By Forte Sale of land of Dennis W. Sale for taxes	240
Citt, Judith V. R.	Citt, William D. Jr. & others	245
Citt, Judith V. R.	Her land sold under decree	245
Chellipo, Myrtle M. et al	Coe, Ernest J. & wife	309
Chellipo, Louis	His land sold under decree	309
Cecil, Otho L.	His land sold under decree	430
Chillipo, William H. et al	Purchasers of land of Heirs of Samuel Smith Webster	444

Quinn, Wallace M. + wife	Their land sold under Mortgage	135
~~Shelley's, Myrtle M. et al~~	~~Fox, Ernest J. + wife~~	309
~~Shelley's, Lewis~~	~~His land~~	

Roach, Wilhom Beulah, + others	vs	George W. Roach + others	53
Roach, Weldon + others	vs	George W. Roach + others	53
Roach, George W, Betty Jane + Ruby Ray	ats	Beatrice Lundgren + others	53
Roach, George, Heirs of		Their land sold under decree	53
Rolley, James + Lillie		Purchasers of land of Charles Smith heirs	61
Revelle, John H., Heirs of		Their land sold for taxes	96
Rowe, Sarah E.		Her land sold for taxes	104
Rowe, Douglas		His land sold for taxes	155
Reese, Annie M.		Cott, William D. Jr. + others	261
Ryse, Annie M.		Her land sold under decree	261
Riley, Rollin		His land sold under Mortgage	349

Sterling, Joseph (Col.)		His land sold for taxes	32
Sterling, Benson W. & Hattie A.		Purchasers of land of Edward P. Wyatt	41
Somers, Mollie & others	vs	Geo. W. Roach & others	53
Sterling, Alonzo J.		Purchaser of land of George Roach heirs	53
Smith, Charles, Heirs of		Their land sold under decree	61
Stewart, James E.		His land sold for taxes	146
Smith, E. Mace; Earl & Roy W.		Purchasers of land of Elizabeth Barnette & Judith D. Pitt	245
Smith, E. Mace, Earl & Roy W.		Purchasers of land of Elizabeth Barnette & Annie M. Rose	261
Smith, John O. & Alfred		Smith, Frank, Heirs of	281
Smith, Frank & Retta Annie, Heirs of		Their land sold under decree	281
Smith, John O.		Purchasers of land of Heirs of Frank & Retta Annie Smith	281
Smith, Roy W.		Purchaser of land of Eleanor M. Tyler	304
Sterling, Mary E., Heirs of		Their land sold under decree	390
Shreeves, J. Leonard		Purchaser of lands of James D. Blodsworth's heirs	401
Stewart, King, Samuel, Heirs of et al		Their land sold for taxes	485
Sprent Co. Nelson Bond		Mills Eva Hill et al	555
Sterling, Felecia et al		Hickman, Ellsworth	587
Sterling, John Edward of Mahlon		His land sold under decree	587
Sterling, Felecia et al		Purchaser of land of John Edward Sterling	587

Fleming, Paul V.	vs	Heirs of Perry E. Fleming	70
Fleming, Perry E. Heirs of		Their land sold under decree	70
Fleming, Paul V.		Purchaser of land of Perry E. Fleming heirs	70
Taylor, Samuel H. & wife		Their land sold for taxes	301
Taylor, Eleanor M.		Her land sold under Mortgage	304
Taylor, infant Male Child		Decree of Adoption	444
Telgsman William B. Co. et al		Webster, Samuel Smith, Heirs of	444
Telgsman, William B. Co. et al		Purchasers of land of Heirs of Samuel Smith Webster	444
Tell, Harriss A.		Purchaser of land of Frank J. & Mary R. Croswell	514

Millard Daugherty Lawson Daugherty Vs. Blanche Ward Frank Ward William Ward James Ward Fred Ward Lloyd Byrd	: : : : : : : :::::	Be it remembered that heretofore, to wit, on the twenty-fourth day of May, in the year nineteen hundred and forty-four, a certain Millard Daugherty and Lawson Daugherty, by Harry C. Dashiell their Solicitor exhibited and filed in the Circuit Court here a bill of Complaint against Blanche Ward, Frank Ward, William Ward, James Ward, Fred Ward, Lloyd Byrd, which said bill of Complaint is in the words following to wit:

Millard Daugherty Lawson Daugherty Vs. Blanche Ward Frank Ward William Ward James Ward Fred Ward Lloyd Byrd	: : : : : : : : : : :::::::	No. 5919 Chancery In the Circuit Court for Somerset County, Maryland In Equity.

To the Honorable, the Judges of said Court:-

Your Orator, complaining, says:

I

That Mary Alice Ward, late of Somerset County, deceased, was at her lifetime and at the time of her death, seized and possessed of valuable real estate situate, lying and being in Lawson's Election District, in said Somerset County, and State of Maryland.

II

That being so seized, the said Mary Alice Ward departed this life intestate during the month of , 19 , without leaving a husband surviving her; but leaving surviving her as her only heirs at law, the following children and grand-children, namely,-

a. The plaintiffs, Millard Daugherty and Lawson Daugherty, both are sons of Mildred Ward Daugherty, a daughter of the said Mary Alice Ward who died before the death of her said mother. The said Millard Daugherty and Lawson Daugherty being adults above the age of twenty-one years and residing in said Somerset County, State of Maryland.

b. A daughter, Blanche Ward who is an adult and resides in said Somerset County, State of Maryland.

c. A son, Frank Ward who is an adult and who resides in said Somerset County, State of Maryland.

d. A son William Ward who is an adult and who resides in said Somerset County, State of Maryland.

e. A son James Ward who is an adult and who resides in said Somerset, County, State of Maryland.

f. A son Fred Ward who is an adult and who resides in Baltimore City, State of Maryland.

g. A grandson, Lloyd Byrd, son of Manie Ward Byrd, a daughter of the said deceased who died before the death of her said mother. The said Lloyd Byrd being a non-resident of the State of Maryland and now residing in the City of Philadelphia, State of Pennsylvania.

III

That the aforesaid real estate owned by the said Mary Alice Ward at the time of her death is not susceptible of division or partition among the parties entitled to interest therein and that it would be to the interest and benefit of said parties to sell aaid real estate and to divide the proceeds among 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 orators and the defendants herein according to their respective rights and interest in said real estate.

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

May it please your Honor to grant unto your Orators the Writ of Subpoena directed to the said Blanche Ward, William Ward, James Ward and Frank Ward, all adults and all residing in said Somerset County; and to Fred Ward, an adult residing in Baltimore City in State of Maryland, commanding them and each of them to be and appear in this Court either in person or by solicitor on or before a certain day to be named therein to answer the premises and abide by and perform such decree as may be passed therein; and also the Order of Publication giving notice to the said Lloyd Byrd, an adult, who is a non-resident of the State of Maryland, and who now resides in the City of Philadelphia, State of Pennsylvania of the object and substnace of this bill and warning him to appear in this Court in person or by solicitor on or before a certain day named therein to show cause, if any he has, why a decree ought not to be passed as prayed.

And as in duty bound,

Harry C. Dashiell
Solicitor for Complainant.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenas were issued, to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Blanche Ward and William Ward of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of Millard and Lawson Daugherty against you and others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, The Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the first day of May Anno Domini 1944 ISSUED the 24th day of May Anno Domini 1944.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To James Ward and Frank Ward of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of Millard and Lawson Daugherty against you and others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, The Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the first day of May Anno Domini 1944 ISSUED the 24th day of May Anno Domini 1944.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Fred Ward of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of Millard Daugherty and Lawson Daugherty against you and others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the first day of May Anno Domini 1944 ISSUED the second day of June Anno Domini 1944.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Fred Ward of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in July next to answer the complaint of Millard Daugherty, et al against you and others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the first day of May Anno Domini 1944 ISSUED the twenty-fourth day of June Anno Domini 1944.

Per Order

Benjamin L. Barnes, Clerk.

At which said first Monday in June, in the year nineteen hundred and forty-four, and the day of the return of the above recited writs, came again into Court here the said Complainants by their solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan and the Sheriff of Somerset County, Murray E. Ward, to whom the writs aforesaid, were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned severally and copy left, June 3, 1944.

Murray E. Ward, Sheriff.

To the second of said writs: Summoned severally and copy left, June 3, 1944.

Murray E. Ward, Sheriff.

To the third of said writs: Non Est

Joseph C. Deegan, Sheriff.

And afterwards, to wit, on the first Monday in July, and the day of the return of the renewal of the subpoena for Fred Ward, came again into Court here the said Complainants by their Solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the renewal subpoena aforesaid was, in form aforesaid delivered for service, also came and made return thereof to the Court here in the words following, to wit:

To the remewal of subpoena: Summoned July 5, 1944.

Murray E. Ward, Sheriff.

And thereafter, to wit on July fourteenth nineteen hundred and forty-four, the answer of Lloyd Byrd was filed, which answer is as follows:

Millard Daugherty Lawson Daugherty	:	
Vs.	:	No. 5919 Chancery
Blanche Ward Frank Ward William Ward James Ward Fred Ward Lloyd Byrd	:	In the Circuit Court for Somerset County, Maryland
	:	In Equity
	:	
	:::::	

To the Honorable, the Judges of said Court:

The answer of the above respondent, Lloyd Byrd, to the Bill of Complaint of Millard Daugherty and Lawson Daugherty against him and others, in this cause exhibited, a copy of which is hereto attached and made a part hereof, respectfully represents:

This respondent admits the matters and facts set forth in the said Bill of Complaint and consents to the passage of such decree as may be right and proper in the premises.

Lloyd Byrd.
Janice E. Spires Respondent, Lloyd Byrd.
Witness

And afterwards to wit, on July 26, 1944, the following affidavit was filed:

MILLARD DOUGHERTY AND LAWSON DOUGHERTY	:	No. 5919 Chancery
VS.	:	In the Circuit Court for Somerset
BLANCHE WARD, ET. ALS.	:	County, In Equity.
.....:		

This is to certify that on this 25th day of July, 1944, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Harry C. Dashiell, Solicitor for Complainant, in the above cause, and made oath in due form of law, that the said defendents in said cause, Blanche Ward, Frank Ward, William Ward, James Ward, Fred Ward, and Lloyd Byrd, are not now in the Military Service, or Naval Service, of the United States, and have not been in such service, within three years, prior to the filing of this suit.

Jeannette Wilson SEAL OF
Notary Public NOTARY

And thereafter to wit, on the twenty-sixth day of July, in the year nineteen hundred and forty-four, the said Complainants by their Solicitor aforesaid, filed in Court here a petition in the words following, to wit:

MILLARD DOUGHERTY AND LAWSON DOUGHERTY	:	No. 5919 Chancery
VS.	:	In the Circuit Court for
BLANCHE WARD, ET. ALS.	:	Somerset County, in Equity.
.....:		

The petition of Millard Dougherty and another, respectfully represents:

That the said defendents, Blanche Ward, Frank Ward, William Ward, James Ward, and Fred Ward, all adults, have been duly summoned to appear to the Bill of Complaint, filed in said cause, but have failed, either to appear, or answer said Bill of Complaint; and that the said Lloyd Byrd, an adult, has filed his answer in said cause, in which said answer, he admits the matters and facts set forth in the said Bill of Complaint, etc.

Your Petitioner, therefore, prays your Honor, to pass a decree pro-confesso, against the adult defendents, Blanche Ward, Frank Ward, William Ward, James Ward, and Fred Ward, being so summoned, but failing to appear and answer as aforesaid; and also, to pass an order granting leave to the parties to this cause, to take testimony in support of the allegation of the Bill of Complaint, before a Special Examiner, duly appointed by this Court.

Harry C. Dashiell, Solicitor for Complainant.

Upon which said Petition the Court here passed the following Order to wit:

Ordered this 26th day of July, 1944, by the Circuit Court for Somerset County, in Equity that the said Bill of Complaint be, and it is hereby taken pro-confesso against the said Blanche Ward, Frank Ward, William Ward, James Ward, and Fred Ward, all adults, and all defendents in the above entitled cause, duly summoned to appear to said cause, but failing both to appear and answer therein.

And it is further ordered that leave be, and it is hereby granted to the parties, to said cause, to take depositions in support of the allegation of the Bill of Complaint before a Special Examiner, duly appointed in this cause.

And since it appears that the regular Examiner of this Court, located at Crisfield, Maryland, is now dead, it is further ordered that Benson W. Sterling, be and he is hereby appointed, a Special Examiner to take the depositions in this cause.

W. Laird Henry, Jr.
Judge.

And afterwards, to wit, on the eighteenth day of August, in the year nineteen hundred and forty-four, Benson W. Sterling Special Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing Order, made return thereof to the Court here in the words following to wit:

Millard Daugherty & Lawson Daugherty	:	No. 5919 Chancery
Vs.	:	In the Circuit Court for
Blanche Ward, and others	:	Somerset County, in Equity.

In this cuase an order having been passed for testimony to be taken to support the allegations of the bill, I, Benson W. Sterling, of Crisfield, Maryland, Special Examiner of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn etc., do hereby certify that on this 17th day of August, 1944, in Somerset County, aforesaid, I did take the following testimony, to wit:

Millard Daugherty, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int.--1. Please state your name, age, residence and occupation?

Ans. My name is Millard Daugherty, my age is 26 years, my residence is Somerset County, Maryland, and my occupation is that of Seafood Business.

Int.--2. Do you know the parties to this suit, and if so, how long have you known them and where do they reside?

Ans. The plaintiff Lawson Daugherty is my brother and I have known all of the defendants all of my life. My brother Lawson resides in Baltimore City, Maryland and all of the other parties lives in Somerset County, Maryland, except Lloyd Byrd who resides in Philadelphia, Penna.

Int.--3. Did you know Mary Alice Ward in her life time, if so, is she living or dead, and if dead when did she die, and did she or not die intestate, and who are her heirs at law?

Ans. Mary Alice Ward was my Grandmother. She died a number of years ago and I do not remember her. She was survived by my Grandfather, who I do remember but he died about fifteen years. ago. Mary Alice Ward was also survived by the following children: My mother, Mildred Ward Daugherty, who died about twenty-four years ago and who left two sons-Lawson Daugherty and myself, both of whom are adults. My Grandmother was also survived by the defendants-Blanche Ward, a daughter who is

an adult; Frank Ward, a son who is an Adult; William Ward, a son who is an adult; James Ward, a son who is an adult; Fred Ward, a son who is an adult and grandson Lloyd Byrd, who is an adult. Lloyd Byrd is a son of Manie Ward Byrd a daughter of the said Mary Alice Ward, who died about three years ago. The husband of the said Manie Ward Byrd is also dead.

Int.--4. Please state what real estate, if any, did the said Mary Alice Ward own at the time of her death. Describe it and state its value?

Ans. The only property which Mary Alice Ward owned at the time of the time of her death and is now owned by the parties to this suit is a lot of land containing three-quarters of an acre lying on the West side of the State Road leading from Crisfield to Jacksonville. The adjoining land owners are Margaret Daugherty; Jackson Bradshaw and Maude Evans. This property is unimproved, and was conveyed to the said Mary Alice Ward by William S. Laird and wife by deed dated Aug. 26th 1902, and recorded in Liber O.T.B. No. 33, Folio 577. In my opinion this property is worth about $175.00.

Int.--5. Please state whether or not the said real estate is susceptible of partition among the parties interested therein or would it or not be for the benefit of the said parties to sell said property and divide the proceeds among them?

Ans. It could not be divided in kind as it is a small lot and there are eight heirs. It will therefore be necessary to sell said real estate and divide the proceeds among the parties according to their respective interests.

COURTS QUESTION

Ans. Nothing further.

WITNESS: Benson W. Sterling
Special Examiner.

Millard Daugherty

Josephine Matthews Daugherty, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int.--1. Please state your name, age, residence and occupation?

Ans. My name is Josephine Matthews Daugherty, my age is 20 years, my residence is Somerset County, Maryland and my occupation is that of Housewife.

Int.--2. Do you know the parties to this suit, and if so, how long have you known them and where do they reside?

Ans. I know all the parties to this suit and have known them all for about four years. I am the wife of the plaintiff Millard Daugherty and the other parties to the suit are his brother, his aunts and uncles and a cousin-Lloyd Byrd. His brother Lawson Daugherty lives in Baltimore, Maryland, but all of the defendants reside in Somerset County, Maryland except Lloyd Byrd who lives in Philadelphia, Penna.

Int.--3. Did you know Mary Alice Ward in her life time, if so, is she living or dead, and if dead when did she die, and did she or not, die intestate and who are her heirs at law?

Ans. I do not remember Mary Alice Ward as I understand she died many years ago. She was my husbands Grandmother, and her heirs atlaw are the plaintiffs My husband Millard Daugherty and his brother Lawson Daugherty and the defendants, a daughter Blanche Ward, a son Frank Ward, another son William Ward, a son JamesWard, a son Fred Ward and a grandson Lloyd Byrd. All of these parties are adults above the age of twenty-one years and I know them all. My husband and his brother Lawson Daugherty are the only sons and heirs of Mildred Ward Daugherty. She was a daughter of Mary Alice Ward and she died before I knew my husband. Lloyd Byrd is a son of Manie Ward Byrd. I knew her and she was a daughter of Mary Alice Ward and she died about three years ago, leaving only one son as her only heir.

Int.--4. Please state what real estate, if any, did the said Mary Alice Ward own at the time of her death. Describe it and state its value?

Ans. The only property which Mary Alice Ward owned at the time of her death and is now owned by the parties to this suit is a lot of land containing three-quarters of an acre lying on the West side of the State Road leading from Crisfield to Jacksonville. The adjoining land owners are Margaret Daugherty; Jackson Bradshaw and Maude Evans. This property is unimproved, and was conveyed to the said Mary Alice Ward by William S. Laird and wife by deed dated Aug. 26th, 1902 and recorded in Liber O.T.B. No. 33 Folio 577. In my opinion this property is worth about $175.00.

Int.--5. Please state whether or not the said real estate is susceptible of partition among the parties interested therein or would it or not be for the benefit of the said parties to sell said property and divide the proceeds among them?

Ans. It could not be divided in kind as it is a small lot and there are eight heirs. It will therefore be necessary to sell said real estate and divide the proceeds among the parties according to their respective interests.

COURTS QUESTION:

Ans. That is about all I know.

Witness: Josephine Matthews Daugherty
Benson W. Sterling
Special Examiner.

There being no further witness present to be examined and at the suggestion of the Solicitor for the complainant, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct an true.

Bill of Costs:

Examiner----------$4.00

WITNESS MY HAND AND SEAL

Benson W. Sterling (SEAL)
SPECIAL EXAMINER IN CHANCERY.

And thereafter, to wit, on the thirteeth day of August, in the year nineteen hundred and forty-four, the Circuit Court here passed the following decree in the premises, to wit:

Millard Daugherty, and another	)	No. 5919 Chancery
Vs.	)	In the Circuit Court for Somerset
Blanche Ward, et. als.	)	County, In Equity.
_____ _____ _____	)	

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

It is, thereupon this 30th day of August, 1944, by the Circuit Court for Somerset County, in Equity, adjudged, ordered, and decreed, that the Real Estate in the proceedings mentioned, be sold:

That Harry C. Dashiell, be, and he is hereby appointed Trustee, to make such sale, and that the course and manner of his proceedings shall be as follows:

He shall first file in the office of the Clerk of the Circuit Court for Somerset County, in Equity, a bond to the State of Maryland, executed by himself and a surity or surities to be approved by the said Clerk in the penalty of five hundred dollars,($500.00), if in dividual surity or surities or ½ of said penal sum, if corporate security, condition for the faithful performance of the Trust, reposed in him by this decree, or that may be reposed in him, by any future decree, or order in the premises; he shall then proceed to make sale of said Real Estate having first given at least three weeks previous notice inserted in some newspaper, printed

and published in said Somerset County, and such further notice as he may think proper of the time, place, manner, and terms of sale, which terms shall be as follows: ½ in cash on the day of sale and the balance of the purchase money to be paid in six months from the day of sale, the deferred payment to bear interest from the day of sale, and the payment thereof to be secured by the bond of the purchaser with a surity or sureties, to be approved by the said Trustee; or all cash at the option of the purchaser or purchasers.

AND as soon as may be, after such sale or sales, the said Trustee shall return to this Court, a full and particular account of the same with an affidavit of the Truth thereof, and of the fairness of such sale or sales annexed, and on the ratification of such sale or sales by this Court, and on the payment of the whole purchase money, (and not before), the said Trustee shall, by a good and sufficient deed to be executed and acknowledged according to law, convey to the purchaser or purchasers of said property and to his, her, or their heirs and assigns, the property to him, her, or them, sold free, clear, and discharged of all claims of the parties to this cause and of any person or persons claiming by, from, or under them. And the said Trustee shall bring unto this Court, the money arising from such sale or sales, and the bonds which may be taken for the same to be disposed of under the direction of this Court, after deducting therefrom, the costs of this suit, and such commission to the said Trustee as the Court shall think proper to allow in consideration of the skill, attention, and fidelity wherewith, he shall appear to have discharged his Trust.

Edmond H. Johnson
Judge.

And thereupon the said Harry C. Dashiell, Trustee, filed in Court here a Bond in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Harry C. Dashiell, principal S. Frank Dashiell and J. Earl Morris, surities, all of Somerset County and State of Maryland, are held and firmly bound unto the said State of Maryland, in the full and just sum of five hundred dollars($500.00) to be paid to the said State of Maryland or its certain Attorney, to which payment, well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, personal representatives and assigns, firmly by these presents, sealed with our seals and dated this 2d day of September, 1944.

WHEREAS, the above bounden, Harry C. Dashiell, was, by a decree of the Circuit Court for Somerset County, passed on the 30th day of August, 1944, appointed Trustee to make sale of the real estate of Mary Alice Ward, deceased, therein mentioned, as will appear by reference to the proceedings in No. 5919 Chancery, now pending on the docket of the Circuit Court for Somerset County-------

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden, Harry C. Dashiell, do and shall, well, truly and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises, then this obligation to be void; otherwise to be and remain full force and virtue in law.

As witness the hands and seals of the parties hereto the day and year above written.

Harry C. Dashiell
Principal (SEAL)

TEST: Benjamin L. Barnes

S. Frank Dashiell (SEAL)

J. Earl Morris (SEAL)

Which said bond was thus thereon endorsed, to wit:

The within bond approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the twenty-seventh day of September, in the year nineteen hundred and forty-four, the said Trustee exhibited and filed in the Circuit Court here a Report of Sales, with an affidavit thereunto annexed, which said Report and Affidavit, so as aforesaid filed, are in the words following to wit:

MILLARD DAUGHERTY, AND ANOTHER	:	No. 5919 Chancery
VS.	:	In the Circuit Court for Somerset
BLANCHE WARD, ET. ALS.	:	County, In Equity.
	:	

TO THE HONORABLE, THE JUDGES, OF SAID COURT:

The Report of sales of Harry C. Dashiell, Trustee, appointed by a decree of this Honorable Court, passed in the above entitled cause, to make sale of the Real Estate therein mentioned, respectfully represents:

That after giving bond with security for the faithful discharge of the Trust, as required by the said decree and after giving notice of the time, place, manner, and terms, of sale, by advertisment in the Crisfield Times, a weekly newspaper printed and published in said Somerset County, once a week for three successive weeks, before the day of sale, and by hand Bills posted at the Court House Door at Princess Anne, Maryland, he did, pursuant to said notice, attend in front ofthe Post Office, in Crisfield, Maryland, in Saturday, the 23rd day of September, 1944, at the hour of 2:00P.M., and then and there proceed to offer said Real Estate for sale by Public Auction, that is to say:

Your Trustee offered all that lot or parcel of land, in Lawson's Election District, in said Somerset County and State of Maryland, lying on the west side of the State Road, leading from Crisfield to Jacksonsville, adjoining the lands of Margaret Dougherty, Jackson Bradshaw, and Maude Evans, and containing 3/4 acres of land, more or less; this land is unimproved and was conveyed to Mary Alice Ward, late of Somerset County, deceased by William S. Laird and wife, by deed dated August 26, 1902, and recorded among the land records of said Somerset County, in Liber O.T.B. 33, folio 577.

And when said property was offered by your Trustee for Sale, by Public Auction, James C. Ward, of Somerset County and State of Maryland, being the highest and best bidder therefor, became the purchaser thereof, at and for the sum of two hundred and seventy-five dollars, ($275.00), and the said purchaser has complied with the terms of said sale, by paying half of the purchase price in cash, and giving your said Trustee a note for the balance of said purchase money, payable upon the ratification of said sale.

All of which is respectfully submitted.

Harry C. Dashiell

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 27th day of September, 1944, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Harry C. Dashiell, Trustee named in the above Report of Sales, and made oath in due form of law, that the matters and things stated in the aforegoing Report of Sales are true as therein stated to the best of his knowledge and belief, and that the sale therein reported was fairly made.

As witness my hand and Notarial Seal the day and year above written.

Jeannette Wilson SEAL OF

Notary Public NOTARY

Upon which said Report, the Clerk of the Circuit Court here, passed the following order to wit:

MILLARD DAUGHERTY, AND ANOTHER	:	No. 5919 Chancery
VS.	:	In the Circuit Court for Somerset
BLANCHE WARD ET. ALS.	::	County, in Equity.

ORDERED, That the sale of the real estate mentioned in these proceedings, made and reported by Harry C. Dashiell, Trustee aforesaid, be ratified and confirmed, unless cause to the contrary thereof is shown on or before the 30th day of October, nineteen hundred and forty-four, provided a copy of this order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 28th day of October, nineteen hundred and forty-four.

The report states the amount of the sale to be $275.00

Benjamin L. Barnes
Clerk.

And now at this day, to wit, on the sixteenth day of November, in the year nineteen hundred and forty-four, came again into Court here the said Complainants, by their Solicitor aforesaid, and on motion of the said Complainants by their Solicitor aforesaid, the Court here passed the following Order to wit:

ORDERED, by the Circuit Court for Somerset County, in Equity, this 16th day of November, nineteen hundred and forty-four, that the sale of the real estate mentioned in these proceedings, made and reported by Harry C. Dashiell, 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 since it appears that Harry C. Dashiell, the auditor of this Court is the solicitor for the complainant in this cause, it is further ordered that Jeannette Wilson, be, and she is hereby appointed Special Auditor to state the account in this cause.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes Clerk.

"""

Bank of Crisfield, a body corporate Vs. Harold F. Poleyette and Sarah A. Poleyette, his wife, Helen Poleyette Graham and F. Stewart Graham, her husband, Lionel C. Gibson, administrator of the estate of Benjamin F. Gibson, Glenwood Evans, Dora Poleyette, C. Foster Matthews and Harold F. Poleyette and F. Steward Graham, administrators of the estate of Ursula Poleyette	Be it remembered that heretofore, to wit, on the fifth day of July, in the year nineteen hundred and fourty-four, a certain Bank of Crisfield, a body corporate, by its Solicitor, George H. Myers, filed in the Circuit Court here a Bill of Complaint against Harold F. Poleyette and Sarah A. Poleyette, his wife, Helen Poleyette Graham and F. Stewart Graham, her husband, Lionel C. Gibson, administrator of the estate of Benjamin F. Gibson, Glenwood Evans,

Dora Poleyette, C. Foster Matthews and Harold F. Poleyette and F. Steward Graham, administrators of the estate of Ursula Poleyette, which said bill of complaint is in the words following to wit:

Bank of Crisfield, a body corporate Vs. Harold F. Poleyette and Sarah A. Poleyette, his wife, Helen Poleyette Graham and F. Stewart Graham, her husband, Lionel C. Gibson, administrator of the estate of Benjamin F. Gibson, Glenwood Evans, Dora Poleyette C. Foster Matthews and Harold F. Poleyette and F. Steward Graham, administrators of the estate of Ursula Poleyette	No. 5932 Chancery Circuit Court for Somerset County, Maryland.

TO THE HONORABLE, THE JUDGE OF SAID COURT

Your Orator who sues as well for itself as for all other creditors of Ursula Poleyette, late of said Somerset County, deceased, who will come in and contribute to the expenses of this suit, complaining says:

FIRST: That your Orator is a body corporate duly corporated under the laws of the State of Maryland, having its principal place of business at Crisfield, Maryland.

SECOND: That the said Ursula Poleyette was in her lifetime and at the time of her death indebted unto your Orator on a certain judgment entered against her and the defendant, Harold F. Poleyette, in favor of your Orator in the Circuit Court for Somerset County, Maryland, on the twentieth day of November, nineteen hundred and thirty-six for the sum of fifteen thousand and two hundred dollars, fifteen hundred and twenty dollars collection charges and seven dollars costs, copy of which said judgment docketed as No. 39 Appearances, September Term, 1936, in said Court, is herewith filed as part hereof, marked "Exhibit A", that there now remains due and owing on said judgment a balance of fourteen thousand two hundred and fourteen dollars and seventy cents, with interest thereon from date hereof, fifteen hundred and twenty dollars collection charges and seven dollars costs.

THIRD: That the said Ursula Poleyette being so indebted as aforesaid unto your Orator and also unto divers other persons and having real and personal estate located in said Somerset County, departed this life on or about the eighteenth day of September, nineteen hundred and forty, intestate leaving surviving as her only heirs at law a son the defendant, Harold F. Poleyette, and a daughter, Helen Poleyette Graham, both of whom are of full age.

FOURTH: That the said Ursula Poleyette, as aforesaid, died seized and possessed of valuable real estate situate in said Somerset County, including the following described lots or parcels of land, to wit:

(1) All that lot or parcel of land where the said Ursula Poleyette resided and which was formerly the home place of Joseph Poleyette, known as No. 103 Main Street, in the Town of Crisfield, in said Somerset County, lying and binding on the south side of said Main Street and being the same and all of the land that was devised to the said Ursula by and under the

first item of the will of her husband, Joseph Poleyette, recorded among the testamentary records of said Somerset County in Liber No. 33, folio 155.

(2) All that lot or parcel of land on the west side of First Street in said Town of Crisfield which is laid down and described as lot No. 16, plat No. 1, filed with the report of sales of the executors of Leah Horsey and which was conveyed to the said Ursula as the first item in a deed from the said Helen Poleyette Graham, recorded among the land records of said Somerset County in Liber No. 112, folio 290.

The said Ursula Poleyette also died siezed and possessed of an undivided two-third interest in and to the following described lots or parcels of land, the said defendant, Harold F. Poleyette, being co-owner of the remaining one-third; to wit:

(3) All that lot or parcel of land located on the south side of and binding upon West Main Street in said Town of Crisfield and on the east side of and binding upon Second Street being bounded on the east in part by the home place of the late Joseph Poleyette and in part by the land formerly owned by Charles Tawes, bounded on the south by the land formerly owned by William Frank Connor and being the same land conveyed to the said Joseph Poleyette by four deeds, (a) From Benjamin F. Daugherty, et al, dated August 29th, 1891, recorded among the land records of said Somerset County in Liber O.T.B. No. 22, folio 191. (b) From William J. Bradshaw et ux, dated January 30th, 1895, recorded as aforesaid in Liber H.F.L. No. 16, folio 331. (c) From Isaac H. Coulbourne and wife, dated July 21st, 1897, recorded as aforesaid in Liber No. 22, folio 192. (d) From William W. Evans and wife, dated March 13th, 1899 recorded as aforesaid in Liber No. 25, folio 84.

(4) All that lot of land located on the south side of and binding upon West Main Street in said Town of Crisfield and on the west side of and binding upon First Street, bounded on the west by the home place of the said Joseph Poleyette and on the south by the Charles Tawes land, and being the same land conveyed to the said Joseph Poleyette by William E. Tuchton and wife, dated August 20th, 1902, and recorded as aforesaid in Liber No. 33, folio 538.

(5) All those lots or parcels of land situate near said Town of Crisfield in Asbury Election District which are designated as Lots No. 4 and 5 in Block B and Lot No. 7 in Block C as laid down on map of subdivision of "Summers Rest" made by Schoolfield, surveyor, filed with a deed from Howard L. Edmunds to Cornelius W. Sterling, dated August 26th, 1910 and duly recorded among the land records of said Somerset County, said three lots having been conveyed to the said Joseph Poleyette by two deeds, (a) From Lorie C. Quinn, Jr., dated August 23rd, 1910, recorded as aforesaid in Liber No. 81, folio 93, (b) From Howard L. Edmunds et al, dated August 26th, 1910, recorded as aforesaid in Liber No. 81 folio 93.

FIFTH, That letters of administration upon the personal estate of the said Ursula Poleyette have been granted by the Orphans Court for said Somerset County to the defendants, Harold F. Poleyette and F. Stewart Graham, but your Orator is advised and therefore charges that the said Ursula left very little personal estate and that said administrators have reported no personal assets to said Orphans Court for said Somerset County and the personal estate in the hands of said administrators is hopelessly insufficient for the payment of the debts of the said Ursula Poleyette including the claim of your Orator, and that your Orator and the other creditors of the said Ursula Poleyette are entitled to have their claims paid out of the real estate of said deceased in the hands of her heirs at law as aforesaid.

SIXTH, That the defendant, Glenwood Evans, recovered a judgment against the said Harold F. Poleyette, recorded among the records of Judgments of the Justices of the Peace in the office of the Clerk of the Circuit Court for Somerset County in Liber J.M.T. No. 5, Item 126, which said judgment for the sum of $21.38 with interest from November 16th, 1935 and $3.60 costs constitutes a lien upon the interest of the said Harold F. Poleyette in the aforesaid real estate.

SEVENTH, That a certain Benjamin F. Gibson, now deceased, recovered a judgment against the said Ursula Poleyette and Harold F. Poleyette in the Circuit Court for Somerset County on January 24th, 1939 for the sum of two hundred and eight dollars, twenty dollars and eighty cents collection charges and seven dollars costs, copy of which said judgment docketed as No. 15 Appearances, January Term, 1939, is filed herewith marked plaintiff's "EXHIBIT B"; and the defendant, Lionel C. Gibson, is the duly appointed administrator of Benjamin F. Gibson.

EIGHTH, That the defendant, Dora Poleyette, recovered a judgment against the said Harold F. Poleyette and Ursula Polleyette, recorded among the records of judgments of the Justices of the Peace in the office of the Clerk of the Circuit Court for Somerset County in Liber J.M.T. No. 5, Item 586, for the sum of one hundred and seventy five dollars and seventy-seven cents with interest from February 10th, 1940, seventeen dollars and seventy-five cents collection charges and one dollar and seventy cents costs, copy of which said judgment is herewith filed marked "Exhibit C",

NINTH, That the defendant, C. Foster Matthews, recovered a judgment against Harold F. Poleyette and Ursula Poleyette in the said Circuit Court for Somerset County, on the 29th day of June, 1940, for the sum of one hundred and two dollars and seventy cents, ten dollars collection charges and seven dollars costs, copy of which said judgment docketed as No. 63 Appearances, April Term, 1940, is herewith filed marked "Exhibit D".

To the end, therefore:

(1) That the real estate of the said Ursula Poleyette, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of the claim of your Orator and those of other unsatisfied creditors of said deceased.

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

May it please your Honor to grant unto your Orator the writ of subpoena directed to the said Harold F. Poleyette, Sarah A. Poleyette, Lionel C. Gibson, administrator of the estate of Benjamin F. Gibson, Glenwood Evans, Dora Poleyette and C. Foster Matthews, all adults residing in said Somerset County and to Helen Poleyette Graham and F. Steward Graham, adults residing in Dorchester County, Maryland, and to Harold F. Poleyette and F. Stewart Graham, administrators of the estate of the said Ursula Poleyette residing respectively in Somerset and Dorchester Counties, aforesaid, commanding them and each of them to be and appear in this Court on some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound,

Geo. H. Myers
Solicitor for Plaintiff.

Exhibit "A" referred to in the foregoing bill is in the words following to wit:

Bank of Crisfield A body corporate under the laws of the State of Maryland	)	In the Circuit Court for Somerset County---September
	)	Term, 1936. Short copy of Judgment No. 39 Appearances
Vs.	)	Damages $15,200.00. Costs $7.00 Collection Fee $1520.00
Ursula Poleyett, Sarah A. Poleyett & Harold F. Poleyett.	)	Judgment Nov. 20, 1936 Interest from Date. Exemption
	)	waived. Test: Benjamin L. Barnes, Clerk.

Exhibit "B" referred to in the foregoing bill is in the words following to wit:

Benjamin F. Gibson	)	In the Circuit Court for Somerset County--January
Vs.	)	Term, 1939. Short copy of Judgment No. 15 appearances
Ursula Poleyett & Harold F. Poleyett	)	Damages $208.00. Costs $7.00 Collection Fee $20.80
	)	Judgment January 24, 1939 Interest from Date. Exemption
		waived. Test: Benjamin L. Barnes, Clerk.

Exhibit "C" referred to in the foregoing bill is in the words following to wit:

Dora Poleyett	)	In the Circuit Court for Somerset County----J.M.T. # 5
Vs.	)	Short Copy of Judgment No. 586, Damages $175.77. Costs $1.70
Ursula Poleyett & Harold F. Poleyett	)	Collection Fee $17.75 Judgment Feb. 10, 1940. Interest from
	)	Date. Exemption Waived. Test: Benjamin L. Barnes, Clerk.

Exhibit "D" referred to in the foregoing bill is in the words following to wit:

C. Foster Matthews	)	In the Circuit Court for Somerset County---April Term 1940.
Vs.	)	Short copy of Judgment No. 63 Appearances. Damages $102.70
Ursula Poleyett & Harold F. Poleyett	)	Costs $7.00. Collection Fee $10.00. Judgment June 29, 1940.
	)	Interest from Date. Exemption Waived. Test: Benjamin L.Barnes, Clerk.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenas were issued, to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT

The State of Maryland

To Harold F. Poleyette, Sarah A. Poleyette, and Lionel C. Gibson, Admr. of Benjamin F. Gibson, of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answet the complaint of Bank of Crisfield against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the third day of July, Anno Domini 1944. Issued the fifth day of July, Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF Court

The State of Maryland,

To Glenwood Evans, Dora Poleyette and C. Foster Matthews of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answer the complaint of Bank of Crisfield against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the third day of July Anno Domini 1944.

Issued the fifth day of July Anno Domini 1944.

Per order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL Of COURT

The State of Maryland

To Helen Poleyette Graham, F. Stewart Graham of Dorchester County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answer the complaint of Bank of Crisfield against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of

Maryland the third day of July Anno Domini 1944.

Issued the fifth day of July Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

The State of Maryland

SEAL OF COURT

To F. Stewart Graham, Admr. of Ursula Poleyette of Dorchester County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answer the complaint of Bank of Crisfield against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the third day of July Anno Domini 1944.

Issued the fifth day of July Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

The State of Maryland

SEAL OF COURT

To Harold F. Poleyette, Admr. of Ursula Poleyette of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answer the complaint of Bank of Crisfield against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the third day of July Anno Domini 1944.

Issued the fifth day of July Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

At which said first Monday in August, in the year nineteen hundred and forty-four, and the day of the return of the above recited writs, came again into Court here the said complainant by its solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the first two writs aforesaid, were in form aforesaid, delivered for service, also came and made return thereof to the Court here in the words following, to wit:

To the first of said writs: July 19, 1944 Summoned severally and copy left with each defendant.

Murray E. Ward, Sheriff.

To the second of said writs: July 19, 1944 Summoned severally and copy left with each defendant.

Murray E. Ward, Sheriff.

And at the same time the Sheriff of Dorchester County, to whom the third and fourth of said writs was directed, also came and made return thereof to the Court here in the words following, to wit:

To the Third of said writs: Served by reading to and leaving copies of within subpoenas with Helen Poleyette Graham and F. Stewart Graham this 10th day of July, 1944.

Rufus W. Dean, Sheriff of Dorchester County.

To the Fourth of said writs: Served by reading to and leaving copy of within subpoena with F. Stewart Graham, Admr. of Ursula Poleyette, this 10th day of July, 1944.

Rufus W. Dean, Sheriff of Dorchester County.

And at the same time the Sheriff of Somerset County, to whom the fifth of said writs was

directed, also came and made return thereof to the Court here in the words following to wit:

To the fifth of said writs: July 19, 1944 Summoned and copy left with Defendant.

Murray E. Ward, Sheriff.

And afterwards to wit on the 22nd day of August, 1944, the said Complainant by its solicitor aforesaid filed in Court here an affidavit which is in the words following to wit:

Bank of Crisfield, a body corporate Vs. Harold F. Poleyette and Sarah A. Poleyette, his wife, Helen Poleyette Graham and F. Stewart Graham, her husband, Lionel C. Gibson, Administrator of the estate of Benjamin F. Gibson, Glenwood Evans, Dora Poleyette, C. Foster Matthews, and Harold F. Poleyette and F. Stewart Graham, administrators of the estate of Ursula Poleyette	:	No. 5932 Chancery Circuit Court for Somerset County, Maryland

State of Maryland, Somerset County, to wit:

I hereby certify that on the 21st day of August, nineteen hundred and forty-four, before me, the subscriber a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared J. Coyhe Sterling, Cashier and Treasurer of the Plaintiff corporation, who made oath in due form of law that no one of the above named defendants, Harold F. Poleyette, Sarah A. Poleyette, Helen Poleyette Graham, F. Stewart Graham, Lionel C. Gibson, Glenwood Evans, Dora Poleyette and C. Foster Matthews, is in the military service of the United States.

Witness my hand and Notarial seal.

Myrtle V. Gorsuch,
Notary Public.

And thereafter, to wit, on the 23rd day of August, in the year nineteen hundred and forty four, the said complainant by its solicitor aforesaid, filed in Court here a petition in the words following to wit:

Bank of Crisfield, a body corporate Vs. Harold F. Poleyette and Sarah A. Poleyette, his wife, Helen Poleyette Graham and F. Stewart Graham, her husband, Lionel C. Gibson, Administrator of the estate of Benjamin F. Gibson, Glenwood Evans, Dora Poleyette C. Foster Matthews and Harold F. Poleyette and F. Stewart Graham, administrators of the estate of Ursula Poleyette	:	No. 5932 Chancery Circuit Court for Somerset County, Maryland.

The defendants, Harold F. Poleyette and Sarah A. Poleyette, his wife, Helen Poleyette Graham and F. Stewart Graham, her husband, Lionel C. Gibson, administrator of the estate of Benjamin F. Gibson, Glenwood Evans, Dora Poleyette, C. Foster Matthews and Harold F. Poleyette and F. Stewart Graham, administrators of the estate of Ursula Poleyette, having severally been duly summoned to appear to the bill of complaint in the above cause and having failed to appear thereto and answer said bill.

It is thereupon this 23rd day of August, nineteen hundred and forty-four, by the Circuit Court for Somerset County in Equity, adjudged, ordered and decreed that said bill of complaint be and the same is taken pro confesso against said defendants and each of them.

That is is further ordered that depositions be taken before one of the standing examiners of this Court to support the allegations of the bill.

Edmond H. Johnson,
Judge.

And afterwards, to wit, on the 20th day of September, in the year nineteen hundred and forty-four, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return to the Court here in the words following, to wit:

Bank of Crisfield	:	No. 5932 Chancery
Vs.	:	In the Circuit Court for
Harold F. Poleyette,et al	:	Somerset County, Maryland
	:	

In the above intitled cause, an order having been passed for the taking of testimony to support the allegation for the bill of complaint, I, Harry C. Dashiell one of the standing Examiners of the Circuit Court for Somerset County, in Equity, do hereby certify that on Friday, the first day of September, nineteen hundred and forty-four, at the office of Prentiss W. Evans, in Crisfield, Maryland, beginning at the hour of about three o'clock P. M., I did take the following deposition, that is to say:-

Harold F. Poleyette, witness of lawful age, having been duly sworn, deposing, says:-

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

Ans. Harold F. Poleyette, Crisfield, Maryland, age is 46, and I am employed by the Potomac Poultry Food Company.

Int. Did you know Ursula Poleyette, is she living or dead, if dead, when and where did she die, and did she leave a will and who are her heirs at law?

Ans. Ursula Poleyette was my mother. She died September 18th, 1940 at Crisfield, Maryland. She left no Will and her only heirs at law are my sister, the defendant, Helen P. Graham, and myself. Helen is of full age and is married to the defendant, F. Sturat Graham, and I am married to dthe defendant, Sarah A. Poleyette.

Int. Do you know anything of the judgment which the Bank of Crisfield claims is owing by Mrs. Ursula Poleyette and yourself, on which they claim a balance due them of $14,214.70 with interest from July 5th, 1944, collection charges and costs?

Ans. I know that they have that judgment. I have not checked the calculations, but I have no doubt that the figures as to the amount due on it are correct.

Int. What real estate, if any, did Mrs. Ursula Poleyette leave at the time of her Death?

Ans. She owned the home in which she lived, located on the South side of Main Street in Crisfield, Maryland, title to which she obtained under the Will of my Father, Joseph Poleyette. It has a frontage of about 60 feet on Main Street and extends back about 150 feet in depth and is improved by a two-story eight room framed dwelling house in good condidtion of repair. This property is worth about $3,000.00.

She also owned a house and lot on the West side of North First Street, which was formerly the property of my sister, Helen Poleyette Graham ans which was conveyed to my mother by deed from the said Helen Poleyette Graham recorded among the land records of Somerset County, Maryland in Liber 112, folio 290. It has about a 45 foot frontage, and about 60 or 65 feet depth. It is improved by a brick double dwelling house in good condition of repair and is worth abour $3,000.00.

Mrs. Ursula Poleyette also owned an undivided 2/3 interest in the lot adjoining her home lot on the West; 1/3 of which came to her under the Will of her husband, Joseph Poleyette, and the other 1/3 was conveyed to her by deed from said Helen poleyette Graham and husband. This property is located on the South said on Main Street and the East side of Second Street and is bounded on the South by William E. Daugherty heirs and on the East by Joseph Poleyette homestead. This property is improved by five dwellings and divided into five residence lots. There are two lots fromting on Main Street, the one at the corner has a from of 46 feet and

the one to the East of the corner lot has a front of 50 feet. The corner house is an 8 room two-story frame dwellingwhich is in fair condition of repair, and this house and lot is worth about $1500.00. The house on the lot to the East is an 8 room two-story frame dwelling, worth with the lot about $1250.00. There are three lots lying and binding on the East side of Second Street, the one nearest Main Street has a front of 55 feet; the next one, a fromt of 50 feet; and the third a front of 31 feet. Each of these lots is improved by a frame dwelling house in fair condition of repair. The one nearest Main Street is a 6 room two-story frame building and worth with the lot about $900.00. The next one is similar dwelling and of about the same figure. The third is improved by a six room teo-story house and is worth with the lot about $750.00.

Mrs. Ursula Poleyette owned and undivided 2/3 interest in a lot at the corner of Main and First Street which has a frontage of 58 feet on Main Street and a depth of 128 feet measured along the West side of First Street. Ir is improved by a 9 room two-story frame dwelling house, which is in fair condition of repair. This property is worth about $1800.00. She also has 2/3 interest in the lot located on the West side of First Street and immediately to the rear of the last described property. This lot has a frontage of about 50 feet and a depth of about 60 feet. It is improved by a 6 room two-story dwelling and is in fair condition of repair. This property is worth about $900.00.

Int. Who owns the other third in these properties?

Ans. I do.

Int. Is there any other real estate that Mrs. Poleyette had at the time of her death?

Ans. She owned a 2/3 interest in three lots in Asbury District which were sold under real estate broker's sub-division scheme. The lots are un-improved and are really not worth anything, and I would be willing to sell them for $5.00 a piece.

Ints. Was there any administration upon the estate of Mrs. Ursula Poleyette and, if so, can you state whether or not there were sufficient personal property to pay all of her debts, including the Bank of Crisfield judgment?

Ans. She did not leave anywhere near sufficient personal estate to pay her debts. Such personal estate as we have been able to locare is of uncertain value and title. The personal estate, in any event, would amount to very little, if anything.

Replying to Court's question, witness says, no sir.

Harold F. Poleyette

Test:

Harry C. Dashiell

J. Coyne Sterling, a witness of Lawful age, having been duly sworn, deposing and says;

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

Ans. J. Coyne Sterling, 60 years of age, Crisfield, Maryland, and I am Cashier for the Bank of Crisfield.

Int. Your Bank has filed a creditors bill against the heirs of Mrs. Ursula Poleyette on a judgment entered in favor of your Bank on November 20th, 1936. Will you state whether or n not Mrs. Ursula Poleyette was indebted to your Bank on that judgment, at the time of her death, and if so, what is the present amount owing on it?

Ans. She was indebted to the Bank of Crisfield on the judgment filed with the bill of complaint as Exhibit A and there is now owing on that judgment the sum of $14,214.70 with interest from July 5th, 1944, $1520.00 collection charges and $7.00 costs.

Int. Did you know Mrs. Ursula Poleyette in her life time, is she living or dead, when and where did she die, did she leave a will and who are her heirs at law?

Ans. I did know her, she died about four years ago here in crisfield. I do not know the exact date. She left no Will to my knowledge and her only heirs at law are her son, Harold F. Poleyette, who married Sarah A. Poleyette, and a daughter Helen Poleyette Graham, who married F. Stuart Graham. They are all of full age. Mr. Harold F. Poleyette and wife live in Crisfield, Maryland and Mr. and Mrs. Graham live in Dorchester County, Maryland.

Int. What real estate, if any, did Mrs. Ursula Poleyette own at the time of her death?

Ans. I have heard the testimony of Mr. Harold F. Poleyette, the preceeding witness, and I think he has correctly identified and described all of the real estate that Mrs. Poleyette owned at the time of her death, to my knowledge. I think also that the valuations placed upon the several lots by Mr. Poleyette in his testimony are about correct. With respect to the identification, descriptions, and valuations of Mrs. Poleyette's real estate, I would adopt Mr. Poleyett's testimony as my own.

Int. Did Mrs. Poleyette leave any personal estate, and if so, was it sufficient to pay her debts?

Ans. She left no personal estate of my knowledge, and I know there was not enough to pay her debts, certainly not enough to pay our judgment.

Replying to Court's question, witness says, I think it is well covered.

J. Coyne Sterling

Test: Harry C. Dashiell

Testimony continued at the office of George H. Myers, Princess Anne, Maryland, September 13th, 1944, at 11:00 A.M.

Florence E. Dryden, a witness of lawful age, having been duly sworn, deposing, says:-

Int. State your name, age, residence, occupation.

Ans. Florence E. Dryden, age 34, Princess Anne, Maryland, and I am Deputy Register of Wills, for Somerset County, Maryland.

Int. Has there been any administration in your office on the estate of Mrs. Ursula Poleyette, and if so, will you please tell us what has been done.

Ans. Yes, Harold F. Poleyette and Stuart Graham were appointed administrators on said estate the 18th of October, 1940. Between twelve and thirteen thousand dollars in claims have been filed. There as no inventory of any personal estate, but an inventory of real estate. The administrators made a report, July 5th, 1944, which showed no assets, but the administrators paid the costs and the administration in this Court has been closed.

Int. Has there been any administration on the estate of Benjamin F. Gibson, and if so, who was appointed as administrator.

Ans. Yes, Lionel C. Gibson was appointed as administrator and qualified.

Replying to Court's question, witness says, "Don't know of anything".

Test: Harry C. Dashiell. Florence E. Dryden

Plaintiff here files with examiner to be used as evidence in this cause, copies of judgments filed with the bill of complaint designated Exhibit "A", "B", "C" and "D" respectively.

No further witness having been produced to me to be examined, I herewith return the aforegoing depositions to Court and certify that the annexed bill of costs is correct.

Harry C. Dashiell (SEAL)

Bill of Costs

Harry C. Dashiell, examiner	$4.00
Harold F. Poleyette, witness	.75
J. Coyne Sterling, Witness	.75
Florence E. Dryden, witness	.75
Total	$6.25

And thereafter, to wit, on the Second day of October, in the year nineteen hundred and forty-four, the Circuit Court here passed the following decree in the premises, to wit:

Bank of Crisfield, a body corporate	:	No. 5932 Chancery
Vs.	:	Circuit Court for Somerset
Harold F. Poleyette et al	:	County, Maryland
	:	

The above cause standing ready for hearing and having been submitted, the proceedings therein were by the Court read and considered:

It is thereupon, this 2nd day of October in the year nineteen hundred and forty-four by the Circuit Court for Somerset County, Maryland Adjudged, Ordered and Decreed, that the property in the proceedings mentioned of which Ursula Poleyette died seized be sold and that George H. Myers be and he is hereby appointed Trustee to make 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 corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of eleven thousand three hundred ($11,300.00) Dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such weekly newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one-third cash on day of sale, one-third in six months from said date and the balance with in one year from said date, credit portions, if any, to bear interest from day of sale and to be secured by the bond of the purchaser with surety to the satisfaction of the said Trustee, and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with and affidavit annexed 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, 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 and assigns, 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 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 the Court, after deducting 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 that the said Trustee at the time of advertising said sale, give notice by publication in the manner aforesaid, to all creditors of the said Ursula Poleyette to file their claims duly authenticated with the Clerk of the Circuit Court for said Somerset County, within thirty days from said day of sale

W. Laird Henry, Jr.
Judge.

And thereupon, the said George H. Myers, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS That we, George H. Myers, of Somerset County, Maryland, as principal, and Hartford Accident and Indemnity Company, a body corporate under the laws of the State of Connecticut, as surety, are held and firmly bound unto the State of Maryland in the full and just sum of eleven thousand three hundred dollars, to be paid to the said State or to its certain attorney, to which payment, well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and sever-

ally, firmly by these presents; sealed with our seals and dated this sixteenth day of October, nineteen hundred and forty-four.

WHEREAS, the above bounden George H. Myers, by virtue of a decree of the Circuit Court for Somerset County in Equity, has been appointed Trustee to sell the property mentioned in the proceedings in the suit of Bank of Crisfield, a body corporate, vs. Harold F. Poleyette et al, now pending in said Court, the same being No. 5932 on the Chancery Docket thereof.

NOW THE CONDITION OF THE OBLIGATION IS SUCH, That if the above bounden, George H. Myers, do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the promises, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Geo. H. Myers (SEAL)

Louise T. Horner
Witness

CORPORATE

SEAL

HARTFORD ACCIDENT AND INDEMNITY COMPANY

BY Geo. H. Myers
Attorney in fact

Which said bond was thus thereon endorsed, to wit:

The within bond approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the fourteenth day of November, in the year nineteen hundred and forty-four, the said Trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Bank of Crisfield	;	No. 5932 Chancery
vs	:	Circuit Court for
Harold F. Poleyette et al	:	Somerset County, Maryland.

To the Honorable, the Judge of said Court:

The report of George H. Myers, Trustee, appointed by decree passed in the above cause to make sale of the real estate therein mentioned and described, respectfully shows:

That after giving bond with security for the faithful discharge of the Trust as required by said Decree and giving notice of the time, place and terms of sale by advertisement in the Crisfield Post, a weekly newspaper printed and published in said Somerset County, once a week for three successive weeks before the day of sale, he did pursuant to said notice attend in front of the Post Office in Crisfield, Maryland, on the eleventh day of November, nineteen hundred and forty-four, at about the hour of two-thirty oclock, p. m. and did then and there proceed to offer for sale, by public auction, all of the following described lots or parcels of land of which Ursula Poleyette, late of said Somerset County died seized, situate in the Town of Crisfield in Crisfield Election District in said Somerset County, to-wit:

FIRST, All that lot located on the west side of North First Street having a front thereon of about fifty-one feet and a depth of one hundred feet, more or less, which was conveyed to the said Ursula Poleyette by deed from Helen Poleyette Graham, recorded among the land records of Somerset County, Maryland in Liber No. 112, folio 290, and which is further described as lot No. 16 on plat No. 1 filed with the report of sales of the executors of Leah Horsey among the Testamentary Records of said Somerset County.

SECOND, All that lot of land where the said Ursula Poleyette resided in her lifetime, lying and binding on the south side of Main Street and having a front of sizty-four feet on said Main Street, which is laid down and described on plat prepared by Roy E. Moore, surveyor, herewith filed as part hereof, as the "Ursula Poleyette Home Place" bounded on the west by lots Nos. 2, 3, 4 and 5 on said plat and on the east by lots No. 6 and 7, described on said

plat, said Home place having been devised to the said Ursula under the will of her husband, Joseph Poleyette.

THIRD, An undivided two-third interest in and to the lot located on the south side of Main Street and the east side of Second Street, having a front of forty-six feet on Main Street and ninety-five feet on Second Street, which is designated as lot No. 1 on the aforesaid plat.

FOURTH, An undivided two-third interest in and to the lot lying and binding on the south side of Main Street, having a front of fifty feet on said Main Street, bounded on the west by the aforedescribed lot No. 1 on said plat and on the east by the Home Place of the said Ursula Poleyette and being lot No. 2 as laid down and described on said plat.

FIFTH, An undivided two-third interest in and to the lot lying and binding on the east side of Second Street which is designated as lot No. 3 on said plat, having a front of fifty-five feet on said Second Street, bounded on the north by lots Nos. 1 and 2 on said plat, on the east by the aforesaid Home Place of the aforesaid Ursula Poleyette, and on the south by lot No. 4, on said plat.

SIXTH, An undivided two-third interest in and to the lot located on the east side of Second Street, designated as lot No. 4 on said plat, having a front of fifty feet on said Second Street, bounded on the north by lot No. 3, and on the south by lot No. 5 of said plat and on the east by the said Home Place of the said Ursula Poleyette.

SEVENTH, An undivided two-third interest in and to the lot lying and binding on the east side of Second Street, designated as lot No. 5 on said plat, having a front of thirty-one feet on said Second Street, bounded on the north by lot No. 4, on said plat, and on the east by the said Ursula Poleyette Home Place and on the South by the land of the William E. Daugherty heirs.

EIGHTH, An undivided two-third interest in and to the lot lying and binding on the west side of First Street, having a front of sixty feet on said First Street, which is described on said plat as lot No. 6, bounded on the north by lot No. 7 of said plat and on the west by the Ursula Poleyette Home Place and on the south by the land known as the Tawes land.

NINTH, An undivided two-third interest in and to the lot lying and binding on the south side of Main Street and on the west side of First Street, designated on said plat as lot No. 7, having a front of fifty-eight feet on Main Street and one hundred and twenty-eight feet on First Street, bounded on the west by the Ursula Poleyette Home Place and on the south by lot No. 6 of said plat.

TENTH, An undivided two-third interest in and to three lots situate near the Town of Crisfield in Asbury Election District, in said County, in a subdivision known as "Summers Rest" designated as lots Nos. 4 and 5 in Block "B" and No. 7 in Block "C" on plat made by Schoolfield, surveyor, filed with deed from Howard L. Edmunds to Cornelius W. Sterling, dated August 26th, 1910 and duly of record among the land records of said Somerset County.

And sold all of said real estate and all of the said Ursula Poleyette's right, title, interest and estate in each of the aforementioned and described lots or parcels of land to Harold F. Poleyette of said Somerset County, he being then and there the highest bidder therefor in each instance, at and for the sums respectively, that is to say, for parcel No. 1, two thousand dollars; for parcel No. 2, twenty-two hundred dollars; for parcel No. 3, eight hundred dollars; for parcel No. 4, seven hundred and fifty dollars; for parcel No. 5, five hundred dollars; for parcel No. 6, five hundred dollars; for parcel No. 7, fourhundred dollars; for parcel No. 8, five hundred dollars; for parcel No. 9, one thousand dollars; and for parcel No. 10, one dollar; making a total of said sales to Harold F. Poleyette eight thousand six hundred and fifty-one dollars.

And the said purchaser has complied with the terms of said sale by paying one-third of

said total purchase price in cash and agrees to pay the balance thereof upon ratification of said sale by this Honorable Court.

Respectfully submitted,

Geo. H. Myers
Trustee

State of Maryland, Somerset County, to-wit:

On this 14th day of November nineteen hundred and forty-four, personally appeared before me, Clerk of the Circuit Court of the State of Maryland, in and for Somerset County, George H. Myers, Trustee named in the above report of sale, and made Oath in due form of law that the matters and things set forth in the aforegoing report are true to the best of his knowledge and belief and that the sale was fairly made.

Benjamin L. Barnes
Clerk

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Bank of Crisfield	:	No. 5932 Chancery
vs	:	Circuit Court for
Harold F. Poleyette et al	:	Somerset County, Maryland

ORDERED, that the sale of property mentioned in these proceedings made and reported by George H. Myers, Trustee, be RATIFIED and CONFIRMED, unless cause to the contrary thereof be shown on or before the 15th day of December, 1944, PROVIDED, a copy of this Order be inserted in some weekly newspaper printed in said Somerset County, once in each of three successive weeks before the 14th day of December, 1944,

The Report states the amount of Sales to be $8651.00.

SEAL OF
COURT

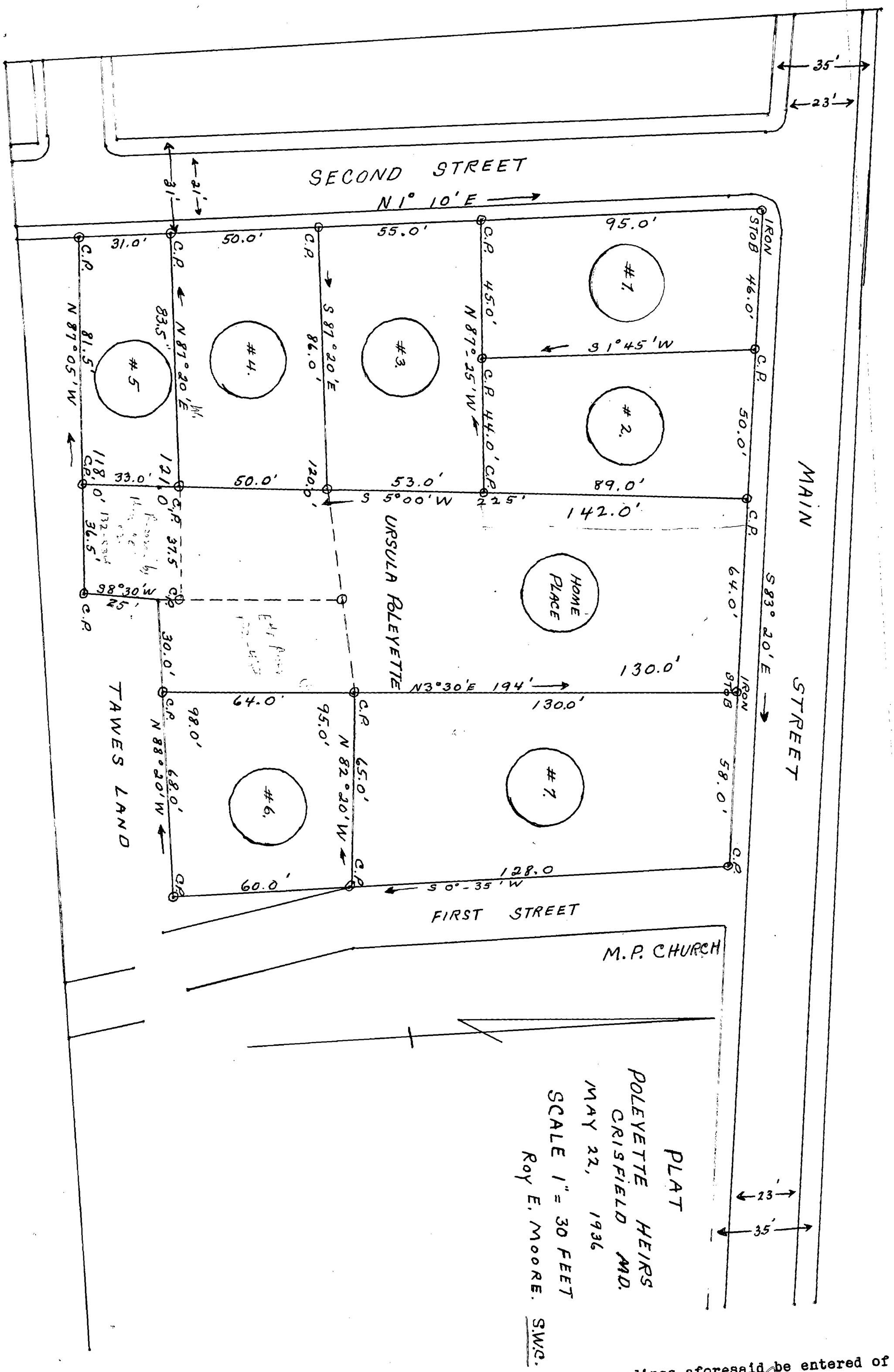
Benjamin L. Barnes
Clerk

And now at this day, to wit, on the 16th day of December, in the year nineteen hundred and forty-four, came again into Court here the said complainant, by its solicitor aforesaid, and on motion of the said complainant, by its solicitor aforesaid, the Court here passed the following order, to wit:

ORDERED BY THE COURT, This 16th day of December 1944, 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 the Trustee allowed the usual commissions and such proper expense as he shall produce vouchers for to the Auditor.

Edmond H. Johnson
Judge

(SEE NEXT PAGE FOR PLAT)



And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Dames, Clerk.

"""

State of Maryland, Somerset County, to wit:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in for for said County, on the first Monday in January, being the first day of the same month, in the year of our Lord one thousand nine hundred and forty-five.

Were present,

Hon W. Laird Henry, Jr., Judge
Hon. Levin C. Bailey, Judge
Hon. Edmond H. Johnson, Judge
Murray E. Ward, Esq. Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Noah T. Byrd for the years 1931 and 1932, made and reported by Carlos Bozman, County Treasurer and Collector.	Be it remembered that heretofore to wit, on the 6th day of December, in the year nineteen hundred and forty-four, a certain Carlos Bozman, Collector of State and County taxes for the Twelfth Asbury Collection District of Somerset County for the years 1931 and 1932, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit thereunto annexed, which said report and affidavit so as aforesaid filed, are in the words following, to wit:
County Commissioners of Somerset County, Md., Purchaser	

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Noah T. Byrd for the years 1931 and 1932, made and reported by Carlos Bozman, County Treasurer and Collector.	No. 5973 Chancery In the Circuit Court for Somerset County, Maryland
County Commissioners of Somerset County, Md., Purchaser	In Equity

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1931, the County Commissioners of said Somerset, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Noah T. Byrd in Asbury Election District, Somerset County, Maryland, the sum of no dollars and ninety-eight cents State taxes, and six dollars and eighty-two cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1932;

That in the month of August, 1931, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of

October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Noah T. Byrd in Asbury Election District, Somerset County, Maryland, the sum of no dollars and ninety-eight cents State taxes, and six dollars and twenty-four cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1933;

That in the month of August, 1932, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October, next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1931 and 1932 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Noah T. Byrd, in said Asbury Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Crisfield Times, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on Tuesday, August 9, 1935, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Noah T. Byrd in said election district, as follows:

No. All that lot of land in Asbury Election District, Somerset County, Maryland, containing 5 acres, more or less, and improvements, adjoining the lands of Shadrach Byrd, S.N.

Byrd, S. E. Byrd and L.W. Sterling, and assessed to Noath T. Byrd for 1931 and 1932, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a Maryland corporation, it being the highest bidder therefor, at and for the sum of forty-two dollars and sixteen cents, now fully paid, and a copy of said advertisement is herewith filed, as a part hereof, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman

County Treasurer and Collector
of State and County taxes

State of Maryland, Somerset County, to wit:

I hereby certify that on this 26th day of October, 1944, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, Treasurer of said Somerset County, and made oath in due form of law that the matters stated in the foregoing report are true as therein set forth, to the best of his belief, and that the sale therein was fairly made.

WITNESS my hand and notarial seal.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing bill is in the words following, to wit:

TREASURER'S SALE FOR TAXES

By virtue of the power and authority vested in me as County Treasurer of Somerset County, Maryland, by the provisions of the General Assembly of Maryland, I hereby give notice that on Tuesday, August 8, 1935, at the hour of 2 o'clock P.M., at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the hereinafter described lots or parcels of land in Asbury Election District, Somerset County, Maryland, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and costs.

No. All that lot of land in Asbury Election District, Somerset County, Maryland, containing 5 acres, more or less, with the improvements thereon, adjoining the lands of Shadrach Byrd, S.N. Byrd, S.E. Byrd and L.W. Sterling, and assessed to Noah T. Byrd for 1931 and 1932, and sold for taxes due for said years.

CARLOS BOZMAN,

County Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Noah T. Byrd for 1931 and 1932, made and reported by Carlos Bozman, County Treasurer.	)	No. 5973 Chancery In the Circuit Court for
County Commissioners of Somerset County, Maryland, Purchaser.	)	Somerset County, Maryland

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland, relating to the sale on August 8, 1935, of land in Asbury Election District, said Somerset County, adjoining the lands of Shadrack Byrd, S.N. Byrd, S.E. Byrd and L.W. Sterling, and containing 5 acres, more or less, and assessed to Noah T. Byrd for 1931 and 1932, made to the County Commissioners of Somerset County, Maryland, a Maryland corporation, at and for the sum of forty-two dollars and sixteen cents, now fully paid, having been presented to the Court and examined and it appearing that

the provisions of law in relation thereto have been complied with;

It is thie 6th day of December, 1944, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before January 2d, 1945, warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before February 8th, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $42.16.

Edmond H. Johnson
Judge

And now at this day to wit, on the fourteenth day of February, in the year nineteen hundred and forty-five, comes again into Court here the said Collector, by his solicitor aforesaid, and on motion of the said Collector, by his solicitor aforesaid, the Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Noah T. Byrd, made and reported by Carlos Bozman, County Treasurer.	)	No. Chancery
	)	In the Circuit Court for
	)	Somerset County,
County Commissioners of Somerset County, Maryland, Purchaser	)	Maryland

It having been proved to the Court that, in the above entitled cause, notice has been given by publication of the order nisi heretofore passed in this cause in the Crisfield Times, a newspaper published in Somerset County, Maryland, according to the terms of said order nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 14th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale of real estate therein reported be and the same are hereby finally ratified and confirmed.

Edmond H. Johnson
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Bozman, Clerk.

""

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Cleveland Lawson for the year 1931 and 1932, made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Maryland. Purchaser.	Be it remembered that heretofore, to-wit, on the fourth day of December, in the year nineteen hundred and forty-four, a certain Carlos Bozman, Collector of State and County taxes for the Twelfth Collection District of Somerset County

for the years 1931 and 1932, by L. Creston Beauchamp, his Solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit thereunto annexed, which said report and affidavit so as aforesaid filed, or in the words following, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Cleveland Lawson for the year 1931 and 1932, made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Maryland. Purchaser.	No. 5974 Chancery In the Circuit Court for Somerset County, Maryland, in Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1931, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons of corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Cleveland Lawson in Asbury Election District, Somerset County, Maryland, the sum of one dollar and sixty-three cents State taxes, and eleven dollars and thirty-seven cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1932;

That in the month of August, 1931, the said Harry E. Muir, the County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law,

showing the aggregage assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Cleveland Lawson in Asbury Election District, Somerset County, Maryland, the sum of one dollar and sixty-three cents State taxes, and ten dollars and forty cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1933;

That in the month of August, 1932, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1931 and 1932, being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Cleveland Lawson, in said Asbury Election District, and the said Carlos Bozman, County Treasurer as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Crisfield Times, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did on Friday, August 9, 1935, at or about the hour of two o'clock P. M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Cleveland Lawson in said election district, as follows:

All that lot of land in Asbury Election District, Somerset County, Maryland, containing 1 acre, more or less, with the improvements thereon, on the state road and adjoining the lands of A. F. Nelson, P. Nelson and C. Horsey, and assessed to Cleveland Lawson for 1931 and 1932, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a Maryland corporation, it being the highest bidder therefor, at and for the sum of one hundred and twenty-eight dollars and eighty cents, now fully paid, and a copy of said advertisement is herewith filed, as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman

County Treasurer and Collector
of State and County taxes.

January Term, 1945

State of Maryland, Somerset County, to wit:

I hereby certify that on this 26th day of October, 1944, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, Treasurer of said Somerset County, and made oath in due form of law that the matters stated in the foregoing report are true as therein set forth, to the best of his belief, and that the sale therein was fairly made.

Witness my hand and notarial seal.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

By virtue of the power and authority vested in my as County Treasurer of Somerset County, Maryland, by the provisions of the General Assembly of Maryland, I hereby give notice that on Friday, August 9, 1935, at the hour of 2 o'clock P.M., at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the hereinafter described lots or parcels of land in Asbury Election District, Somerset County, Maryland, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and costs.

No. All that lot of land in Asbury Election District, Somerset County, Maryland, containing 1 acre, more or less, and the improvements thereon, on the state road, adjoining the lands of A. F. Nelson, P. Nelson and C. Horsey, and assessed to Cleveland Lawson for 1931 and 1932, and sold for taxes due for said years.

Carlos Bozman
Carlos Bozman
County Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Cleveland Lawson for 1931 and 1932, made and reported by Carlos Bozman, County Treasurer.	)	No. 5974 Chancery
	)	In the Circuit Court
	)	for Somerset County,
County Commissioners of Somerset County, Maryland, Purchaser.	)	Maryland.
	)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland, relating to the sale of August 8, 1935, of land in Asbury Election District, said Somerset County, on the state road, adjoining the lands of A. F. Nelson, P. Nelson and C. Horsey, and containing 1 acre, more or less, and assessed to Cleveland Lawson for 1931 and 1932, made to the County Commissioners of Somerset County, Maryland, a Maryland corporate, at and for the sum of one hundred and twenty-eight dollars and eighty cents, now fully paid, having been presented to the Court and examined and it appearing that the provisions of law in relation thereto have been complied with;

It is, this 6th day of November, 1944, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspaper published in said Somerset County once in each of three successive weeks before January 2, 1945, warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before February 8th, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $128.80.

Edmond H. Johnson
Judge.

And now at this day to wit, on the 14th day of February, in the year nineteen hundred and forty-five, comes again into Court here, the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Cleveland Lawson, made and reported by Carlos Bozman, Treasurer.	)	No. 5974 Chancery
	)	In the Circuit Court
	)	for Somerset County,
County Commissioners of Somerset County, Maryland, Purchaser.	)	Maryland.

It having been proved to the Court that, in the above entitled cause, notice has been given by publication of the order nisi heretofore passed in this cause in the Crisfield Post, a newspaper published in said Somerset County, according to the terms of said order nisi, and no objective having been filed and no cause to the contrary having been shown, it is this 14th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale of real estate therein reported be and the same are hereby finally ratified and confirmed.

Edmond H. Johnson

Judge.

And thereupon it is ordered by the Court here, that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Joseph Sterling, col., for the years 1933 and 1934, made and reported by Carlos Bozman, County Treasurer and Collector.	)	Be it remembered that heretofore, to-wit, on the sixth day of December, in the year nineteen hundred and forty-four, a certain Carlos Bozman, Collector of State and County taxes for the Twelfth Collection District
County Commissioners of Somerset County, Maryland, Purchaser.	)	

of Somerset County for the years 1933 and 1934, by L. Creston Beauchamp, his Solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit thereunto annexed, which said report and affidavit so as aforesaid filed, or in the words following, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Joseph Sterling, col., for the years 1933 and 1934, made and reported by Carlos Bozman, County Treasurer and Collector.	)	No. 5975 Chancery
	)	In the Circuit Court
	)	for Somerset County, Maryland
	)	in Equity.
County Commissioners of Somerset County, Maryland, Purchaser.	)	

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1933, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregage assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons

or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Joseph Sterling, col. in Asbury Election District, Somerset County, Maryland, the sum of one dollar and twenty-five cents State taxes, and eight dollars and seventy-five cents, County taxes, and that said State and Couhty taxes were due and in arrears on January 1, 1932;

That in the month of August, 1931, the said Harry E. Muir, the County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Joseph Sterling, col., in Asbury Election District, Somerset County, Maryland, the sum of one dollar and twenty-five cents State taxes, and eight dollars and no cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1933;

That in the month of August, 1932, the said Harry E. Muir then, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E, Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained, a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1931 and 1932 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Joseph Sterling, col., in said Asbury Election District, and the said Carlos Bozman, County Treasurer and Collector

as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Crisfield Times, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did on Tuesday, August 9, 1935, 19 , at or about the hour or two o'clock P. M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Joseph Sterling, col. in said election district, as follows:

No. All that lot of land in Asbury Election District, Somerset County, Maryland, containing ¼ acre, more or less, adjoining the lands of J. W. Sterling, col., George Williams, col., E. H. Pruitt and Annie C. Sterling, and assessed to Joseph Sterling col. for 1933 and 1934, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a Maryland corporation , it being the highest bidder therefor, at and for the sum of fifty-eight dollars and eighty-nine cents, now fully paid, and a copy of said advertisement is herewith filed, as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman

County Treasurer and Collector
of State and County taxes.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 26th day of October, 1944, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, Treasurer of said Somerset County, and made oath in due form of law that the matters stated in the foregoing report are true as therein set forth, and that the sale was fairly made.

WITNESS my hand and notarial seal.

Gertrude H. Bozman SEAL OF

Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

By virtue of the power and authority vested in me as County Treasurer of Somerset County, Maryland, by the provisions of the General Assembly of Maryland, I hereby give notice that on Tuesday, August 8, 1935, at the hour of 2 o'clock P. M. , at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the hereinafter described lots or parcels of land situate in Asbury Election District, Somerset County, Maryland, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and costs.

No. All that lot of land in Asbury Election District, Somerset County, Maryland, containing ¼ acre, more or less, with the improvements thereon, adjoining the lands of J. M. Sterling, col., George Williams col., E. H. Pruitt and Annie C. Sterling, and assessed to Joseph Sterling, col. for 1931 and 1932, and sold for taxes due for said years.

Carlos Bozman

Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Joseph Sterling, col. for 1931 and 1932, made and reported by Carlos Bozman, County Treasurer.	)	No. 5975 Chancery In the Circuit Court for Somerset County,
County Commissioners of Somerset County, Maryland, Purchaser.	)	Maryland.

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland, relating to the sale on August 8, 1935, of land in Asbury Election District, said Somerset County, adjoining the lands of J. W. Sterling, col., George Williams, col., E. H. Pruitt and Annie C. Sterling, and containing ½ acre, more or less, and assessed to Joseph Sterling col. for 1931 and 1932, made to the County Commissioners of Somerset County, Maryland, a Maryland corporation, at and for the sum of fifty-eight dollars and eighty-nine cents, now fully paid, having been presented to the Court and examined and it appearing that the provisions of law in relation thereto have been complied with;

It is this 6th day of December, 1944, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before January 2, 1945, warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before February 8th, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $58.89.

Edmond H. Johnson

Judge.

And now at this day to wit, on the 14th day of February, in the year nineteen hundred and forty-five, comes again into Court here, the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Joseph Sterling col., made and reported by Carlos Bozman, Treasurer.	)	NO. 5975 Chancery In the Circuit Court for Somerset County,
County Commissioners of Somerset County, Maryland, Purchaser.	)	Maryland.

It having been proved to the Court that, in the above entitled cause, notice has been given by publication of the order nisi heretofore passed in this cause in the Crisfield Times, a newspaper published in Somerset County, Maryland, according to the terms of said order nisi, and no objective having been filed and no cause to the contrary having been shown, it is this 14th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale of real estate therein reported be and the same are hereby finally ratified and confirmed.

Edmond H. Johnson

Judge.

And thereupon it is ordered by the Court here, that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Geyonne L. Barnes Clerk.

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At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the first Monday in March, it being the 5th day of the same month, in the year of our Lord one thousand nine hundred and forty five.

Were present,

Hon. W. Laird Henry, Jr., Chief Judge.
Hon. Levin C. Bailey, Associate Judge.
Hon. Edmond H. Johnson, Associate Judge.

Murray E. Ward Esq., Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following to wit:

Harry C. Dashiell, Assignee Ex parte under power in Mortgage from Clark Ward to Bank of Crisfield	Be it remembered that heretofore to wit, on the twenty first day of December in the year nineteen hundred and forty four, a certain Harry C. Dashiell of Somerset County and State of Maryland, in his proper person exhibited and filed in the Circuit Court here, the original and assignment of a certain

mortgage executed and delivered to the Bank of Crisfield by a certain Clark Ward of said County and State, which said original mortgage and assignment are in the words following to wit:

THIS MORTGAGE, Made this 20th day of September in the year nineteen hundred and twenty-eight, by Clark Ward, of Somerset County, in the State of Maryland:-

Whereas, the said Clark Ward has this day borrowed from the "Bank of Crisfield" a body corporate existing under the laws of the State of Maryland, the sum of Twelve Hundred Dollars ($1200.00, and have executed and delivered unto the said the "Bank of Crisfield", a body corporate as aforesaid, her promissory note for said sum of Twelve Hundred Dollars ($1200.00), dated evenly herewith, payable to the said the "Bank of Crisfield", a body corporate as aforesaid, two years after date, with interest from date, which said interest is to be pais semi-annually; and whereas, for the purpose of further securing the payment of said sum of money, with interest, and payable as aforesaid, the said Clark Ward has agreed to execute this mortgage.

Now therefore this Mortgage Witnesseth, that in consideration of the premises and the sum of five dollars in hand paid, the said Clark Ward has granted and by these presents does grant and convey unto the said the "Bank of Crisfield", a body corporate as aforesaid, its successors and assigns, all that lot or parcel of land situate, lying and being in the Town of Crisfield, Somerset County, in the State of Maryland, on the North side of the Oil Tank Road adjoining thereon sixty-three (63) feet, and extending therefrom in a Northerly direction, with uniform width, one hundred (100) feet, adjoining the lands of Blanche B. Riggin on the East and adjoining the land of Mary N. Riggin on the North and West,----being the same and all the real estate and premises conveyed unto the said Clark Ward by Mary N. Riggin and Elisha T. Riggin, her husband, by deed bearing date the eighteenth day of February, in the year nineteen hundred and eighteen, and recorded among said Land Records of Somerset County in Liber W.J.S. No. 74 folio 164 etc,--- to which said deed and records special reference is here made for a more accurate description of the lands and premises hereby mortgaged.----------

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee, its successors and assigns forever.

PROVIDED that if the said Mortgagor shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said promissory note, and shall perform all the covenants herein on her part to be performed, then this mortgage shall be void.

And it is agreed that until default be made in the premises, the said Mortgagor shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said Clark Ward does hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable, and it shall be lawful for the said Mortgagee, its successors or assigns, or Clarence P. Lankford, its and their Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash, 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 by advertisement in some newspaper printed in Somerset County, and such other notice as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorney's fee, 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 to 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 by) shall be paid to the said Mortgagor, or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted, and that the said Mortgagor, or any person in her behalf, shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagor covenants to pay the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee, and one-half the commission hereinbefore mentioned to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the event that said property shall be sold under the powers hereby granted or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagor does further covenant to insure, and pending the existence of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least twelve hundred dollars, and to cause the policy to be effected thereonto be so framed or endorsed, as in case of fire, to inure to the benefit of the said mortgagee, its successors and assigns, to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagor shall fail to insure and to keep insured the improvements aforesaid for the benefit of the mortgagee, and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

WITNESS the hand and seal of said mortgagor.

Test: Myrtle V. Gorsuch Clark Ward (SEAL)

STATE OF MARYLAND, Somerset COUNTY to wit:

I HEREBY CERTIFY, That on this 20th day of September in the year nineteen hundred and twenty-eight, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Clark Ward, the mortgagor named in the foregoing mortgage and acknowledged the foregoing mortgage to be her act and deed; and at the same time and place also personally appeared before me Warren F. Sterling, president of the "Bank of Crisfield", mortgagee, and made oath in due form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth.

In testimony whereof, I have hereunto subscribed my name and affixed my notarial seal the day and year aforesaid.

Myrtle V. Gorsuch SEAL OF
Notary Public NOTARY

Received for Record 21st Sept. 1928 and recorded in Liber G.W.L. No. 95, folio 534, one of the Land Records of Somerset County.

Per: Geo. W. Lawson, Clerk.

The Bank of Crisfield, a Maryland Corporation, hereby assigns the within and aforegoing mortgage to Harry C. Dashiell for the purpose of foreclosure and collection.

As witness the corporate seal of the said Bank of Crisfield and the hand of A. Wellington Tawes, the President of said corporation, this 18th day of December, 1944.

Test: J. Coyne Sterling, Cashier The Bank of Crisfield

CORPORATE SEAL

By: A. Wellington Tawes (SEAL)
President

Filed for Record Dec. 21, 1944, and recorded in Liber G.W.L. No. 95, folio 534.

Test: Benjamin L. Barnes, Clerk.

And thereupon the said Harry C. Dashiell, assignee filed in Court here a bond in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, Harry C. Dashiell, as Principal, and A. Wellington Tawes, and J. Coyne Sterling, as Surity, all of Somerset County and State of Maryland, are held and firmly bound unto the said State of Maryland, of the full and just sum of two thousand dollars, ($2000.00), to be paid to the said State of Maryland, or it's certain Attorney, to which payment, well and truly, to be made and done, we bind ourselves, and each of us, our, and each of our heirs, Executors, Administrators, and assigns, jointly and severally, firmly----by these presents, sealed with our seals and dated this 28th day of December, 1944.

WHEREAS, the above boundant Harry C. Dashiell, under and by virtue of the Power of Sale, contained in a Mortgage from Clark Ward, to the Bank of Crisfield, a body corporate, dated September 20, 1928, recorded among the land records of said Somerset County, in Liber GWL 95, folio 534, the said Mortgage having been assigned to the said Harry C. Dashiell, for foreclosure and collection, is about to sell the land and premises described in said Mortgage, default having been made in the payment of the debt therein, specified and in the conditions and covenants therein contained.

NOW THEREFORE, the conditions of the above obligations is such that is the above boundant Harry C. Dashiell does and shall well, truly, and faithfully perform the Trust reposed to him by said Mortgage 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 Mortgage property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force or virtue in law.

As witness the hands and seals of the parties thereto, the day and year above written.

March Term, 1945

TEST: Fred N. Holland

Harry C. Dashiell, Principal (SEAL)
A. Wellington Tawes (SEAL)
J. Coyne Sterling (SEAL)

Which said bond was thus thereon endorsed, to wit:

The within Bond Approved,

Benjamin L. Barnes, Clerk

And thereafter to wit, on the seventeenth day of January, in the year nineteen hundred and forty five, the said Assignee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit so aforesaid filed, are in the words following to wit:

HARRY C. DASHIELL, ASSIGNEE, EX PARTE UNDER POWER IN THE MORTGAGE FROM CLARK WARD, TO THE BANK OF CRISFIELD, ASSIGNED BY THE BANK OF CRISFIELD, FOR COLLECTION AND FORECLOSURE	)	No. 5977 Chancery In the Circuit Court for Somerset County, in Equity.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sales of Harry C. Dashiell, Assignee, of said Mortgage, made and executed by Clerk Ward, to the Bank of Crisfield, a corporation, dated September 20, 1928, and recorded among the land records of said Somerset County, in the State of Maryland, in Liber GWL 95, folio 534, etc., and under and by virtue of the Power of Sale therein contained, default having been made in the payment of the money secured by said mortgage, or in some other covenant or condition of said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents unto your Honors, that after giving bond with security, approved by the Clerk of the said Court, or one of the Judges thereof, for the faithful discharge of the Trust, so as aforesaid, reposed in him by said mortgage, as required by law, and after giving notice of the time, place, manner, and terms of sale, by advertising in the Crisfield Times, a weekly newspaper, published in said Somerset County, once a week for three successive weeks, before the day of sale, and by hand bills posted at the Court House Door, in Princess Anne, in said County and circulated in said County, he did, persuant to said notice, attend in front of the Bank of Crisfield, in Crisfield, Somerset County, Maryland, on Saturday, January 13, 1945, at the hour of two o'clock P.M., and then and there proceed to sell said Real Estate, as follows:

Your Assignee offered for sale, all that lot or parcel of land, situate lying and being in the Town of Crisfield, Somerset County, Maryland, in the said State of Maryland, on the North side of the Old Tank Road, and being 63' on said road, and extending therefrom, with a uniform width, 100' in depth, bounded on the East, by the land of W. Edgar Riggin, on the North, by the land of Wells Todd, and on the West, by the land of Harold Ward and Earl Sterling, and being the same land which was conveyed unto the said Clark Ward, by Mary N. Riggin, and husband, by deed dated February 18, 1918, and recorded among said land records in Liber WJS 74, folio 164.

This property is improved by a two-story frame dwelling.

And your said Assignee sold said Real Estate to Edgar C. Willey and Lydie C. Willey, his wife, they being the highest and best bidders therefor, at and for the sum of twenty-three hundred dollars, ($2300.00), and the said purchasers, have complied with the terms of said sale to the satisfaction of the said Assignee.

All of which is respectfully submitted.

Harry C. Dashiell
Assignee of said Mortgage

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:-

I hereby certify that on this 17th day of January, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared

March Term, 1945

Harry C. Dashiell, Assignee named in the above report of sale, and made oath in due form of law that the matters and things as stated in the aforegoing report 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 the day and year above written.

Jeannette Wilson SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

HARRY C. DASHIELL, ASSIGNEE, EX PARTE, UNDER POWER IN THE MORTGAGE FROM CLARK WARD, TO THE BANK OF CRISFIELD, ASSIGNED BY THE BANK OF CRISFIELD, FOR COLLECTION AND FORECLOSURE	)	No. 5977 Chancery In the Circuit Court for Somerset County, in Equity.

ORDERED, that the sale of the property mentioned in these proceeds, made and reported by Harry C. Dashiell, Assignee, be ratified and confirmed, unless cause to the contrary thereof is shown, on or before the 19th day of February, 1945; provided a copy of this order be inserted in some newspaper printed in said Somerset County, each of three successive weeks, before the 17th day of February, 1945.

The report states the amount of sales to be twenty-three hundred dollars, ($2300.00).

Benjamin L. Barnes
Clerk

And now at this day to wit, on the seventh day of March, in the year nineteen hundred and forty five comes again into Court here the said assignee and on motion of the said assignee the Court here passed the following order, to wit:

HARRY C. DASHIELL, ASSIGNEE, EX PARTE, UNDER POWER IN THE MORTGAGE FROM CLARK WARD, TO THE BANK OF CRISFIELD, ASSIGNED BY THE BANK OF CRISFIELD, FOR COLLECTION AND FORECLOSURE	)	No. 5977 Chancery In the Circuit Court for Somerset County, in Equity.

ORDERED by the Circuit Court for Somerset County, in Equity, this 7th day of March, 1945, that the sale of the Real Estate mentioned in these proceedings made and reported by Harry C. Dashiell, Assignee, 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 since it appears that Harry C. Dashiell, the regular Auditor of this Court, is the Solicitor for the Complainant in this cause, it is further ordered that Jeannette W. Bell be, and she is hereby appointed Special Auditor to state the account in this cause.

Levin C. Bailey,
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

"""""""

March Term, 1945

BANK OF CRISFIELD, A Maryland Corporation vs. Emma R. Wyatt, Josephine C. Hall, Mary Pearl Muir, Blanche Moore, Executrix of the Last Will and Testament of H. Frazier Moore, deceased, and the Marine Bank of Crisfield, a Maryland Corporation.	Be it remembered that heretofore, to wit, on the eighteenth day of October in the year nineteen hundred and forty four, a certain Bank of Crisfield, a Maryland Corporation by Harry C. Dashiell, its solicitor, exhibited and filed in the Circuit Court here a bill of complaint against Emma R. Wyatt, Josephine C. Hall, Mary Pearl Muir, Blanche Moore, Executrix of the Last Will and Testament of H. Frazier Moore, deceased, and the Marine Bank of Crisfield, a Maryland Corporation, which said bill of complaint is in the words following to wit:

BANK OF CRISFIELD, A Maryland Corporation vs. Emma R. Wyatt, Josephine C. Hall, Mary Pearl Muir, Blanche Moore, Executrix of the Last Will and Testament of H. Frazier Moore, deceased, and the Marine Bank of Crisfield, a Maryland Corporation.	No. 5959 Chancery In the Circuit Court for Somerset County, In Equity.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of the Plaintiff, the Bank of Crisfield, a corporation created and existing under the laws of the State of Maryland, which sues for itself, as well as for all of the creditors of Edward P. Wyatt, late of said Somerset County and State of Maryland, deceased, who will come in and contribute to the expenses of this suit, respectfully shows:

FIRST: That at the time of his death, the said Edward P. Wyatt, late of said Somerset County, deceased, was indebted to the Bank of Crisfield, a body corporate, as aforesaid, on a judgment in the amount of $1296.80, collection fee $129.68, and costs $7.00, the said judgment being No. 55 Appearances, September Term, 1934, all of which will appear by copy of said judgment, which is herewith field, marked complaints "Exhibit A".

SECOND: That the said Edward P. Wyatt, being so indebted unto your Orator and unto diverous other persons, departed this life on or about the 15 day of July, 1944, leaving a Last Will and Testament, which has been duly admitted to probate in the office of the Register of Wills, of said Somerset County, under the provisions of which said Last Will and Testament, the said Edward P. Wyatt, devised and bequeated all of his property and estate, real and personal, unto his wife, the said Emma R. Wyatt, one of the defendents herein, and a certified copy of said Last Will and Testament is herewith filed, marked complainants "Exhibit B."

THIRD: That the said Edward P. Wyatt, at the time of his death, was seized and possessed of valuable real estate, situate and being in the Town of Crisfield, in Crisfield Election District, in said Somerset County, and State of Maryland.

FOURTH: That the said Edward P. Wyatt, at the time of his death, left only a small amount of personal property, and your Orator believes and charges that the said personal property, if any, would be entirely insufficient to pay and discharge the debts due and owing by the said deceased, at the time of his death; and that no letters testamentary have ever been issued upon the estate of the said deceased.

FIFTH: That the said Edward P. Wyatt, at the time of his death, was indebted upon three other judgments, the first two both being dated November 1st, 1934; the one, in favor of the defendents, Josephine C. Hall and Mary Pearl Muir, for the amount of $387.07, collection fee $38.70, and costs $7.00, the same being No. 53 Appearances, September Term, 1934, and the other, in favor of Blanche Moore, Executrix of the Estate of H. Frazier Moore, deceased, for the amount of $785.17, collection fee $78.52, and $7.00 costs, the same being No. 54 Appearances, September

Term, 1934; and the third of said judgments in favor of the Marine Bank of Crisfield, dated May 5th, 1935, for the amount of $97.70, collection fee $8.00 and costs $1.76, the same being No. 144, J.M.T. #5.

TO THE END, THEREFORE:

(1) That the said Real Estate of the said Edward P. Wyatt, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of the debts due and owing by the said deceased.

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

MAY IT PLEASE YOUR HONOR, To Grant unto your Orator, the writ of subpoena, directed to the said defendents: Emma R. Wyatt, Josephine C. Hall, Mary Pearl Muir and Blanche Moore, Executrix of H. Frazier Moore, deceased, all adults, and all residing in said Somerset County and State of Maryland, commanding said defendants and each of them, to be and appear in this Court, on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed; and to the Marine Bank of Crisfield, a corporation existing under the laws of the State of Maryland, commanding it to be and appear in this Court, on or before a certain day to be named therein to show cause, if any it has, why a decree ought not to be passed as prayed.

AND AS IN DUTY BOUND, ETC.

Solicitor for Complainant

Exhibit A. referred to in the foregoing bill is in the words following to wit:

Bank of Crisfield	)	In the Circuit Court for Somerset County----Sept. Term 1934. Short
vs.	)	copy of Judgment No. 55 Appearances Damages $1296.80. Costs $7.00
Edward P. Wyatt	)	Collection Fee $129.68 Date of Judgment 1st Nov. 1934 Interest from
	)	date Exemption waived. Test: J. Millard Tawes, Clerk.

Exhibit B. reffered to in the foregoing bill is in the words following to wit:

I. Edward P. Wyatt, of Somerset County, in the State of Maryland, being of sound and disposing mind, memory and understanding, and contemplating the certainty of death, but the uncertainty of the time thereof, do make this my last will and testament, in manner following, that is to say:-

After the payment of all my just debts and funeral expenses, I give, devise and bequeath my estate as follows:-

Item 1. I give, devise and bequeath all my property and estate, of every kind and description, real, personal and mixed, and wheresoever situated, unto my beloved wife, Emma R. Wyatt, her heirs, personal representatives and assigns.

Item 2. I hereby constitute and appoint my said wfie Emma R. Wyatt and Benson W. Sterling, to be the Executors of this my last will and testament, hereby revoking all other wills and codicils by me heretofore made, and as I have entire confidence in my said Executors, I desire that they shall be excused from the necessity of giving bond for the performance of their duties as such Executors.

In testimony whereof, I have hereunto subscribed my name and affixed my seal this 17th day of February, in the year nineteen hundred and forty.

Edward P. Wyatt (SEAL)

Signed, sealed, published and declared by the above named testator as and for his last will and testament, in the presence of us, who at his request, in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses thereto.

J. Coyne Sterling

Myrtle V. Gorsuch

Allison H. Hall

SOMERSET COUNTY, to wit:

July 26, 1944.

THEN CAME Benson W. Sterling and in the presence of Almighty God, solemnly promised and declared that the foregoing instrument of writing is the true and whole last Will and Testament of Edward P. Wyatt, late of Somerset County, deceased, that hath come to his hands or possession and that he doth not know of any other and that the same was delivered to him by the testator.

Before, Florence E. Dryden, Register of Wills for Somerset County.

SOMERSET COUNTY, to wit:

July 26, 1944.

THEN CAME J. Coyne Sterling and Myrtle V. Gorsuch, two of the subscribing witnesses to the foregoing last Will and Testament of Edward P. Wyatt, late of Somerset County, deceased, and they in the presence of Almighty God, solemnly promised and declared that they did see the testator therein named, sign and seal this Will; that they heard him publish, pronounce and declare the same to be his last Will and Testament. That at the time of his so doing, he was, to the best of their apprehension of sound and disposing mind, memory and understanding, capable of executing a valid deed or contract; and that they subscribed their names as witnesses to this Will in the presence, and at the request of the Testator, and in the presence of the other subscribing witness thereto they further deposed that they saw Allison H. Hall subscribe his name as witness to this Will in the presence and at the request of the Testator.

Before, Florence E. Dryden, Register of Wills for Somerset County.

STATE OF MARYLAND, SCT,

In the Orphans' Court for Somerset County:

The Court having carefully examined the above last Will and Testament of Edward P. Wyatt, late of Somerset County, deceased, and also the evidence adduced as to its validity, orders and decrees this 1st. day of August, 1944, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Edward P. Wyatt deceased.

Wm. O. Murray)
J. Henry Bedsworth) Judges of the Orphans' Court for Somerset County.
Lacy V. Bozman)

Test: Florence E. Dryden, Reg. W.S. Co.

STATE OF MARYLAND, SOMERSET COUNTY, SS.

I, Florence E. Dryden Register of Wills and by law keeper of the Seal and of the Records and of the Original Papers of the Orphans' Court of Somerset County, DO HEREBY CERTIFY that the foregoing is a true and full copy of the last Will and Testament of Edward P. Wyatt, late of said county, deceased, taken from the original now on file and the same being one of the Records kept in the office of the Register of Wills for Somerset County.

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the Seal of said Court, this fourteenth day of October, in the year of our Lord, nineteen hundred and forty-four.

Florence E. Dryden
Register of Wills for Somerset County

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenas were issued, to wit:

March Term, 1945

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT

The State of Maryland

To Emma R. Wyatt, Josephine C. Hall, Mary Pearl Muir of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of Bank of Crisfield against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944 ISSUED the 18th day of October Anno Domini 1944.

Per order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT

The State of Maryland

To Blanche Moore, Executrix of H. Frazier Moore, deceased of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of Bank of Crisfield against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anna Domini 1944 ISSUED the 18th day of October Anno Domini 1944.

Per order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT

The State of Maryland

To Marine Bank of Crisfield of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of Bank of Crisfield against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944 ISSUED the 18th day of October Anno Domini 1944.

Per order,

Benjamin L. Barnes, Clerk.

At which said first Monday in November in the year nineteen hundred and forty four came again in the Court here the said complainant by its solicitor, and the sheriff of Somerset County, Murray E. Ward Esq., to whom the writs aforesaid were in form aforsaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the first of said writs: Summoned severally and copy left with each Defendent, Oct. 27, 1944.

Murray E. Ward, Sheriff.

To the second of said writs: Summoned and copy left with Defendent, Oct. 31, 1944.

Murray E. Ward, Sheriff.

To the third of said writs: The within Defendent, the Marine Bank, a Corporation, summoned by service of the within writ upon Wm. M. Wooster, the Vice President of said Corporation, 10/27/1944.

Murray E. Ward, Sheriff.

March Term, 1945.

And thereafrer, to wit, on the first day of November, in the year nineteen hundred and forty four, the following answer was filed to wit:

Bank of Crisfield	)	No. 5959 Chancery
vs	)	Circuit Court for
The Marine Bank of Crisfield	)	Somerset County, Maryland

To the Honorable, the Judge of said Court:

The answer of The Marine Bank of Crisfield to the bill of complaint against it and others in the above cause exhibited respectfully shows:

FIRST; Answering the first, second and fourth paragraphs of said bill of complaint, this defendant neither admits nor denies the allegations set forth, but demands full proff thereof.

SECOND, Answering the third paragraph of said bill this respondent admits the matters therein set forth.

THIRD, Answering the fifth paragraph of said bill, this respondent admits that it recovered judgment against the said Edward P. Wyatt on the 5th day of May, 1936, for the sum of ninety-seven dollars and seventy cents, eight dollars and eighty cents collection fee and one dollar and seventy cents costs, which said judgment is recorded among the records of judgments of Justices of the Peace in Liber J. M. T. No. 5, Item 144. As to the other allegations in said fifth paragraph, this respondent says that it has no knowledge thereof and neither admits nor denies the same, but demands full proof thereof.

And this respondent prays that it be hence dismissed with its proper costs.

Geo. H. Myers

Attorney for respondent.

And thereafter to wit, on the tenth day of November, in the year nineteen hundred and forty four the following answer was filed, to wit:

Bank of Crisfield, a Maryland Corporation,	)	No. 5959 Chancery.
	)	In the Circuit Court for
-vs-	)	Somerset County, Maryland.
Emma R. Wyatt, et al.	)	In Equity.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Blanche Moore, Executrix of the Last Will and Testament of H. Frazier Moore, deceased, to the bill of complaint against her and others exhibited in the above entitled cause, respectfully shows:

That she admits the matters and facts therein alleged and consents to the passage of such decree as to the Court might seem right and proper.

Stanley G. Robins

Solicitor for Blanche Moore,
Executrix of the Last Will
and Testament of H. Frazier
Moore.

And thereafter to wit, on the twenty second day of November, in the year nineteen hundred and forty four, the following affidavit was filed:

Bank of Crisfield, a body corporate	)	No. 5959 Chancery
	)	
Vs.	)	In the Circuit Court for Somerset County, in Equity:
Emma R. Wyatt, et. als.	)	

This is to certify that on this 22nd day of November, in the year nineteen hundred and forty four, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Harry C. Dashiell, Solicitor for the Complainant

in the above entitled cause, and made oath in due form of law that the said respondents, Emma R. Wyatt, Josephene C. Hall and Mary Pearl Muir, are not now in the military or naval service of the United States and have not been in such military or naval service within three years of the filing of this suit.

As witness my hand and Notarial Seal the day and year above written.

Jeannette Wilson SEAL OF
Notary Public NOTARY

And thereafter, to wit, on the twenty second day of November, in the year nineteen hundred and forty four, the said complainant by their solicitor aforesaid, filed in Court here a petition in the words following, to wit:

BANK OF CRISFIELD, A MARYLAND CORPORATION	)	No. 5959 Chancery
VS.	)	In the Circuit Court for Somerset County,
EMMA R. WYATT, ET. AL.	)	in Equity.

The petition of the Plaintiff in the above entitled cause, respectfully represents:

That it appears from the proceedings in said cause, that the said defendents, Emma R. Wyatt, Josephine C. Hall, and Mary Pearl Muir, have been duly summoned to appear to the Bill of Complaint, filed in said cause, but have failed either to appear or answer said cause; and it further appears that the respondent, Blanche Moore, and the respondent, The Marine Bank of Crisfield, a corporation, have appeared in said cause, and have filed an answer therein.

Your Petitioner, therefore prays, your Honor, to pass an order that the said Bill of Complaint be, and the same shall be taken pro confesso against the said defendents, Emma R. Wyatt, Josephine C. Hall, and Mary Pearl Muir, all adults, and all duly summoned, but failing to appear and answer as aforesaid.

Harry C. Dashiell
Solicitor for Complainant

Upon which said petition the Court here passed the following order to wit:

Ordered this 22nd day of November, 1944, by the Circuit Court for Somerset County, in Equity, that the said Bill of Complaint be, and the same is hereby taken pro confesso against the said defendents, Emma R. Wyatt, Josephine C. Hall, and Mary Pearl Muir, all being duly summoned but failing to appear and answer as above set forth.

And it is further ordered that leave be, and it is hereby granted to the parties to this cause, to take testamony in support of the allegation of the Bill of Complaint.

And it is further ordered that Benson W. Sterling be, and he is hereby appointed Special Examiner, to take the depositions in this cause.

W. Laird Henry, Jr.
Judge

And afterwards to wit, on the fifth day of December, in the year nineteen hundred and forty four, Benson W. Sterling, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Bank of Crisfield, a corporation	)	No. 5959 Chancery
vs.	)	In the Circuit Court for
Emma R. Wyatt, et al	)	Somerset County. In Equity

In the above entitled cause, an order having been passed for the taking of testimony to support the allegations for the bill of complaint, I, Benson W. Sterling, an Examiner duly appointed by this Court do hereby certify that on this 4th day of December, 1944, I did take the following depositions, that is, to-say: J. Coyne Sterling, a witness of lawful age, being

first duly sworn, deposing, says:

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

Ans. - J. Coyne Sterling, age 60 years, reside in Crisfield, Somerset County, Maryland, and my occupation is cashier of the Bank of Crisfield.

Int. 2- Do you know the party in this suit, if so, how long have you known them and where do they reside.

Ans.- The complaint, The Bank of Crisfield, is a corporation of which I am the Cashier. I have known the respondent, Emma R. Wyatt, Josephine C. Hall, Mary Pearl Muir and Blanche Moore for quite a number of years. All of these respondents reside here in the Town of Crisfield. The last respondent is The Marine Bank of Crisfield, a banking corporation located here in this town.

Int. 3- Did you or not know Edward P. Wyatt in his life time, is he living or dead, if dead, when did he die and did he or not die intestate?

Ans.- I did know Edward P. Wyatt is his life time, and for a long number of years before his death. He died here in Crisfield about the 15th day of July of this year. He left a Last Will and Testament under the terms of which he devised all his property and estate unto his wife, Emma R. Wyatt, who is one of the defendants in this cause.

(Complainant herewith files, to be used as evidence in this cause, a certified copy of the Last Will and Testament of Edward P. Wyatt, marked Exhibit B)

Int. 4- Please state what real estate the said Edward P. Wyatt owned at the time of his death, describe it and state its value.

Ans.- At the time of his death, Edward P. Wyatt owned an office building situate on the North said of Main Street in the Town of Crisfield, Somerset County, Maryland. This is the same property that Mr. Wyatt occupied as an office for many years during his life time and at the time of his death. The lot is twenty-four (24) feet in width and extends back a distance of one hundred fifty (150) feet to Broad Street. This property is bounded on the East by the land of Aaron Sattz and on the West by the office building now occupied by the F. E. Gardner Insurance Agency. This land was conveyed to the said Edward P. Wyatt by William E. Gibson and wife by deed dated August 14th, 1920, and recorded among the land records of said Somerset County in Liber W.J.S. No. 81, folio 183. This property is improved by a two-story office builing and in my opinion is worth about $1500.00.

Int. 5- Please state what personal property, if any, the said Edward P. Wyatt owned at the time of his death.

Ans.- Mr. Wyatt owned only a very small amount of personal property at the time of his death and it was so small that no administration was ever granted upon his estate.

Int. 6- Please state what debt, if any, Edward P. Wyatt, owned at the time of his death.

Ans.- At the time of his death, Mr. Wyatt was indebted to the Bank of Crisfield on a judgment in the principal amount of $1296.82 with collection fee of $129.60 and costs $7.00. The date of the judgment is November 1st, 1934 and the amount of unpaid interest now due on the judgment is 792.06.

(Plaintiff herewith files with examiner, to be used as evidence in this case, short cope of judgment marked Exhibit A to the Bank of Crisfield from Edward P. Wyatt.)

Mr. Wyatt, I think, was also indebted at the time of his death, on three other judgments. One, Josephine C. Hall and Mary Pearl Muir, No. 53 Appearances, September Term, 1934, dated November 1st, 1934, amount $387.07, collection fee $38.70, costs $7.00: another in favor of Blanche Moore, Executrix of the Estate of E. Frazier Moore, also dated November 1st, 1934, the amount of $785.17, collection fee $78.52 and costs $7.00. The same being #54 Appearances, September Term, 1934. There was also a third judgment against Mr. Wyatt in favor of the Marine

Bank of Crisfield, dated May 5th, 1935, same being #144, J.M.T. No. 5 and for the amount of $97.70, collection fee $8.00 and costs $1.70. I do not know what amount, if any, has been paid on these judgments. They are all on the records and I filed herewith a short copy of all three of these judgments marked Exhibit C, D, and E to be used as evidence in this cause.

Court's question and answer - There is nothing further that I desire to say.

J. Coyne Sterling

Bank of Crisfield, a corporation	)	No. 5959 Chancery
vs.	)	In the Circuit Court for
Emma R. Wyatt, et al	)	Somerset County in Equity

A. Wellington Tawes, a witness of lawful age, being first duly sworn, deposing, says:

Int. 1 - Please state your name, age, residence and occupation.

Ans.- A. Wellington Tawes, I am 55 year of age, reside in Crisfield, Maryland, occupation is President of the Bank of Crisfield.

Int. 2- Do you know the parties to this suit and, if so, how long have you known them?

Ans.- The plaintiff is the Bank of Crisfield, a corporation of which I am President, and I have known the defendants Emma R. Wyatt, Josephine C. Hall, Mary Pearl Muir and Blanche Moore, practically all of my life. The last defendant is the Marine Bank of Crisfield, also a banking corporation located in the Town of Crisfield.

Int. 3- Did you know Edward P. Wyatt in his life time, is he living or dead, if dead, when did he die and did he or not die intestate?

Ans. - I did know Edward P. Wyatt in his life time and knew him for a long time before his death. He died here in Crisfield about July 15th, this year. I have understood that he did leave a Last Will and Testament under the terms of which he devised all of his property to Emma R. Wyatt.

Int. 4- Please state what real estate, if any, the said Edward P. Wyatt owned at the time of his death and describe it and state its value.

Ans.- At the time of his death, Mr. Wyatt owned the two-story frame building on the North side of Main Street in Crisfield, Maryland, which he occupied as an office for a great number of years prior to his death. This lot is twenty-four (24) feet in width and extends back to Broad Street, a distance of One Hundred Fifty (150) feet. It is bounded on the East by the land of Aaron Saltz and on the West by the office building occupied by F. E. Gardner Insurance Agency. This property was conveyed to Edward P. Wyatt by William E. Gibson and wife by deed duly recorded among the land records of said Somerset County and in my opinion it is worth about $1500.00.

Int. 5- Please state what debt, if any, the said Edward P. Wyatt owed at the time of his death.

Ans.- I know that Mr. Wyatt was indebted to the Bank of Crisfield on a judgment in the principal amount of $1296.80, a short copy of the judgment has already been filed in evidence by the previous witness, Mr. Sterling, and the amount due on this judgment is now as stated by Mr. Sterling. I am not familiar with the other judgments entered against Mr. Wyatt, but I have understood that there were three others, two of which were entered as of the same date as the judgment in favor of the Bank of Crisfield, and a third judgment was entered at a later date in favor of the Marine Bank of Crisfield.

Int. 6- What personal property, if any, did Mr. Wyatt own at the time of his death?

Ans.- He left only a small amount of personal estate, in fact, I am not certain that he left any personal estate at all; and at least, it was so small that no administration was ever granted.

Replying to Court's question and answer - There is nothing further that I desire to say:

A. Wellington Tawes

There being no further witnesses produced to me to be examined, I herewith, at the request of the plaintiff's solicitor, return the above deposition to the Court. Closed under my hand and seal and certify that the annexed schedule of costs is correct. Given under my hand and seal this 4th day of December, 1944.

Benson W. Sterling (SEAL)

Examiner in Chancery
Benson W. Sterling

Exhibits "C, D, and E" filed with Examiner are the words following to wit:

Exhibit "C"

Josephine C. Hall and Mary Pearl Muir vs. Edward P. Wyatt	In The Circuit Court for Somerset County, Sept. Term, 1934. Short copy of Judgment No 53 Appearances. Damages $387.08. Costs $7.00. Collection fee $38.70. Judgment Nov. 1, 1934. Interest from date. Exemption waived. Test: Benjamin L. Barnes, Clerk.

Exhibit "D"

The Marine Bank of Crisfield, a body corporate, use of Blanche Moore, Executrix of the estate of Henry Frazier Moore, deceased without recourse, per order filed Sept. 19, 1942. vs. Edward P. Wyatt	In The Circuit Court for Somerset County, Sept. Term, 1934. Short copy of Judgment No. 54 Appearances. Damages $785.17. Costs $7.00. Collection fee $78.52. Judgment Nov. 1, 1934. Interest from date. Exemption waived. Test: Benjamin L. Barnes, Clerk.

Exhibit "E"

The Marine Bank of Crisfield vs. Edward P. Wyatt	In the Circuit Court for Somerset County, Magistrates Docket J.M.T. No. 5, Term, 194__. Short copy of Judgment No. 144. Damages $97.70. Costs $1.70. Collection fee $8.80. Judgment May 5, 1936. Interest from Date. Exemption waived. Test: Benjamin L. Barnes, Clerk.

And thereafter to wit, on the second day of January, in the year nineteen hundred and forty-five the Court here passed the following decree in the premises, to wit:

BANK OF CRISFIELD, A MARYLAND CORPORATION VS. AMMA R. WYATT, ET. AL.	No. 5959 Chancery In the Circuit Court for Somerset County, in Equity.

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

It is thereupon, this 2nd day of January, 1945, by the Circuit Court for Somerset County, in Equity, adjudged, ordered, and decreed that the Real Estate in the proceedings mentioned, or so much thereof, as may be necessary, be sold.

That Harry C. Dashiell, be, and he is hereby appointed Trustee, to make such sale and that the course and manner of his proceedings shall be as follows:

He shall first file in the office of the Clerk of the Circuit Court for Somerset County, in Equity, a bond to the State of Maryland, executed by himself, and a surity of surities to be approved by the said Clerk in the penalty of three thousand dollars, ($3000.00), if individual surity or surities, of ½ of said penal sum if corporate surity, conditions for the faithful performance of the Trust, reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said Real Estate

having first given at least three weeks previous notice, inserted in some newspaper, printed and published in said Somerset County, and such further notice as he may think proper of the time, place, manner, and terms of sale, and the balance of the purchase money to be paid in six months from the day of sale, and the balance of the purchase money to be paid in six months from the day of sale, the deferred payment to bear interest from the day of sale, and the payment thereof, to be secured by the bond of the purchaser, with a surity or surities to be approved by the said Trustee, or all cash at the option of the purchaser or purchasers.

And as soon as may be after such sale or sales, the said Trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale, or sales annexed and on the ratification of such sale or sales by this Court and on the payment of the whole purchase money, (and not before), the said Trustee shall, by a good and sufficient deed, to be executed and acknowledged, according to law, convey to the purchaser or purchasers of said property and to his, her, or their, heirs and assigns, the property to him, her, or them sold, freed, cleared, and discharged, all of the claims of the parties to this cause, and of any person or persons claiming by, from, or under, them. And the said Trustee shall bring unto this Court, the money arising from such sale or sales, and the bonds which may be taken for the same, to be disposed of, under the direction of this Court, after deducting therefrom, the costs of this suit and such commissions to the said Trustee as the Court shall think proper to allow in consideration of the skill, attention, and fidelity, wherewith he shall appear to have discharged his Trust.

And at the time of advertising said sale, the said Trustee shall give notice to any Creditors of the said Edward P. Wyatt, deceased, to file their claims with the vouchers thereof, duly probated according to law, with the Clerk of the Circuit Court for Somerset County, within 60 (sixty), days of said sale or sales.

W. Laird Henry, Jr.
Judge

And thereupon the said Harry C. Dashiell, Trustee, filed in Court here a bond in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, Harry C. Dashiell, Principal, and A. Wellington Tawes and J. Coyne Sterling, Sureties, all of Somerset County and State of Maryland, are held and firmly bound unto the said State of Maryland, in the full and just sum of three thousand dollars, ($3000.00), to be paid to the said State of Maryland, or it's 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, personal representatives, and assigns, firmly, by these presents, sealed with our seals and dated this 11th day of January, 1945.

WHEREAS, the above boundant, Harry C. Dashiell, was, by decree of the Circuit Court for Somerset County, passed on the 2nd day of January, 1945, appointed Trustee, to make sale of the Real Estate of Edward P. Wyatt, deceased, in the case of the Bank of Crisfield, a body corporate, against Emma R. Wyatt, et. als., the same being number 5959 Chancery, now pending in said Court.

NOW, the condition of the above obligation is such that if the above boundant, Harry C. Dashiell do and shall, well and truly, and faithfully, perform the Trust reposed in him by said decree, or that may be reposed in him by any future decree or order, in the premises, then this obligation shall be void; otherwise, to be and remain in full force and virtue in law.

As witness the hands and seals of the parties hereto, the day and year above written.

Harry C. Dashiell, Principal (SEAL)
A. Wellington Tawes (SEAL)
J. Coyne Sterling (SEAL)

March Term, 1945.

Which said Bond was thus thereon endorsed, to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the seventh day of February, in the year nineteen hundred and forty four, the said trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

BANK OF CRISFIELD, A MARYLAND CORPORATION	)	No. 5959 Chancery
VS.	)	In the Circuit Court for Somerset County, in Equity.
EMMA R. WYATT, ET. ALS.	)	

TO THE HONORABLE, THE JUDGES, OF SAID COURT:

The report of sales of Harry C. Dashiell, Trustee, appointed by a decree of this Honorable Court, passed in the above entitled cause, to make sale of the Real Estate therein mentioned, respectfully represents:

That after giving bond with security, for the faithful discharge of the Trust as required by the said decree, and after giving notice of the time, place, manner, and terms of sale, by advertising in the Crisfield Times, a weekly newspaper, printed and published in said Somerset County, once a week for three successive weeks, before the day of sale, and by hand bills, posted at the Court House door at Princess Anne, Maryland, he did, pursuant to said notice, attend in front of the Bank of Crisfield, in Crisfield, Maryland, on Saturday, the 3rd day of February, 1945, at the hour of two P.M., and did then and there proceed to offer said real estate for sale, by Public Auction, as follows:

Your Trustee offered all that lot or parcel of land, situate lying and being on the North side of Main Street, in the Town of Crisfield, in Crisfield Election District, Somerset County, Maryland, the said lot fronting 24' on said Main Street, and extending back a distance of 150' to Broad Street, bounded on the East by the land of Aaron Saltz, and on the West, by the office building now occupied by the F.E. Gardner Insurance Agency; and being the property which was occupied by the late Edward P. Wyatt as an office, and which was conveyed to the said Wyatt by Wm. E. Gibson, by deed dated August 14, 1920, and recorded among the land records of said Somerset County, in Liber WJS 81, folio 183, etc.

This property is improved by a two-story frame office building.

And your said Trustee sold said property to Benson W. Sterling and Hattie A. Sterling, his wife, of said Somerset County, Maryland, they being the highest and best bidders therefor, at and for the sum of fifteen hundred dollars, ($1500.00); and the said purchasers have complied with the terms of said sales by paying the whole amount of said purchase money in cash.

All of which is respectfully submitted.

Harry C. Dashiell
Trustee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:-

I hereby certify that on this 7th day of February, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Harry C. Dashiell, Trustee named in the above report of sales, and made oath in due form of law, that the matters and things stated in the aforegoing report of sales are true as therein stated, to the best of his information, knowledge, and belief, and that the sale therein reported was fairly made.

As witness my hand and Notarial Seal the day and year above written.

Jeannette Wilson SEAL
Notary Public OF NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

BANK OF CRISFIELD, A MARYLAND CORPORATION.	)	No. 5959 Chancery
VS.	)	In the Circuit Court for Somerset County,
EMMA R. WYATT, ET. ALS.	)	in Equity.

ORDERED that the sale of the real estate mentioned in these proceedings made and reported by Harry C. Dashiell, Trustee, aforesaid, be ratified and confirmed, unless cause to the contrary thereof, is shown on or before the 10th day of March, 1945; providing a copy of this order be inserted in some newspaper, published in said Somerset County once in each of three successive weeks before the 9th day of March, 1945.

The report states the amount of sales to be $1500.00.

Benjamin L. Barnes, Clerk.

And now at this day, to wit, on the thirteenth day of March, in the year nineteen hundred and forty-five, came again into Court here the said complainant, by their solicitor aforesaid, and on motion of the said complainant, by their solicitor aforesaid, the Court here passed the following order, to wit:

ORDERED by the Circuit Court for Somerset County, in Equity, this 13th day of March, 1945, that the sale of the real estate mentioned in these proceedings made and reported by Harry C. Dashiell, Trustee, aforesaid, 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, passed in said cause.

And since it appears that Harry C. Dashiell, the Auditor of this Court, is the Solicitor for the Complainant, in this cause, it is further ordered that Jeannette W. Bell be, and she is hereby appointed Special Auditor to state the account in this cause.

Levin C. Bailey

Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

"""

March Term, 1945.

Beatrice Lundgren, Marie Howard, Thelma Evans William Roach, Beulah Roach, Mollie Sumers, Weldon Roach, Cora Ward	)	Be it remembered that heretofore, to wit,
	)	on the fourteenth day of July in the year
Vs	)	nineteen hundred and forty four a certain
George W. Roach, Joyce Jones, Betty Jane Roach, Shirley Rae Roach	)	Beatrice Lundgren, Marie Howard, Thelma
	)	Evans, William Roach, Beulah Roach, Mollie

Sumers, Weldon Roach, and Cora Ward by L. Creston Beauchamp, their Solicitor, exhibited and filed in the Circuit Court here a bill of complaint against George W. Roach, Joyce Jones, Betty Jane Roach, and Shirley Rae Roach which said bill of complaint is in the words following to wit:

Beatrice Lundgren, Marie Howard, Thelma Evans, William Roach, Beulah Roach, Mollie Sumers, Weldon Roach, Cora Ward	)	No. 5933 Chancery
	)	In the Circuit Court
vs.	)	of Somerset County,
George W. Roach, Joyce Jones, Betty Jane Roach, Shirley Rae Roach	)	Maryland.
	)	

To the Honorable, the Judge of said Court:

Your orators, complaining, say:

1. That George Roach, late of said Somerset County, Maryland, deceased, was in his lifetime, and at the time of his death, seized and possessed, in fee simple, of certain land in Lawson Election District, Somerset County, Maryland, on the west side of a road leading back from the south side of the state road leading to Crisfield, adjoining the lands of Jessie Evans, Sidney Roach and Luther Sterling and containing four acres, more or less, which was conveyed to the said George Roach by W.B. McCready and wife by deed recorded among land records of Somerset County in Liber S.F.D. No. 54, folio 226; and by deed from E.L. Nelson, recorded in Liber W.J.S. No. 78, folio 452.

2. That being so seized and possessed the said George Roach departed his life, intestate, on the 7th day of January, 1937, without leaving a widow surviving him, and leaving the following as his only heirs at law;

Your oratrix, Beatrice Lundgren, adult, resident of said Somerset County, the widow of William Roach, a deceased son of said George Roach.
Your oratrix, Marie Howard, adult, resident of Kearny, New Jersey, daughter of said William Roach.
Your oratrix, Thelma Evans, adult, resident of said Somerset County, daughter of the said William Roach.
Your orator, Weldon Roach, adult, resident of said Somerset County, son of the said William Roach.
Your oratrix, Beulah Roach, adult, resident of said Somerset County, daughter of said William Roach.
The defendant, Joyce Jones, minor, resident of Whittman, Maryland, daughter of the said William Roach.
The defendant, Betty Jane Roach, minor, resident of said Somerset County, daughter of said William Roach.
The defendant, Shirley Rae Roach, minor, resident of said Somerset County, daughter of the said William Roach.
Your oratrix, Mollie Somers, adult, resident of said Somerset County, the widow of Howard Roach, a deceased son of Howard Roach.
Your orator, Weldon Roach, adult, resident of Woodbridge, New Jersey, son of the said Howard Roach.
Your oratrix, Cora Ward, adult, resident of said Somerset County, a daughter of said deceased son Howard Roach.
The defendant, George W. Roach, adult, non-resident of Maryland, residing in New Jersey, a son of the said George Roach, deceased.

3. That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein, as above stated, and that in order to make divisions of said interests it will be necessary that the property be sold and the proceeds therefrom be divided among the said parties entitled thereto according to their respective interests therein; but your orators are unable to obtain adequate relief or make sale of said real estate without aid of the Honorable Court.

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 among the parties entitled to interests therein according to their respective interests.

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

May it please Your Honor to grant unto your orators the order of publication giving notice to the said George W. Roach, adult, a non-resident of Maryland, supposed to be residing in the State of New Jersey, of the object and substance of this bill, and warning him 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 passed as prayed, and also the writ of subpoena directed to the said Joyce Jones of Whittman, Maryland, Betty Jane Roach of Crisfield, Maryland, and Shirley Rae Roach of Crisfield, Maryland, all infants, commanding them and each of them to be and appear in this court, in person or by solicitor, on some certain date to 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.

L. Creston Beauchamp,
Solicitor for Plaintiffs

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here the following Order of Publication was issued:

Order of Publication

Beulah Roach and others	)	No. 5933 Chancery
vs	)	In the Circuit Court of Somerset County, Maryland
George Roach and others	)	

The object of this suit is to procure a decree for the sale in Lawson Election District, Somerset County, Maryland.

The bill states that George Roach departed his life on January 7, 1937 intestate, and at the time of his death was the owner of real estate in Lawson Election District, Somerset County, on the west side of a road leading from the south side of the state road leading to Crisfield, adjoining the lands of Jessie Evans, Sidney Roach and Luther Sterling and containing four acres more or less; that the said George Roach left surviving him now widow and the following as his only heirs at law: Beatrice Lungdren, Marie Howard, Thelma Evans, William Roach, Beulah Roach, Joyce Jones, Betty Jane Roach and Shirley Rae Roach, the widow and children of William Roach, a deceased son of the said George Roach, deceased; Mollie Somers, Weldon Roach and Cora Ward, the widow and children of Howard Roach, a deceased son of the said George Roach, deceased; and George W. Roach, a son of the said George Roach, deceased; that the plaintiffs, Beatrice Lungdren, Thelma Evans, William Roach, Beulah Roach, Mollie Somers, and Cora Ward, are all adults and residents of said Somerset County; that the plaintiff, Marie Howard, adult, is a resident of Kearney, New Jersey; that the plaintiff, Welson Roach, adult, is resident of Woodbridge, New Jersey; that the defendant, George Roach, adult, resides in the state of New Jersey and is a non-resident of Maryland. The defendant, Joyce Jones, is an infant residing in Whittman, Maryland; that the defendants, Betty Jane Roach, and Shirley Rae Roach, are both minors and residents of said Somerset County.

The bill further states that the said real estate is not susceptible of division without material loss and injury to the parties entitled to interests therein, and that in order to make division of said interest it will be necessary that that said real estate be sold and the proceeds be divided among the parties entitled, according to their respective interests therein.

It is thereupon, this 14th day of July, 1944, by the Circuit Court of Somerset County, Maryland, in Equity, ordered that the plaintiffs, by causing a copy of this order to be published in some newspaper in said Somerset County once a week for four successive weeks before August 19, 1944, give notice to the said non-resident defendant of the object and substance of the bill warning him to appear in court in person or by solicitor on or before the 5th day

of September, 1944, to show cause, if any he has, why objective decree ought not be passed as prayed.

Benjamin L. Barnes, Clerk.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenas were issued, to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT — The State of Maryland

To Betty Jane Roach, infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Beulah Roach and others against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the third day of July Anno Domini 1944. ISSUED the fourteenth day of July Anno Domini 1944.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT — The State of Maryland

To Shirley Rae Roach, an infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Beulah Roach, and others against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Marylahd, the third day of July Anno Domino 1944. ISSUED the fourteenth day of July Anno Domini 1944.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT — The State of Maryland

To Joyce Jones, an infant of Talbot County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Beulah Roach and others against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Court of Maryland, the third day of July Anno Domini 1944. ISSUED the fifteenth day of July Anno Domini 1944.

Per order

Benjamin L. Barnes, Clerk.

At which said first Monday in August, in the year nineteen hundred and forty four and the day of the return of the above recited writs, came again in the Court here the said complainants by their solicitor, and the sheriff of Somerset County, Murray E. Ward, Esq., to whom the first two writs aforesaid were, in form aforsaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the first of said writs: The within defendant, Betty Jane Roach, an infant summoned by service of the within writ upon her and upon Sarah A. Roach, the mother of said infant, and a copy of said summons left with said mother and with said infant.

Murray E. Ward, Sheriff, August 3, 1944.

To the second of said writs: The within defendant, Shirley Rae Roach, an infant summoned by service of the within writ upon her and upon Sarah A. Roach, the mother of said infant, and a copy of said summons left with said mother and with said infant.

Murray E. Ward, Sheriff, Aug. 3, 1944.

And at the same time also the Sheriff of Talbot County to whom the third writ was directed, also came and made return thereof to the Court here in the words following, to wit:

To the third of said writs: Joyce Jones, infant, summoned by service upon the said Joyce Jones and copy left with her, and summons served on and copy left with Ray Jones, husband and next friend of Joyce Jones.

Earl M. Clague, Sheriff, Talbot County.

And thereafter, to wit, on the eighteenth day of October the said complainants by their solicitor aforsaid, filed in Court here a petition in the words following, to wit:

Beulah Roach and others	)	No. 5953 Chancery
vs.	)	In the Circuit Court for Somerset County, Md.
George Roach and others	)	
	)	

To the Honorable, the Judge of said Court.

The petition of the plaintiffs in the above cause respectfully represents:

That Shirley Rae Roach, Joyce Jones and Betty Jane Roach, three of the defendants in the above cause, have been duly summoned, but, being infants, they cannot answer and defend this suit for themselves, and have no guardian within the jurisdiction of this Court to answer and defend for them.

The plaintiffs therefore pray Your Honor to appoint a guardian ad litem to appear and answer for said infants.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for plaintiffs

Upon which said petition the Court here passed the following order to wit:

Upon the foregoing petition, it is ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 18th day of October, 1944, that Frances B. Bloodsworth be, and she is hereby appointed guardian ad litem to appear and answer for Betty Jane Roach, Shirley Rae Roach and Joyce Jones, the infant defendants in the above cause.

Edmond H. Johnson
Judge

And thereupon the said Frances B. Bloodsworth, as guardian specially appointed, filed in Court here the following answer, to wit:

Beulah Roach and others	)	No. 5933 Chancery
vs.	)	In the Circuit Court for Somerset County, Md.
George Roach and others	)	

To the Honorable, the Judge of said Court.

The answer of Betty Jane Roach, Shirley Rae Roach and Joyce Jones, the infant defendants in the above cause, by Frances B. Bloodsworth guardian ad litem appointed by this Court, to the bill of complaint of Beulah Roach and others against the said infants and George Roach is said cause exhibited.

These defendants, for answer to the said bill of complaint, by their said guardian, answer

and say that, being ignorant of the matters charged therein, and being infants of tender years, they cannot admit any of the allegations of the said bill, but submit their rights to the protection of this Honorable Court.

And as in duty bound, etc.

Frances B. Bloodsworth
Guardian ad litem

And afterwards to wit, the said complainants by their solicitors aforesaid, filed in Court his petition; which petition is in the words following, to wit:

Beulah Roach and others	)	No. 5933 Chancery
vs.	)	In the Circuit Court for Somerset County, Md.
George Roach and others	)	

To the Honorable, the Judge of said Court.

The petition of the plaintiffs in the above cause respectfully represent that the order of publication heretofore passed in this cause has been published according to its provisions, and that the said George Roach, the adult non-resident defendant therein, has failed to appear or answer; and it appearing that the three infant defendants, Betty Jane Roach, Shirley Rae Roach and Joyce Jones, have been summoned severally and have all filed their answer by their guardian ad litem, duly appointed by this Court;

The plaintiffs therefor pray the Court to pass a decree pro confesso against the said non-answering George Roach; and, also, to pass an order to take testimony in said cause.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for plaintiffs

Upon which said petition the Court here passed the following order to wit:

Beulah Roach and others	)	No. 5933 Chancery
vs.	)	In the Circuit Court for Somerset County, Md.
George Roach and others	)	

It appearing in the above entitled cause that the order of publication heretofore passed therein has been duly published according to its provisions, and that the said George Roach, the adult non-resident defendant mentioned therein, has failed to appear or answer; and, it further appearing that Betty Jane Roach, Shirley Rae Roach and Joyce Jones, the three infant defendants named in said bill, have been summoned severally and have filed their answers by a guardian ad litem appointed by this Court;

It is, thereupon, this 18th day of October, 1944, upon the foregoing petition, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the bill of complaint in said cause be and the same is hereby taken pro confesso against the said George Roach, adult non-answering defendant.

And it is further ordered that the plaintiffs have leave to take testimony before one of the standing examiners of this Court.

Edmond H. Johnson
Judge

And afterwards to wit, on the ninth day of November in the year nineteen hundred and forty four, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following, to wit:

Beatrice Lundgren, Cora Ward et als.	)	No. 5933 Chancery
vs.	)	In the Circuit Court for
George W. Roach and others	)	Somerset County, Maryland

March Term, 1945.

In this case, an order having been passed for testimony to be taken to support the allegations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, do hereby certify that on this 8th day of November, 1944, I took the following testimony in said county, Cora Ward, a witness of lawful age, produced on the part of the plaintiff, deposes and says:

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

Ans. Cora Ward, 29 year, Crisfield, Maryland, Operator.

2. Int. Please state if you knew George Roach, and whether he is living or dead; and, if dead, did he or not die intestate.

Ans. George W. Roach was my grand-father and lived at Mariner's near Crisfield, until his death in January, 1937, leaving no will.

3. Int. Please state is George W. Roach left any real estate at his death; if so, its location and value, and name his heirs at law.

Ans. My grand-father had a house and lot in Lawson Election District, near Mariner's, back from the south side of the state road leading to Crisfield, containing four acres, more or less, which he purchased from W. B. McCready and wife and from E. L. Nelson. It is worth, in my opinion, six hundred dollars. My grand-father left a widow who has since died and the following who are his heirs at law:

A son, the defendant, George W. Roach, adult, residing in New Jersey;
Your oratrix, Beatrice Lundgren, adult, of Somerset County, widow of William Roach, a deceased son of George W. Roach;
Marie, Howard, adult, daughter of William Roach, deceased, of said Somerset County;
Thelma Evans, adult, daughter of the said William Roach, resident of said Somerset County.
William Roach, adult, son of the said William Roach, resident of said Somerset County;
Beulah Roach, adult, daughter of said William Roach, resident of said Somerset County;
Joyce Jones, minor, daughter of said William Roach, resident of Whittman, Maryland;
Betty Jane Roach, minor, daughter of said William Roach, resident of said Somerset County;
Shirley May Roach, minor, daughter of said William Roach, resident of said Somerset County;
Mollie Somers, adult, widow of Howard Roach, a deceased son of said George W. Roach;
Weldon Roach, adult, son of the said Howard Roach, resident of Woodbridge, New Jersey;
Cora Ward, adult, daughter of the said Howard Roach, resident of said Somerset County.

4. Int. Please state if, in your opinion, the property can be divided equally among those entitled, or, will it have to be sold and the proceeds divided?

It would have to be sold and the money divided.

Court Question and Answer: No, that is all.

Test: Harry C. Dashiell
Exm.

Mrs. Cora Ward

Lillian P. Nelson, a witness of lawful age, being sworn, deposes and says:

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

A. Lillian P. Nelson, Crisfield, Maryland, R.F.D., 59 yrs.; House-wife.

2. Int. Did you know George W. Roach; is he living or dead; and, if dead, what if any property did he leave?

Ans. I knew Mr. Roach quite well. He lived all of his life very near my home. He died several years ago, and left, or owned a home near Bedsworth's Corner and four acres of land, worth about six hundred dollars. I understand he did not leave a will.

3. Int. Please state whether you think the property can be equally divided between those entitled, or will it have to be sold and the proceeds divided.

Ans. It would have to be sold and the proceeds divided. Court question and answer. Nothing further.

Test: Harry C. Dashiell
Exm.

Lillian P. Nelson

There being no further witnesses to be examined, at the suggestion of the plaintiff, the papers are herewith returned to the Court.

Harry C. Dashiell (SEAL)
Examiner

And thereupon the said L. Creston Beauchamp, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, L. Creston Beauchamp, of Somerset County, Maryland, principal, and The Maryland Casualty Company, a Maryland corporation, surety, are held and firmly bound unto the State of Maryland in the sum of one thousand dollars, 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 __ day of December, nineteen hundred and forty-four.

WHEREAS, the above bound L. Creston Beauchamp, by virtue of a decree of the Circuit Court for Somerset County, Maryland, in Equity, has been appointed trustee to sell the real estate mentioned in the proceedings in the case of Beulah Roach and others against George Roach and others, the same being No. 5933 on the Chancery Docket of said Court;

NOW, therefore, the condition of the above obligation is such that if the above bound L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the premises, then the above obligation shall be void; otherwise, to be and remain in full force in law.

Test: L. Creston Beauchamp, Principal (SEAL)

Benjamin L. Barnes MARYLAND CASUALTY COMPANY,

by

L. C. Beauchamp, Attorney in Fact

Which said bond was thus thereon endorsed, to wit:

Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the seventeenth day of February, in the year nineteen hundred and forty five, the said Trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Beulah Roach and others	)	No. 5933 Chancery
vs.	)	In the Circuit Court for Somerset County,
George Roach and others	)	Md.

To the Honorable, the Judge of said Court.

The report of L. Creston Beauchamp, Trustee of the above entitled cause, appointed by a decree of this Court dated November 29, 1944, to make sale of the real estate mentioned, respectfully shows:

That by virtue of the power and authority contained in said decree and after having given bond with approved security, as required by law, conditioned upon the faithful performance of the trust reposed in him by said decree, and after having given at least twenty-one days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Post, a weekly newspaper published in said county and by handbill posting at the Court House door in said county, he did, in pursuance of said notice, attend in front of the post office in Crisfield, Maryland, on Friday, January 5, 1945, at the hour of 2:00 o'clock P.M., and then and there proceded to sell at public auction the following described property mentioned in said decree, namely:

He offered all that house and four acres of land situate, lying and being in Lawson Election District, Somerset County, Maryland, on a line leading from the old state road from Hopewell to Crisfield, adjoining the lands of Jessie Evans, Eugene Sterling, Edmund Sterling, and Alonzo Sterling; being the same and all the land which was conveyed to George Roach by the two follow-

ing deeds:

(1) Deed from W. B. McCready and wife dated June 18, 1910, recorded among the land records of said Somerset County, Maryland, in Liber SFD No. 54, Folio 226; and

(2) Deed from E. L. Nelson dated July 7, 1919, recorded among said land records in Liber WJS No. 79, Folio 452, and sold the same to Alonzo T. Sterling, he being the highest bidder therefor, at and for the sum of four hundred dollars, which he has paid in cash.

And the Trustee prays a ratification of his proceedings in the premises.

All of which is respectfully submitted.

L. Creston Beauchamp,
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify that on this 17th day of February, 1945, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp, the Trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk of Court

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Beulah Roach and others	)	No. 5933 Chancery
vs.	)	In the Circuit Court for Somerset
George Roach and others	)	County, Md.

Ordered by the Circuit Court for Somerset County, Maryland, in Equity this 17th day of February, 1945, that the report of L. Creston Beauchamp, Trustee mentioned in the aforegoing report of sale, and the sale of real estate by him reported, be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before March 20, 1945; provided a copy of this order be inserted in some newspaper printed in said Somerset County, Maryland, once in each of three successive weeks before March 17, 1945.

The report states the amount of sale to be four hundred dollars.

Benjamin L. Barnes
Clerk of Court

And now at this day to wit, on the thirty-first day of March in the year nineteen hundred and forty five, came again into Court here the said complainant, by its solicitor aforesaid, and on motion of the said complainant, by its solicitor aforesaid, the Court here passed the following order, to wit:

In the above cause, it having been proved to the Court that a copy of the preceding Order Nisi has been published according to its provisions, and no exceptions having been filed and no cause to the contrary having been shown, it is this 31st day of March, 1945, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity that the within report of L. Creston Beauchamp, Trustee, and the sale by him reported be and the same are hereby finally ratified and confirmed.

Levin C. Bailey
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

""

March Term, 1945.

Lake S. Matthews	)	Be it remembered that heretofore, to wit, on the first day of Aug-
vs.	)	ust, in the year nineteen hundred and forty four, a certain Lake S.
James Waters, Lewis Williams, Lily Logan and Eleanor West	)	Matthews, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here a bill of complaint against James Waters, Lewis Williams, Lily Logan and Eleanor West, which said

bill of complaint is in the words following, to wit:

Lake S. Matthews	)	No. 5939 Chancery
vs.	)	In the Circuit Court for Somerset County,
James Waters, Lewis Williams, Lily Logan and Eleanor West	)	Maryland.

To the Honorable, the Judge of said Court.

The Bill of Complaint of Lake S. Matthews, of Somerset County, Maryland, who sues as well for himself as for all other creditors of Charles Smith, late of said Somerset County, deceased, who will come in and contribute to the expenses of this suit, respectfully represents:

1. That your orator is the owner of a Judgment against Charles Smith dated September 20, 1933, recorded among the Judical Records of said Somerset County, as No. 37 Trials, July Term, 1934, for the sum of six hundred and ninety-four dollars and thirty-five cents and sixteen dollars cost, as will more fully appear as a certified copy of the said Judgment, filed as a part of this bill marked Exhibit A.

2. And that the said Charles Smith, being so indebted as aforesaid unto your orator and also unto divers other persons, and having no personal estate of any value, and upon which no administration was ever had, but having real estate of considerable value in Brinkley's Election District, Somerset County, Maryland, which was conveyed to the said Charles Smith by Grover Matthews and wife, by deed dated September 21, 1917, recorded among land records in Liber W.J.S. No. 74, folio 102, departed this life on or about July 15, 1944, intestate, leaving surviving him as his only heirs at law the following:

A brother, James Waters, adult, of Fairmount, said Somerset County; Lewis Williams, adult, of Fruitland, Wicomico County, Maryland, Lily Logan, adult, 2121 North Twenty-ninth Street, Philadelphia, Pennsylvania, and Eleanor West, adult, 1016 Edmondson Ave., Baltimore, Maryland, nephew and neices of Myra Williams, a deceased sister of the said Charles Smith, deceased.

3. Your orator further charges that no administration was ever had on the personal estate of the said Charles Smith, and that the same is not sufficient to pay the cost of administration and the debts due and owing by the said Charles Smith at the time of his death, and your orator is informed that he is entitled to have the real estate of the deceased, sold for the payment of his claim and of the claims of the other creditors of the said deceased, but your orator is unable to obtain adequate relief without the aid of this Honorable Court.

To the end, therefore;-

A. That the defendants hereinafter named may answer the several matters and things hereinbefore set forth.

B. That the aforesaid real estate or so much thereof as may be necessary, may be decreed to be sold for the payment of the aforesaid debt of your orator, and of the other creditors of the said deceased.

C. That your orator may have such other and further relief as his case may require.

May it please your Honor to grant unto your orator the order of publication giving notice to the said Lily Logan, adult, non-resident of Maryland, residing in Philadelphia, Pennsylvania, of 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, in any she has, why a decree ought not to be passed as prayed; and also the writ of subponea directed to the said

March Term, 1945.

James Waters, adult, Fairmount, Somerset County, Maryland; Lewis Williams, adult, Fruitland, Wicomico County, Maryland, and Eleanor West, adult, 1016 Edmondson Ave., Baltimore, Maryland, commanding them and each of them to be and appear in this Court, in person or by solicitor, on some certain day to be named, therein, to show cause, if any they have, why decree ought not be passed as prayed.

L. Creston Beauchamp,
Solicitor for Plaintiff

Exhibit "A" referred to in the foregoing bill is in the words following, to wit:

Josephine Matthews to the use of Grover Matthews per order filed use of Lake S. Matthews, per order filed Dec. 10, 1940.	)	No. 37 Trials
	)	July Term, 1934.
	)	In the Circuit Court for Somerset County, Maryland.
vs.	)	
Charles Smith	)	

1933 Sept. 20 Scire Facias on judgment dated 26th Nov. 1921
for $406.05 with interest from date & costs $7.00.
Exemption waived.
1934 April 9 Fiat nisi.
" July 9 Fiat.

STATE OF MARYLAND, SOMERSET COUNTY, to wit:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, hereby certify that the foregoing is a true and correct copy of the judgment and docket entries in the above entitled case in this Court.

I, further certify that there is no entry or proceeding to show that the above judgment has been satisfied in whole or in part.

In testimony whereof I hereunto subscribe my name and affix the Seal of said Court this first day of August, A.D. 1944.

Seal of Court

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland.

And thereupon, in pursuance of the prayer of the aforegoing bill, and by order of Court here, the following subpoenas were issued to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT — The State of Maryland

To Eleanor West of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Lake S. Matthews against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the third day of July Anno Domini 1944. ISSUED the first day of August Anno Domini 1944.

Per order,
Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT — The State of Maryland

To Lewis Williams of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne

Town, on the first MONDAY in August next to answer the complaint of Lake S. Matthews against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the 3rd day of July Anno Domini 1944 ISSUED the 1st day of August Anno Domini 1944.

Per order,

Benjamin L. Barnes, Clerk.

At which first Monday in August, in the year nineteen hundred and forty four and the day of the return of the above recited writs came again into Court here the said complainant by his solicitor and the Sheriff of Baltimore City, Joseph C. Deegan Esq., to whom the first writ aforesaid was, in form aforsaid delivered for service also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs Non Est

Joseph C. Deegan, Sheriff

At the same time also came in the Court here the Sheriff of Wicomico County, L. H. Brewington, Esq., to whom the second writ was directed and made return as follows: Summoned Lewis Williams and copy of subpoena left with him this 4th day of August, 1944.

L. H. Brewington, Sheriff

And afterwards to wit, on the fourteenth day of August nineteen hundred and forty four the following answer was filed:

Lake S. Matthews	)	No. ____ Chancery
vs.	)	In the Circuit Court for Somerset County,
James Waters and others	)	Maryland

To the Honorable, the Judge of said Court.

The answer of Lily Logan, adult, one of the defendants in the Bill of Complaint of Lake S. Matthews against her and others in this Court Exhibited.

Your defendant admits the matters and facts stated in the Bill of Complaint and consults to the passage of such decree therein as may be.

And as in duty bound, etc.

Lilly Logan

And thereupon in pursuance of the prayer of the foregoing bill and by order of Court here the following subpoenas were issued to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT

The State of Maryland

To Eleanor West or Ella West of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in September next to answer the complaint of Lake S. Matthews against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the 3rd day of July Anno Domini 1944 ISSUED the 19th day of August Anno Domini 1944.

Per order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT

The State of Maryland

To James Waters of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Lake S. Matthews against you &

others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944 ISSUED the 6th day of September Anno Domini 1944.

Per order,

Benjamin L. Barnes, Clerk.

And now on the first Monday in September nineteen hundred and forty four came in the Court here the Sheriff of Baltimore City, Joseph C. Deegan Esq., to whom the first of the above writs were directed and made return thereof as follows: Summoned and a Copy of the Process left with the Defendant.

Joseph C. Deegan, Sheriff

And now on the first Monday in October nineteen hundred and forty four came again in the Court here Murray E. Ward Esq., Sheriff of Somerset County, to whom the second of the above writs was directed and made return thereof, as follows: Summoned and Copy left, Sept. 21, 1944.

Murray E. Ward, Sheriff, Woodland Jackson, Deputy.

And afterwards to wit, on the ninth day of December nineteen hundred and forty four the following affidavit was filed:

State of Maryland, Somerset County, to wit:

I hereby certify that on this 8th day of December, 1944, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Lake S. Matthews who made oath in due form of law that Lewis Williams, Fruitland, Maryland, Eleanor West, Baltimore Maryland, and James Waters, Somerset County, Maryland, are not engaged in or employed by the Military Service of the United States of America.

In testimony whereof, I hereunto subscribe my name and affix my notarial seal the day and year aforesaid.

Geo. A. Green

Notary Public

And thereafter to wit, on the thirteenth day of December in the year nineteen hundred and forty four the said complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

Lake S. Matthews	)	No. 5939 Chancery
vs.	)	In the Circuit Court for Somerset County, Md.
James Waters and others.	)	

To the Honorable, the Judge of said Court.

The petition of the plaintiff respectfully represents that Lewis Williams, Eleanor West and James Waters, three adult defendants herein, have been duly summoned to the bill of complaint in this cause, and have failed to file their answer or appear to said bill within the time required by this Court:

And that Lily Logan, one of the adult defendants, has filed her answer to said bill of complaint.

The plaintiff prays the Court to pass a decree pro confesso against the said Lewis Williams, Eleanor West and James Waters, adults and non-answering defendants; and, also, to pass an order to take testimony in said cause.

And as in duty bound, etc.

L. Creston Beauchamp,

Solicitor for plaintiff.

Upon which said petition the Court here passed the following order, to wit:

It appearing in the above cause that the adult defendants, Lewis Williams, Eleanor West

and James Waters, have been duly summoned, and have failed to appear or answer; and, it further appearing that Lily Logan, adult defendant in said bill, has filed her answer thereto;

It is, this 13th day of December, 1944, upon the foregoing petition, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the bill of complaint in the above cause be, and the same is hereby taken pro confesso against the said Lewis Williams, Eleanor West and James Waters, adult non-ansering defendants.

And it is further ordered that the plaintiff have leave to take testimony before one of the standing examiners of this Court.

Edmond H. Johnson
Judge

And afterwards, to wit, on the eighteenth day of January in the year nineteen hundred and forty five, Harry C. Dashiell, Examiner in Chancery to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof, in the words following, to wit:

Lake S. Matthews	)	No. 5939 Chancery
vs.	)	In the Circuit Court for Somerset County,
James Waters, Lewis Williams, Lily Logan and Eleanor West.	)	Maryland.
	)	

An order having been passed in this cause to take testimony to support the allegations of the bill, I, Harry C. Dashiell, one of the standing examiners of this Court, do hereby certify that on this ____ day of November, 1944, in said Somerset County, I took the following testimony, to wit:

Lake Matthews, a witness of lawful age, produced on the part of the plaintiff, being sworn, deposes and says:

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

Ans. Lake S. Matthews; 28 years; Marion, Md.; Farmer.

2. Did you know Charles Smith? If so, is he living or dead, and, if dead, who are his heirs at law?

Ans. I knew Charles Smith, who died on July 15, 1944. He left no will, and he left a brother, James Waters, adult, resident of Manokin, Somerset County, Maryland; and he had one sister, Myra Williams, who died leaving as her only heirs a son, Lewis Williams, adult, resident of Fruitland, Maryland; a daughter, Lily Logan, adult, resident of Philadelphia, Pennsylvania; and a daughter, Eleanor West, adult, resident of Baltimore, Maryland. These are his only heirs at law.

3. Was Charles Smith indebted to you at his death? If so, for how much, and what, if any part, of that debt has been paid?

Ans. Charles Smith owed me a judgment, dated September 20, 1933, on which was due $694.35, with interest from that date and costs. I figure that he now owes me $1150., with the costs of the case. No part of this money, principal or interest, has never been paid.

4. Int. State what, if any personal property Charles Smith left at his death; if none, what property did he own?

Ans. He left no personal property of any kind, and no administration was ever had. He did leave a house and five acres of land in Brinkley's Election District, Somerset County, Maryland, on the west side of the county road leading from Carver's to Hudson, adjoining the lands of James Rowly, which was conveyed to Charles Smith by Grover Matthews and wife. As there was no personal property, the only way I can get my money is for the land to be sold.

Court Question and answer. "No more", except the property is worth, in my opinion, about $600.

March Term, 1945.

Test: Harry C. Dashiell Lake S. Matthews

James Waters, a witness of law age, produced on the part of the plaintiff, being duly sworn, deposes and says:

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

Ans. James Waters; 67 years; Manokin, Md.; Farmer.

2. Int. Did you know Charles Smith in his life-time? If so, is he living or dead, and, if dead, did he or not die intestate?

Ans. I knew Charles Smith, who was my brother. He died in July, 1944, and did not leave any will.

3. Int. Please state what, if any, property he left, and who are his heirs at law.

Ans. He left no personal property of any kind; but he left a house and five acres of land in Brinkley's District, this county, on the road from Hudson's to Carver's, and worth about $500 or $600. This is all he left, and any debts he left would have to be paid out of the sale of the real estate. In addition to myself, a brother, Charles had a sister, Myra Williams, who died leaving three children, all adults,- a son, Lewis Williams, of Fruitland, Maryland; a daughter, Lily Logan, of Philadelphia, Penna.; and a daughter, Eleanor West, of Baltimore, Md. He had no other heirs.

Court question and answer: Nothing further.

Test:

_____

There being no further witnesses present, and at the suggestion of the plaintiff, the papers are herewith returned to the Court.

_____
Examiner

This is to certify that in the month of November, 1944, I saw the preceeding witness, James Waters, at his home in Fairmount Maryland, relative to his testimony in this case. I read the testimony over to him and he raised his hand and swore to the same, but when I asked him to sign his name to the testimony he refused to do so.

There being no further witnesses produced to me to be examined, I herewith at the request of the plaintiff's solicitor, return the above depositions to Court, closed under my hand and seal and certify that the annexed statement of costs is correct.

Given under my hand and seal this 17th day of January, nineteen hundred and forty five.

Harry C. Dashiell (SEAL)
Examiner in Chancery

Bill of Costs:

Harry C. Dashiell Examiner $4.00

And thereafter, to wit, on the thirty first day of January, nineteen hundred and forty five, the Circuit Court here passed the following decree in the premises, to wit:

Lake S. Matthews	)	No. 5939 Chancery
vs.	)	In the Circuit Court for Somerset
James Waters and others	)	County, Md.

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

It is, thereupon, this 31st day of January, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings be sold; that L. Creston Beauchamp be and he is hereby appointed trustee to make sale, the course and manner of his said proceedings to be as follows: He shall first file in the office of the Clerk of the Circuit Court for said Somerset County a corporate bond to the State of Maryland in the sum of one thousand dollars, conditioned upon the faithful performance of

the trust reposed in him by this decree, or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having given at least three weeks previous notice inserted in some newspaper printed in said Somerset County and such other notice as he may think proper of the time, place, manner and terms of sale, which terms shall be cash on the day of sale.

And as soon as may be convenient after any such sale the trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fariness of such sale annexed. And on the ratification of such sale by this Court and on the payment of the entire purchase money, and not before, the trustee by good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser or purchasers, to his, her or their heirs, the property to him, her or them sold, free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, through or under them. And the said trustee shall bring into this Court the money arising from said sale to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit and such commissions to the said trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

And it is further ordered that at the time of advertising such sale the trustee shall give notice to the creditors of Charles Smith, deceased, to file with the Clerk of this Court in these proceedings their respective claims, duly proven, within thirty days from the day of sale.

W. Laird Henry, Jr.

Judge

And thereupon the said L. Creston Beauchamp, Trustee, filed in Court here a Bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, L. Creston Beauchamp, of Somerset County, Maryland, principal, and the Maryland Casualty Company, a Maryland corporation, surety, are held and firmy bound unto the State of Maryland in the just sum of one thousand dollars, to be paid to the said State of Maryland, or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this sixteenth day of February, nineteen hundred and forty-five.

WHEREAS by a decree of the Circuit Court of Somerset County, Maryland, in Equity, bearing date the thirty-first day of January, nineteen hundred and forty-five, and passed in a cause in said Court pending wherein the late S. Matthews is plaintiff and James Waters and others are defendants, the same being number 5939 on the Chancery Docket of Circuit Court, the above named L. Creston Beauchamp was appointed trustee with power to sell the real estate in said cause decreed to be sold, and whereas the said L. Creston Beauchamp is about to enter upon the execution of said trust;

NOW THE CONDITION of the above obligation is such that, if the above bounden L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Witness: Elizabeth B. Whaley — L. Creston Beauchamp, Principal (SEAL)

SEAL OF COMPANY — MARYLAND CASUALTY COMPANY

By: L. C. Beauchamp, Attorney in Fact.

Which said bond was thus thereon endorsed, to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

March Term, 1945.

And thereafter, to wit, on the twenty-sixth day of February, in the year nineteen hundred and forty five, the said Trustee exhibited and filed in the Circuit Court here a report of Sales with an affidavit thereunto annexed, which said report and affidavit so as aforesaid filed are in the words following, to wit:

Lake S. Matthews	)	No. 5939 Chancery
vs.	)	In the Circuit Court for
James Waters and others	)	Somerset County, Maryland.

To the Honorable, the Judge of said Court:

The report of L. Creston Beauchamp, Trustee in the above entitled cause, appointed by a decree of this Court dated January 31, 1945, to make sale of the real estate mentioned therein, respectfully shows:

That by virtue of the power and authority contained in said decree and after having given bond with approved security, as required by law, conditioned upon the faithful performance of the trust reposed in him by said decree, and after having given at least twenty-one days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in said county and by hand-bill posting at the Court House door in said Somerset County, he did, in pursuance of said notice, attend in front of the post office in Crisfield, Maryland, on Saturday, February 24, 1945, at or about the hour of two o'clock , and then and there proceded to sell at public auction the following described property mentioned in said decree, namely;

He offered all that house and five acres of land situate, lying and being in Brinkley's Election District, Somerset County, Maryland, binding on the West side of the county road from Carver's to Hudson's, adjoining the lands of James Rolley; being the same land which was conveyed to Charles Smith by Grover Matthews and wife, by deed dated February 21, 1917, recorded among the land records of said Somerset County, Maryland, in Liber W. J. S. No. 74, Folio 102, and sold the same to James Rolley and Tillie Rolley, his wife, of said Somerset County, they being the highest bidders therefor, at and for the sum of nine hundred dollars, which they have paid in cash.

And the Trustee prays a ratification of his proceedings in the premises.

All of which is respectfully submitted.

L. Creston Beauchamp,
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify that on this 26th day of February, 1945, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp, the Trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledged and belief, and that the sale therein reported was fairly made.

Benjamin L. Barnes,
Clerk of Court

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

Lake S. Matthews	)	No. 5939 Chancery
vs.	)	In the Circuit Court for Somerset
James Waters and others	)	County, Md.

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 26th day of February, 1945, that the report of L. Creston Beauchamp, Trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported, by and the same are hereby ratified

and confirmed unless cause to the contrary appear by exceptions filed on or before the second day of April, nineteen hundred and forty-five; provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the thirty-first day of March, nineteen hundred and forty-five.

The report states the amount of sale to be $900.00.

Benjamin L. Barnes,
Clerk of the Court.

And now at this day, to wit, on the eleventh day of April, in the year nineteen hundred and forty four, came again into Court here the said Complainant, by his Solicitor aforesaid, and on motion of the said Complainant, by his Solicitor aforesaid, the Court here passed the following order, to wit:

Lake S. Matthews	)	No. 5939 Chancery
vs.	)	In the Circuit Court for Somerset
James Waters and others	)	County, Maryland.

It having been proved to the Court that a copy of the preceding Order Nisi has been published according to its provisions, and no exceptions having been filed and no cause to the contrary having been shown, it is this 11th day of April, 1945, adjudged, ordered and decreed by the Circuit Court of Somerset County, Maryland, in Equity, that the report of L. Creston Beauchamp, Trustee, and the sale by him reported, be and the same are hereby finally ratified and confirmed.

Levin C. Bailey,
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to Law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

""

May Term, 1945.

State of Maryland, Somerset County, to wit:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the first Monday in May, being the seventh day of the same month, in the year of our Lord one thousand nine hundred and forty five.

Were present, Hon. W. Laird Henry, Jr., Chief Judge
Hon. Levin C. Bailey, Associate Judge
Hon. Edmond H. Johnson, Associate Judge

Murray E. Ward, Esq. Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following, to wit:

Paul V. Twining, individually and Paul V. Twining, one of the executors of the Will of Perry E. Twining, deceased vs. Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Lois Myer, Mary L. Twining and Harry Twining, one of the executors of the will of Perry E. Twiling, deceased.	Be it remembered that heretofore to wit, on the twenty-ninth day of September, in the year nineteen hundred and forty four, a certain Paul V. Twining, individually and Paul V. Twining, one of the executors of the Will of Perry E. Twining, deceased by his solicitor, Edgar A. Jones, exhibited and filed in the Circuit Court here, a bill of complaint against Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Lois Myer, Mary L. Twining and Harry Twining, one of the executors of the will of Perry E. Twiling, deceased, which said bill of complaint is in the words following, to wit:

Paul V. Twining, individually and Paul V. Twining, one of the executors of the Will of Perry E. Twining, deceased vs. Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck Eunice Terpening, Lois Myer, Mary L. Twining and Harry Twining, one of the executors of the will of Perry E. Twining, deceased.	No. 5957 In the Circuit Court for Somerset County, Maryland.

To the Honorable, the Judge of said Court:

Your Orators, Paul V. Twining, individually and as executor, who sue as well for themselves as for all other creditors of Perry E. Twining, late of Somerset County, deceased, who will come in and contribute to the expenses of this suit, complaining, say:

(1) That the said Perry E. Twining was, in his lifetime, indebted unto your Orator, the said Paul V. Twining, individually, in the full and just sum of $355.58 on his certain promissory note, dated the 15th day of October, 1933, and conditioned for the payment to your Orator of the sum of $800.00 with interest thereon at the rate of 4% per annum from the date thereof, on demand, as will fully appear by reference to said promissory note herewith filed as part hereof, marked "Exhibit "A".

(2) That the said Perry E. Twining being in his lifetime so indebted to your Orator and divers other persons and being seized and possessed of real and personal estate in said Somerset County, on or about the 17th day of February, 1944 departed this life, leaving a last will and testament, duly executed to pass real estate in this state.

(3) That by the terms of said will the said Perry E. Twining, among others, devises said real estate as follows: To his daughter, Rosamond E. Myer, all the real estate of which the said Perry E. Twining died seized and possessed, subject to a charge however of $12.50 per month to his widow, Mary L. Twining, so long as she might survive him. The said Rosamond E. Myer having predeceased the said Perry E. Twining intestate, left as her only heirs at law the following children: Dorothy Long, Daniel Myer, adults residing in Somerset County and Esther Doyle, Ruth Peck, and Eunice Terpening, all adults and Lois Myer, an infant under the age of

whom are non-residents of the State of Maryland and reside in the State of New York.

(3) That the aforesaid last will and testament of the said Perry E. Twining which is filed herewith and marked "Exhibit B", has been in due form of law, admitted to probate by the Orphans' Court for Somerset County and letters testamentary thereon have been duly granted to the said Paul Twining and Harry Twining, who have in virtue thereof, possessed themselves of the personal estate left by said testator at the time of his death and as your Orators are informed and so charged, have applied the same to the discharge of other proper debts due by said deceased.

(4) That your Orators are advised that has the personal estate of the said Perry E. Twining, deceased, in the hands of his executors, was insufficient for the payment of all his just debts and has been applied by them to the payment of all his just debts and has been applied by them to the payment of other debts, your Orator, the said Paul Twining and the other creditors, are entitled to have their claims paid out of the real estate of said deceased, in the hands of his devisees or their heirs at law as aforesaid.

To the end therefore:

(1) That the said real estate of the said Perry E. Twining, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of the claim of your orator and those of other unsatisfied creditors of said deceased.

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

May it please Your Honor to grant unto your Orators, the Writ of Subpoena directed to the said Dorothy Long, Daniel Myer and Mary L. Twining, and Harry Twining, executor of the will of Perry E. Twining, all adults residing in Somerset County and also, the Order of Publication giving notice to the said Esther Doyle, Ruth Peck, Eunice Terpening, adults and Lois Myer, an infant, all of the State of New York, who are non-residents of this State, of the object and substance of this bill and warning them to appear in this Court in person or by solicitor, on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not to pass as prayed.

And as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainants

Exhibit "A" referred to in the foregoing report is in the words following to wit:

$800.00 Princess Anne, Md. Oct. 15, 1933.

On Demand we promise to pay to the order of Paul Twining

Eight hundred ----------Dollars, interest at 4%.

Without defalcation for Value received.

No._____Due_____ P. E. Twining

STATE OF MARYLAND, SOMERSET COUNTY, to-wit:

ON this 16th day of September in the year of our Lord, nineteen hundred and 44 before the subscriber, Register of Wills for Somerset County personally appeared Paul V. Twining, and in the presence of Almighty God, solemnly declared that the annexed note as stated is just and true, and that he hath not received any part of the money stated to be due, or any security or satisfaction for the same, except what, (if any) is credited.

Florence E. Dryden
Reg. W. S. Co.

Exhibit "B" referred to in the foregoing report is in the words following, to wit:

I, Perry E. Twining, of Somerset County, in the State of Maryland, do make this as and for my last will and testament, in manner and form following, that is to say:

After the payment of all my just debts and funeral expenses, but excluding the mortgage

hereinafter mentioned, I give, devise and bequeath as follows:

First: I give and bequeath to my wife, Mary L. Twining, all the rest and residue of my personal estate, and I also give and devise to her a home in the dwelling house on the land hereinafter devised to Paul V. Twining, for and during her natural life.

Second: I give and devise to my son, Paul V. Twining, his heirs and assigns, all that part of the farm in West Princess Anne District, Somerset County, Maryland, on the south side of the county road leading from Princess Anne to Monie, which was conveyed to me by Lincoln Davis and wife by deed dated the 28th day of January, 1908, recorded among the land records of said county in Liber S.F.D. No. 48, folio 109 etc, which is described as follows, that is to say, all that part of said farm lying between the said county road and the Manokin River, bounded on the east by the middle of a ditch extending from said road to said river, and on the west by the middle of a ditch extending from said road to said river, containing about eighty-five acres, and also all that part of said farm, containing fourteen acres, more or less, lying west of the lot of land hereinbefore described, bounded on the south by the Manokin River, on the west by the middle of a ditch on the east side of Shockley's lane, and on the north by a road leading from the land hereby devised to Shockley's lane, but subject to the rights of way mentioned in subsequent items of this will, and subject also and charged with the payment by the said Paul V. Twining, his heirs and assigns, of the sum of twelve dollars and fifty cents per month to my wife, Mary L. Twining, for and during her natural life, the first payment to become due one month after my death, and subject also to the home for my wife on said property for and during her natural life devised to her in the first item of this will, and subject also to the payment by the said Paul V. Twining, his heirs and assigns, of one-fourth of whatever may be unpaid at the time of my death on the mortgage upon said farm held by The Federal Land Bank of Baltimore.

Third: I give and devise to my son, Harry B. Twining, his heirs and assigns, all that part of the farm hereinbefore mentioned, which is described as follows, that is to say, all that part of said farm which lies east of the middle of the ditch which is the east line of that part of said farm which I have devised to Paul V. Twining in the second item of this will, containing about one hundred and fifty acres, with a right of way over and across the land devised to the said Paul V. Twining in the second item of this will, along the Manokin River Shore to the lane of the land devised to the said Paul V. Twining, and over said lane from the Manokin River to said county road, but this devise is made subject to and charged with the payment by the said Harry B. Twining, his heirs and assigns, of the sum of twelve dollars and fifty cents per month to my wife, Mary L. Twining, for and during the period of her natural life, the first payment to become due one month after my death, and subject also to the payment by the said Harry B. Twining, his heirs and assigns, of one-fourth of whatever may be due at the time of my death upon the mortgage hereinbefore mentioned.

Fourth: I give and devise to my son, Owen D. Twining, his heirs and assigns, all that part of the farm hereinbefore mentioned, which is described as follows, that is to say, all that part of said farm which lies west of the middle of the ditch, which is the west line of that part of said farm devised to Paul V. Twining, bounded on the south by the lane which leads from the lane devised to Paul V. Twining to Shockley's lane, and on the west by the middle of a ditch east of extending northerly so as to include twenty-five acres, with a right of way over and across the land devised to the said Paul V. Twining in the second item of this will, leading from the Manokin River to said county road, but this devise is made subject to and charged with the payment of the said Owen D. Twining, his heirs and assigns, of the sum of twelve dollars and fifty cents per month to my wife, Mary L. Twining, for and during the period of her natural life, the first payment to become due one month after my death, and subject also to the payment by the said Owen D. Twining, his heirs and assigns, of one-fourth of whatever may be due at the

time of my death upon the mortgage hereinbefore mentioned.

Fifth: I give and devise to my daughter, Rosamond E. Myers, her heirs and assigns, all that part of the farm hereinbefore mentioned, which has not been devised by me to the said Paul V. Twining, Harry B. Twining and Owen D. Twining in the preceding items of this will, with a right of way over and on the lane on the land devised to the said Paul V. Twining in the second item of this will, leading from the Manokin River to the county road, but this devise is made subject to the payment by the said Rosamond E. Myers, her heirs and assigns, of the sum of twelve dollars and fifty cents per month to my wife, Mary L. Twining, for and during the period of her natural life, the first payment to become due one month after my death, and subject also to the payment by the said Rosamond E. Myers, her heirs and assigns, of one-fourth of whatever may be due upon my death upon the mortgage hereinbefore mentioned.

Sixth: I give and devise to my son, Owen D. Twining, his heirs and assigns, all the real estate, with the improvements thereon, which I may own in the State of Florida, at the time of my death.

Seventh: I hereby constitute and appoint my sons, Harry B. Twining and Paul V. Twining, to be the executors of this my last will and testament, hereby revoking all other wills which may have been made by me, and declaring this and this only to be my last will and testament, and I desire that my said executors shall be excused from giving bond for the trust reposed in them by this will.

Witness my hand and seal this 7th. day of November, nineteen hundred and thirty-one.

Perry E. Twining (SEAL)

The foregoing was signed, sealed, published and declared by the above named testator, Perry E. Twining, 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 hereto subscribed our names as witnesses.

Catherine F. Lankford

James R. Stewart

H. Fillmore Lankford

SOMERSET COUNTY, to wit: March 1, 1944.

THEN CAME Harry B. Twining and in the presence of Almighty God, solemnly promised and declared that the foregoing instrument of writing is the true and whole last Will and Testament of Perry E. Twining, late of Somerset County, deceased, that hath come to his hands or possession, and that he doth not know of any other and that the same was found among the personal papers of the deceased.

Before, Florence E. Dryden, Register of Will for Somerset County.

STATE OF MARYLAND, Somerset County, ss:

On the 2nd. day of March, 1944, came Benjamin L. Barnes and in the presence of Almighty God solemnly declared that he is familiar with the handwriting of H. Fillmore Lankford one of the attesting witnesses of the last Will and Testament of Perry E. Twining, late of said county, deceased, and he verily believes that the signature of the said H. Fillmore Lankford, as so written, is the true and genuine signature of the said H. Fillmore Lankford, who is now dead.

Before, Florence E. Dryden, Reg. W.S. Co.

STATE OF MARYLAND, Somerset County, ss:

On the 4th day of March, 1944, came Henry M. Lankford and in the presence of Almighty God solemnly declared that he is familiar with the handwriting of H. Fillmore Lankford one of the attesting witnesses of the last Will and Testament of Perry E. Twining, late of said county, deceased, and he verily believes that the signature of the said H. Fillmore Lankford, and so

written, is the true and genuine signature of the said H. Fillmore Lankford, who is now dead.

Before, Florence E. Dryden, Reg. W.S. Co.

STATE OF MARYLAND, Somerset County, ss:

On the 2nd. day of March, 1944, came Benjamin L. Barnes, and in the presence of Almighty God solemnly declared that he is familiar with the handwriting of Catharine F. Lankford one of the attesting witnesses of the last Will and Testament of Perry E. Twining, late of said county, deceased, and he verily believes that the signature of the said Catharine F. Lankford, as so written, is the true and genuine signature of the said Catharine F. Lankford, who is now dead.

Before, Florence E. Dryden, Reg. W.S. Co.

STATE OF MARYLAND, Somerset County, ss:

On the 4th day of March, 1944, came Henry M. Lankford and in the presence of Almighty God solemnly declared that he is familiar with the handwriting of Catharine F. Lankford one of the attesting witnesses of the last Will and Testament of Perry E. Twining, late of said county, deceased, and he verily believes that the signature of the said Catharine F. Lankford, as so written, is the true and genuine signature of the said Catharine F. Lankford, who is now dead.

Before, Florence E. Dryden, Reg.W.S.Co.

STATE OF MARYLAND, SCT,

In the Orphans' Court for Somerset County:

The Court having carefully examined the above last Will and Testament of Perry E. Twining, late of Somerset County, deceased, and also the evidence adduced as to its validity, orders and decrees this 7th. day of March, 1944, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Perry E. Twining deceased

Wm. O. Murray)
J. Henry Bedsworth) Judges of the Orphans' Court for Somerset County
Lacy V. Bozman)

Test: Florence E. Dryden, Reg.W.S.Co.

STATE OF MARYLAND, SOMERSET COUNTY, ss:

I, Florence E. Dryden Register of Wills and by law keeper of the Seal and of the Records and of the Original Papers of the Orphans' Court of Somerset County, DO HEREBY CERTIFY that the foregoing is a true and full copy of the last Will and Testament of Perry E. Twining,late of said county, deceased, taken from the original now on file and the same being one of the Records kept in the office of the Register of Wills for Somerset County.

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the Seal of said Court, this twenty-ninth day of September in the year of our Lord, nineteen hundred and forty-four.

Florence E. Dryden,
Register of Wills for Somerset County

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here the following subpoenas were issued to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT — The State of Maryland

To Dorothy Long and Daniel Myer of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of Paul V. Twining, individually and Paul V. Twining, one of the Executors of the Will of Perry E. Twining against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944 ISSUED the 2nd day of October Anno Domini 1944.

May Term, 1945.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT

The State of Maryland

To Mary D. Twining of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Paul V. Twining, individually and Paul V. Twining, as one of the Executors of the will of Perry E. Twining against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944 ISSUED the 29th day of September Anno Domini 1944.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT

The State of Maryland

To Harry Twining, executor of the will of Perry E. Twining of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of Paul V. Twining, individually and one of the Executors of the will of Perry E. Twining against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable LEVIN CLAUDE BAILEY, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944 ISSUED the 2nd day of October Anno Domini 1944.

Per order

Benjamin L. Barnes, Clerk.

At which said first Monday in October and again on the first Monday in November in the year nineteen hundred and forty four and the days of the return of the above recited writs came again in the Court here the said complainant by his solicitor and the Sheriff of Somerset County, Murray E. Ward, Esq., to whom the writs aforesaid were in form aforesaid delivered for service, also came and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned severally and copy left

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

To the second of said writs: Summoned.

Murray E. Ward
Woodland Jackson, Deputy

To the third of said writs: Summoned and copy left.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following Order of Publication was issued, to wit:

Paul Twining, individually and Paul Twining, one of the executors of the Will of Perry E. Twining, deceased	)	No. 5957 Chancery
vs.	)	In the Circuit Court for
Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Lois Myer, Mary L. Twining and Harry Twining, one of the executors of the Will of Perry E. Twining, deceased.	)	Somerset County Maryland

ORDER OF PUBLICATION

The object of this suit is to procure a decree for the sale of certain real estate in Somerset County, State of Maryland, of which Perry E. Twining, late of said county, died seized. The bill states that the said Perry E. Twining died on or about the 17th day of February, 1944, at which time he was indebted unto the plaintiff, Paul Twining, in the sum of Three Hundred and Fifty-five and 58/100 ($355.58) Dollars, and that letters testamentary were granted unto the said Paul Twining and Harry Twining, who possessed themselves of the personal estate of the said Perry E. Twining. That the personal estate was insufficient for the payment of all of his just debts and that the said Perry E. Twining, at the time of his death, was seized of certain real estate in West Princess Anne Election District, said county and state, which was devised by his last will and testament, to a daughter, Rosamond E. Myer, subject to a charge on said land for the benefit of said Mary L. Twining. That the said Rosamond E. Myer predeceased the said Perry E. Twining, intestate, leaving as her heirs at law the following children: Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening and Lois Myer are non-residents of the State of Maryland, residing in the State of New York.

It is thereupon, this fifth day of October, 1944, ordered by the Circuit Court for Somerset County, in Equity, that the plaintiff, by causing a copy of this order to be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 14th day of November, 1944, give notice to the said absent defendants of the object and substance of this bill, warning them to appear in this Court in person, or by solicitor, on or before the thirtieth day of November, next, to show cause, if any they have, why a decree ought not to be passed as prayed.

Benjamin L. Barnes, Clerk.

And afterwards, to wit, on the eighth day of January nineteen hundred and forty five the following affidavit was filed, to wit:

Paul Twining, individually and Paul Twining, one of the Executors of the Will of Perry E. Twining, deceased.	)	No. _____Chancery
	)	In the Circuit Court
vs.	)	for
Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Lois Myer, Mary L. Twining and Harry Twining, one of the Executors of the Will of Perry E. Twining, deceased	)	Somerset County
	)	Maryland
	)	
	)	

State of Maryland, Somerset County, to-wit:

I hereby certify, that on this 8th day of January, in the year nineteen hundred forty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones and made oath in due form of law that he has personally made an investigation, for the purpose of determining whether the following parties or any of them are in the Military Service of the United States so as to be entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940 and that from information obtained through such investigation he certifies that neither of the defendants, except Lois Myer, is in the Military Service of the United States nor has either of them been discharged from said service within sixty days prior to the date of this affidavit.

As witness my hand and Notarial Seal the day and year above written.

Sally Ann Lawson SEAL OF
Notary Public NOTARY

And thereafter, to wit, on the eighth day of January in the year nineteen hundred and forty-five, the said complainant by his solicitor aforesaid filed in Court here a petition in the

words following, to wit:

Paul Twining, individually, and Paul Twining, one of the Executors of the Will of Perry E. Twining, deceased	)	No. _____ Chancery
	)	In the Circuit Court
vs.	)	for
Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Lois Myer, Mary L. Twining and Harry Twining, one of the Executors of the Will of Perry E. Twining, deceased.	)	Somerset County Maryland

To the Honorable, the Judges of the Circuit Court for Somerset County, in Equity:

The petition of the complainants respectfully represents:

That Dorothy Long, Daniel Myer, Mary L. Twining and Harry Twining, one of the Executors of the Will of Perry E. Twining, have been duly summoned; that Esther Doyle, Ruth Peck, Eunice Terpening and Lois Myer have been duly notified by Order of Publication, to appear to the Bill of Complaint in the above cause.

That all of the above defendants are adults, over the age of twenty-one years, except Lois Myer, who is an infant.

That all of the adult defendants, though duly summoned, have failed to appear to or answer said Bill of Complaint within the time prescribed by the rules of this Court.

The complainant therefore prays that the Bill of Complaint, in this cause, be taken pro confesso against the said Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Mary L. Twining and Harry Twining, one of the Executors of the Will of Perry E. Twining, non-appearing and non-answering adult defendants, and that the complainants have leave to take testimony before one of the standing examiners of this Court.

And, as in duty bound, etc.

Edgar A. Jones

Complainants Attorney

Upon which said petition the Court here passed the following order, to wit:

Paul Twining, individually, and Paul Twining, one of the Executors of the Will of Perry E. Twining, deceased	)	No. _____ Chancery
	)	In the Circuit Court
vs.	)	for
Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Lois Myer, Mary L. Twining, and Harry Twining, one of the Executors of the Will of Perry E. Twining, deceased	)	Somerset County Maryland

It appearing in the above entitled cause that Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Mary L. Twining and Harry Twining, one of the Executors of the Will of Perry E. Twining, adult defendants in this cause, have been duly summoned to appear to the Bill of Complaint, but have failed to appear or answer said Bill of Complaint within the time prescribed by the rules of this Court and that Lois Myer, the infant defendant has been duly summoned to appear to said Bill of Complaint.

It is thereupon, this 8th day of January, in the year nineteen hundred forty-five, upon the foregoing petition, Adjudged, Ordered and Decreed by the Circuit Court for Somerset County in Equity, that the Bill of Complaint be and the same is hereby taken pro confesso against the Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Mary L. Twining, and Harry Twining, one of the Executors of the Will of Perry E. Twining, non-appearing and non-answering adult defendants.

W. Laird Henry, Jr.

Judge.

And afterwards to wit, on the twenty-fourth day of January in the year nineteen hundred and forty five, the said complainant by his solicitor aforesaid filed in Court here an additional petition, which is in the words following, to wit:

Paul Twining, individually, and Paul Twining, one of the Executors of the Will of Perry E. Twining, deceased	)	No. _____ Chancery
	)	In the Circuit Court for
vs.	)	Somerset County, Maryland
Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Lois Myer, Mary L. Twining, and Harry Twining, one of the Executors of the Will of Perry E. Twining, deceased.	)	

To the Honorable, the Judges of the Circuit Court for Somerset County, in Equity:

The petition of the complainants respectfully represents:

That one of the above defendants, Lois Myer, is in the Military Service of the United States and although summoned by Order of Publication, is an infant and cannot answer and defend this suit for herself.

Your petitioner therefore prays the Court to appoint an Attorney to represent the said defendant, Lois Myer, and protect her interest in the above entitled cause.

And, as in duty bound, etc.

Edgar A. Jones,
Solicitor for Complainants

State of Maryland, Somerset County, to-wit:

I hereby certify, that on this 24th day of January, nineteen hundred forty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones and made oath in due form of law that the matters and things set forth in the foregoing petition are true to the best of his knowledged and belief.

As witness my hand and Notarial Seal the day and year above written.

Sally Ann Lawson — SEAL OF
Notary Public — NOTARY

Upon which said petition the Court here passed the following order, to wit:

ORDER

Upon the foregoing petition, it is Ordered, this 24th day of January, in the year nineteen hundred forty-five, by the Circuit Court for Somerset County, in Equity, that George H. Myers be and he is hereby appointed as Attorney to represent the defendant, Lois Myer and protect her interest in the above entitled cause.

W. Laird Henry, Jr.
Judge

And afterwards to wit, on the twenty-fourth day of January in the year nineteen hundred and forty five, the complainant by his solicitor aforesaid, filed in Court here the following petition:

Paul Twining, individually, and Paul Twining, one of the Executors of the Will of Perry E. Twining, deceased	)	No. _____ Chancery
	)	In the Circuit Court for
vs.	)	Somerset County
Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Lois Myer, Mary L. Twining, and Harry Twining, one of the Executors of the Will of Perry E. Twining, deceased.	)	Maryland

To the Honorable, the Judges of the Circuit Court for Somerset County, in Equity:

The petition of the plaintiff in the above cause respectfully represents:

1. That Lois Myers, one of the defendants in the above entitled cause, has been duly summoned by Order of Publication, but being an infant, she cannot answer and defend this suit for herself and has no guardian within the jurisdiction of this Court to answer and defend for her.

The plaintiff therefore prays Your Honor to appoint a guardian ad litem to appear and answer for said infant.

And as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainant

Upon which said petition the Court here passed the following order, to wit:

ORDER

Upon the foregoing petition, it is ordered, this 24th day of January, in the year nineteen hundred forty-five, by the Circuit Court for Somerset County, in Equity, that Grace Barnes, be and she is hereby appointed Guardian Ad Litem to appear and answer for Lois Myer, infant defendant in the above cause.

W. Laird Henry, Jr.
Judge

And thereupon the said Grace Barnes, as Guardian specially appointed, filed in Court here the following answer, to wit:

ANSWER

The answer of Lois Myer, infant defendant in the above cause, by Grace Barnes, guardian ad litem duly appointed by the Circuit Court for Somerset County, in Equity, to the bill of complaint of Paul Twining, individually and Paul Twining, one of the Executors of the Will of Perry E. Twining, deceased, against her and others in said Court exhibited:

This defendant for answer to the bill of complaint, by her said guardian ad litem, answers and says, that being ignorant of the matters charged in said bill, and being an infant of tender years, she cannot admit any of the allegations of said bill, but submits her rights to the protection of this Honorable Court.

And, as in duty bound, etc.

Grace J. Barnes
Guardian ad Litem

And afterwards, to wit, on the twenty-fifth day of January in the year nineteen hundred and forty five, Grace J. Barnes, Guardian ad Litem and George H. Myers, Attorney for Lois Myer, infant, both appointed by the Court here, filed the following answer to wit:

Paul V. Twining et al	)	No. 5957 Chancery
vs.	)	Circuit Court for
Dorothy Long, et al	)	Somerset County, Maryland

The answer of Lois Myer, infant defendant in the above cause, by Grace Barnes, her guaridan ad litem, and George H. Myers, attorney appointed to protect the interest etc. of said infant, to the bill of complaint of Paul Twining etc. in the above cause against her and others exhibited respectfully shows:

That this defendant has no knowledged of the allegations set forth is said bill of complaint and therefore neither admits nor denies the same, but demands full proff thereof; and being an infant she can not admit any of the matters and allegations in said bill alleged and submits her right thereunder to the protection of this Court.

Grace J. Barnes
Guardian ad litem

Geo. H. Myers
Attorney for Lois Myer, Infant.

May Term, 1945.

And afterwards to wit, on the ninth day of February in the year nineteen hundred and forty five, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause had been delivered to take testimony under the foregoing order made return thereof in the words following, to wit:

Paul Twining, individually and Paul Twining, one of the executors of the Will of Perry E. Twining, deceased	)	No. 5957 Chancery
	)	In the Circuit Court
vs.	)	for
Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening, Lois Myer, Mary L. Twining and Harry Twining, one of the Executors of the Will of Perry E. Twining, deceased	)	Somerset County, Maryland
	)	in Equity

In the cause the testimony to be taken in support of the allegations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc. do hereby certify that on this ____day of February, in the year nineteen hundred and forty-five, in Somerset County aforesaid, I did take the following testimony, to-wit:

Paul V. Twining, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int. 1. Please state your name, age, residence and occupation?

Ans. My name is Paul V. Twining. I am 49 years of age. I reside in West Princess Anne Election District, Somerset County, Maryland and am a farmer.

Int. 2. Do you know the parties to this suit?

Ans. Yes, I am one of the plaintiffs as an individual and as executor of the Will of Perry E. Twining, deceased. I have known all the defendants for many years, all of them being closely related to me.

Int. 3. Did you know Perry E. Twining in his lifetime? Is he living or dead? If dead, did he leave a will?

Ans. Yes, I knew Perry Twining, who was my father. He resided in West Princess Anne until his death the early part of 1944. He did leave a will which was duly probated and filed among the Testamentary Records of Somerset County. At the time of his death he only owned one piece of land in Somerset County, Maryland, containing approximately 60 acres. This tract of land is situate in West Princess Anne Election District and adjoins the land of Homer and Edgar Kemp and is the remainder of a farm which he purchased from Lincoln Davis and wife, by deed dated the 28th day of January, 1908 and recorded among the Land Records of Somerset County in Liber S.F.D. No. 48, folio 109.

Int. 4. Please state whether or not the said Perry E. Twining was indebted to you at the time of his death? If so, was his personal estate sufficient to pay you and his other creditors?

Ans. Yes, my father was indebted to me at the time of his death in the sum of Three Hundred Fifty-five Dollars and 58 cents ($355.58) with interest at 4% from October 15, 1941. My brother, Harry B. Twining and myself as executors of the will of the said Perry E. Twining, are administering on his estate and the assets therein are insufficient to pay all of his just debts.

Int. 5. How did you father dispose of his real estate by will?

Ans. He left the land that I mentioned above to my sister, Rosamond E. Myer, subject to a charge however, of $12.50 a month to his widow, Mary L. Twining, an adult residing in Somerset County, for so long a period as she might survive him. The said Rosamond E. Myer predeceased the said Perry E. Twining, intestate, leaving as her only heirs at law the following children:

Dorothy Long and Daniel Myer, adults residing in Somerset County, Esther Doyle Ruth Peck and Eunice Terpening, all adults, and Lois Myer, an infant under the age of 21 years, all of whom are non-residents of the State of Maryland and reside in the State of New York. The value of this piece of land, in my opinion, is between $800.00 and $1,000.00.

Court Question:

Answer: Nothing further.

Paul V. Twining

Witness: Harry C. Dashiell
Exm.

Hulda Twining, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int. 1. Please state your name, age, residence and occupation?

Ans. Hulda Twining. I am 44 years of age. I live in West Princess Anne, and am a housewife.

Int. 2. Did you know Perry E. Twining in his lifetime? If so, is he living or dead? If dead, did he leave a will?

Ans. Yes, I knew Perry E. Twining. He was my father-in-law and he died the latter part of February, 1944, leaving a will, which has been duly admitted to probate in the Orphans' Court for Somerset County.

Int. 3. Do you know the parties to this suit? If so, where do they live and what are their names?

Ans. The plaintiff, Paul V. Twining, is my husband. The defendant, Harry Twining, one of the executors of the estate is my brother-in-law. Mary L. Twining is my mother-in-law. All of the above named reside in Somerset County, and are adults. Dorothy Long and Daniel Myer are adults residing in Somerset County; Esther Doyle, Ruth Peck, Eunice Terpening are all adults residing in the State of New York and Lois Myer is an infant, residing in said State of New York. The said Dorothy Long, Daniel Myer, Esther Doyle, Ruth Peck, Eunice Terpening and Lois Myer are all the children of Rosamond E. Myer, the daughter of the said Perry E. Twining, who died, intestate, before her father, the said Perry E. Twining. These children, as the heirs at law, of the said Rosamond Myer, inherit under the will of Mr. Twining, a lot of land in West Princess Anne Election District, Somerset County, Maryland, adjoining the farm of Edgar and Homer Kemp, which land is worth approximately $800.00 to $1000. So far as I know, this is the only land that Mr. Twining owned at the time of his death.

Court Question:

Answer: Nothing further

Hulda Twining

Witness: Harry C. Dashiell
Exm.

Harry Twining, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int. 1. Please state your name, age, residence and occupation.

Ans. Harry Twining. I am 58 years of age; I live in West Princess Anne Election District; am a farmer and am one of the executors of the estate of my father, Perry E. Twining.

Int. 2. Do you know the parties to this suit? If so, please state where they reside and what are their ages.

Ans. All of the parties to the suit are related to me. Mary L. Twining, Dorothy Long, Daniel Myer and myself are all adults residing in Somerset County. Esther Doyle, Ruth Peck, and Eunice Terpening are adults and Lois Myer is an infant, all of whom reside in the State of New York. The defendants, with the exception of Mary L. Twining and myself are the children

and only heirs at law of Rosamond E. Myer, who died intestate, before my father, the said Perry E. Twining.

Int. 3. Please state whether or not there has been any administration on Mr. Twining's Estate, and if so, whether or not the assets ~~of~~ the estate are sufficient to pay all of Mr. Twining's just debts.

Ans. Paul and myself as executors, are now administering on my father's estate and the fund therein are insufficient to pay his just debts.

Int. 4. If you_ father left any real estate in Somerset County, please describe it and state its value.

Ans. Before his death my father conveyed to Paul and myself, parts of a farm which he acquired from Lincoln Davis, by deed dated January 28, 1908, recorded among the Land Records of Somerset County in Liber S.F.D. No. 48, folio 109. The balance of this farm containing approximately 60 acres, situate in West Princess Anne Election District, adjoining the lands of Edgar and Homer Kemp, he died owning and devised same to my sister, the said Rosamond E. Myer. This parcel of land, in my opinion is worth 1200.00 dollars.

Court Question:

Answer: Nothing further.

Harry B. Twining

Witness: Harry C. Dashiell
Exm.

There being no further witnesses produced to me to be examined, I herewith at the request of the plaintiffs' solicitor, return the above depositions to Court, closed under my hand and seal and certify that the annexed statement of costs is correct.

Given under my hand and seal this 9th. day of February, in the year nineteen hundred and forty five.

Harry C. Dashiell (SEAL)
Examiner in Chancery

Bill of Costs:

Harry C. Dashiell Examiner $4.00

And thereafter, to wit, on the twenty-first day of February in the year nineteen hundred and forty five, the Circuit Court here passed the following decree in the premises, towit:

Paul Twining, individually and Paul Twining, one of the executors of the Will of Perry E. Twining, decd.	)	No. 5957 Chancery
vs.	)	Circuit Court for Somerset County, Maryland
Dorothy Long, Daniel Myer, Esther Doyle, Ruth Pect, et asl.	)	

The above cause standing ready for hearing and having been submitted, the proceedings therein were by the Court read and considered:

It is thereupon, this twenty first day of February in the year nineteen hundred and forty five by the Circuit Court for Somerset County in Equity ADJUDGED, ORDERED AND DECREED, That the property in the proceedings mentioned be sold, and Edgar A. Jones be and he is hereby appointed Trustee to make 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 corporate surety to be approved by this Court, or by the Clerk thereof, in the penalty of Twelve Hundred Dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such weekly newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one-half

May Term, 1945.

cash on the day of sale and the balance within six months from the day of sale or all cash at the purchasers' option. The credit option, if any, to be secured by the bond of the purchaser to the satisfaction of the Trustee and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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, 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 or assigns 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 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 the Court, after deducting 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.

Levin C. Bailey
Judge

And thereupon, the said Edgar A. Jones, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Edgar A. Jones, of Somerset County and State of Maryland, and National Surety Corporation, a body corporate of the State of New York, are held and firmly bound unto the State of Maryland, in the full and just sum of Twelve Hundred 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 24th day of March, in the year nineteen hundred and forty-five.

WHEREAS, the said Edgar A. Jones, by virtue of a decree of the Circuit Court for Somerset, has been appointed Trustee to sell the property mentioned in the proceedings in the case of Paul V. Twining, et. als. vs Dorothy Long, et. als., same being No. 5957 Chancery, in the Circuit Court for Somerset County in Equity, now pending in said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Edgar A. Jones, 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 virtue by law.

Witness: Sally Ann Lawson — Edgar A. Jones (SEAL)

CORPORATE SEAL — NATIONAL SURETY CORPORATION

BY: Edgar A. Jones,
Attorney-in-Fact

And thereafter to wit, on the twenty-sixth day of March in the year nineteen hundred and forty-five, the said Trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Paul V. Twining, individually and Paul V, Twining, one of the Executors of the Will of Perry E. Twining, deceased	)	No. 5957 Chancery
	)	In the Circuit Court for
vs.	)	Somerset County, Maryland
Dorothy Long, et. als.	)	in Equity.

To the Honorable, the Judge of the Circuit Court for Somerset County, Maryland, in Equity:

The report of Edgar A. Jones, Trustee appointed by decree of this Court, passed in the above entitled cause, dated February 21, 1945, to make sale of certain real estate as therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of his trust, and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement in the Marylander & Herald, a weekly newspaper published in Somerset County, for at least three weeks before the day of sale and by dodger posted on the bulletin board in front of the Court House Door at Princess Anne, Maryland, he did, pursuant to said notice, attend in front of the Court House Door at Princess Anne, Somerset County, Maryland, on the 24th day of March, 1945 at or about the hour of 2:00 o'clock P.M., and then and there proceeded to sell said property in the following manner, that is to say:

Your Trustee offered at public sale to the highest bidder, the property mentioned in said decree, situate in West Princess Anne Election District, Somerset County, Maryland, bounded on the North by the lands of Upshur Anderson, on the East by the land of Paul Twining, on the South by the Bountiful Ridge Nurseries, and on the West by the lane running through or by said Bountiful Ridge Nursuries and being all of the land of which Perry E. Twining, late of Somerset County, deceased, died seized and possessed and is the remainder of a farm which the said Perry E. Twining purchased from Lincoln Davis by deed dated January 28, 1908 and recorded among the Land Records of Somerset County in Liber S.F.D. No. 48, folio 109, and sold the same to Paul V. Twining of said County and State, at and for the sum of Nine Hundred ($900.00) Dollars, he being at that sum, the highest bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your Trustee.

Respectfully submitted,

Edgar A. Jones, Trustee

State of Maryland, Somerset County, to-wit:

I hereby certify, that on this 26th day of March, in the year nineteen hundred forty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report are true to the best of his knowledge and belief, and that the sale therein mentioned was fairly made.

As witness my hand and Notarial Seal the day and year above written.

Sally Ann Lawson SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here, passed the following order, to wit:

ORDER NISI

Paul V. Twining, individually and Paul V. Twining, one of the Executors of the Will of Perry E. Twining, deceased	)	No. 5957 Chancery
	)	In the Circuit Court for
vs.	)	Somerset County, Maryland
Dorothy Long, et. als.	)	in Equity

Ordered by the Circuit Court for Somerset County in Equity that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 28th day of April, 1945; provided a copy of this order be inserted in some weekly newspaper printed in Somerset County, Maryland, once in each of three

successive weeks before the 27th day of April, next.

The report states the amount of sale to be Nine Hundred ($900.00) Dollars.

Benjamin L. Barnes

Clerk of the Circuit Court
for Somerset County, Maryland

And now at this day to wit, on the 9th day of May in the year nineteen hundred and forty five, came again in the Court here, the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

FINAL ORDER

Ordered by the Circuit Court for Somerset County, in Equity, this 9th day of May, 1945, 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 the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers to the auditor.

W. Laird Henry, Jr.

Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

""

In the matter of the tax sale of real estate in West Princess Anne Election District, Somerset County, Maryland, assessed to Alfred H. Johnson, for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md., Purchaser.	Be it remembered that heretofore to wit, on the twenty-eighth day of February, in the year nineteen hundred and forty-five, a certain Carlos Bozman, Collector of State and County taxes, for the first Collection District of Somerset County, for the years

1931 and 1932, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit thereunto annexed, which said report and affidavit so as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in West Princess Anne Election District, Somerset County, Maryland, assessed to Alfred H. Johnson for the years 1931 and 1932, made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md., Purchaser.	No. 5989 Chancery In the Circuit Court for Somerset County, Maryland, in Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1931, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Alfred H. Johnson, in West Princess Anne Election District, Somerset County, Maryland, the sum of one dollars and forty-six cents State taxes, and ten dollars and twenty-four cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1932.

That in the month of August, 19___, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of

his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts, and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Alfred H. Johnson in West Princess Anne Election District, Somerset County, Maryland, the sum of one dollars and forty-six cents State taxes, and nine dollars and thirty-six cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1933.

That in the month of August, 19____, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Alfred H. Johnson, in said West Princess Anne Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector, as aforesaid, in pursuance of said notice and advertisement, did, on June 4, 1935, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Alfred H. Johnson in said election district, as follows:

ALL that tract of land situate, lying and being in West Princess Anne Election District, Somerset County, Maryland, adjoining the lands of Rena Newman, William Griffith and Risdon McIntyre, and containing seven and one-half acres, more or less, and assessed to Alfred H. Johnson for 1931 and 1932, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, it being the highest bidder therefor, at and for the sum of seventy-nine dollars and forty-five cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman

County Treasurer and Collector
of State and County taxes

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of February, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

IN WEST PRINCESS ANNE DISTRICT.

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on Tuesday, June 4, 1935, at or about the hour of two o' clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land in West Princess Anne Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No. _____. All that tract of land in West Princess Anne Election District, Somerset County, Maryland, adjoining the lands of Rena Newman, William Griffith and Risdon McIntyre, and containing seven and one-half acres, more or less, and assessed to Alfred H. Johnson for 1931 and 1932, and sold for taxes due for said years.

CARLOS BOZMAN

County Treasurer.

Upon which said report, the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in West Princess Anne Election District, Somerset County, Maryland, assessed to Alfred H. Johnson, for 1931 and 1932, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland.)	No. 5989 Chancery In the Circuit Court for Somerset County, Md.
The County Commissioners of Somerset County, Maryland,----------Purchaser.)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on June 4, 1935, of land in West Princess Anne Election District, Somerset County, Maryland, adjoining the lands of Rena Newman, William Griffith and Risdon McIntyre, and containing seven and one-half acres, more or less, and assessed to Alfred H. Johnson for 1931 and 1932, made to the County Commissioners of Somerset County, Maryland, for the sum of seventy-nine dollars and forty-five cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been

complied with:

It is, thereupon, this 28th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 26th day of March, 1945, warning all persons interested in said property to be and appear in this Court in person on or before the 2nd day of May, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $79.45.

Edmond H. Johnson

Judge

And now at this day to wit, on the ninth day of May, in the year nineteen hundred and forty five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

Carlos Bozman, Ex parte	)	No. Chancery
	)	Somerset County, Md.

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Marylander and Herald, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 9th day of May, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.

Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

In the matter of the tax sale of real estate in West Princess Anne Election District, Somerset County, Maryland, assessed to Sallie Waters for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector.	)	Be it remembered, that heretofore to wit, on the twenty-eight day of February, in the year nineteen hundred and forty five, a certain Carlos Bozman, Collector of State and County taxes for the First Collection District of Somerset County for the years nineteen thirty-three and nineteen
County Commissioners of Somerset County, Md., Purchaser	)	

thirty-four, by L. Creston Beauchamp, his Solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit thereunto annexed, which said report and affidavit so as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in West Princess Anne Election District, Somerset County, Maryland, assessed to Sallie Waters, for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector.	)	No. 5990 Chancery In the Circuit Court for Somerset County, Maryland, in Equity.
County Commissioners of Somerset County, Md., Purchaser	)	

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1933, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days

after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Sallie Waters in West Princess Anne Election District, Somerset County, Maryland, the sum of no dollars and seventy-five cents State taxes, and three dollars and no cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1934.

That in the month of August, 19_____, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1934, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Sallie Waters in West Princess Anne Election District, Somerset County, Maryland, the sum of no dollars and sixty-six cents State taxes, and two dollars and ninety-four cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1935.

That in the month of August, 19____, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or be-

fore the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Sallie Waters, in said West Princess Anne Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also be notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on August 31, 1937, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Sallie Waters in said election district, as follows:

ALL that tract of land in West Princess Anne Election District, Somerset County, Maryland, on the county road adjoining the lands of Charles Bloodsworth, Thomas Barnette, and Mrs. Ballard, and containing twenty acres, more or less, and assessed to Sallie Waters for 1933 and 1934, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, it being the highest bidder therefor, at and for the sum of fourteen dollars and ninety-six cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman

County Treasurer and Collector of
State and County taxes

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of February, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

IN WEST PRINCESS ANNE DISTRICT.

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on _____, August 31, 1937, at or about the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction

for cash, all the lots or parcels of land in West Princess Anne Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No. _____. All that tract of land, and improvements thereon, in West Princess Anne Election District, Somerset County, Maryland, on the county road, adjoining the lands of Charles Bloodsworth, Thomas Barnette and Mrs. Ballard, and containing twenty acres, more or less, and assessed to Sallie Waters for 1933 and 1934, and sold for taxes due for said years.

CARLOS BOZMAN

County Treasurer.

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in West Princess Anne Election District, Somerset County, Maryland, assessed to Sallie Waters for 1933 and 1934, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland.	No. 5990 Chancery In the Circuit Court for Somerset County, Md.
The County Commissioners of Somerset County, Maryland----------Purchaser.	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on August 31, 1937, of land in West Princess Anne Election District, Somerset County, Maryland, on the county road, adjoining the lands of Charles Bloodsworth, Thomas Barnette and Mrs. Ballard, and assessed to Sallie Waters for 1933 and 1934, made to the County Commissioners of Somerset County, Maryland, a body corporate, for the sum of fourteen dollars and ninety-six cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with:

It is, thereupon, this 28th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 26th day of March, 1945, warning all persons interested in said property to be and appear in this Court in person or by attorney, on or before the 2nd day of May, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $14.96.

Edmond H. Johnson

Judge

And now at this day, to wit, on the ninth day of May, in the year nineteen hundred and forty five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Marylander & Herald, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 9th day of May, 1945, by the Circuit Court for Somerset County, Maryland, in Equity,

adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.

Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

"""""""

office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1934, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to William E. Maddox in Fairmount Election District, Somerset County, Maryland, the sum of one dollars and fifty-three cents State taxes, and six dollars and eighty-one cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1935.

That in the month of August, 1934, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said William E. Maddox, in said Fairmount Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to William E. Maddox in said election district, as follows:

All that tract of land situate, lying and being in Fairmount Election District, Somerset

County, Maryland, containing twenty and three-fourths acres, more or less, on the creek, and adjoining the lands of L. and S. Maddox, and W.H. Adams, and assessed to William E. Maddox for 1933 and 1934, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate, it being the highest bidder therefor, at and for the sum of seventy-six dollars and seventy cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman

County Treasurer and Collector of
State and County Taxes

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of February, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

IN FAIRMOUNT DISTRICT

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on _____, April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land in Fairmount Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No._____. All that tract in Fairmount Election District, Somerset County, Maryland, containing twenty and three-fourths acres, more or less, on the creek, and adjoining the lands of L. and S. Maddox, and W.H. Adams, and assessed to William E. Maddox for 1933 and 1934, and sold for taxes due for said years.

Carlos Bozman

County Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to William E. Maddox for 1933 and 1934, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland.	)	No. 5991 Chancery In the Circuit Court for Somerset County, Maryland.
The County Commissioners of Somerset County, Maryland----------Purchaser.	)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on April 6, 1937, of land in Fairmount Election District, Somerset County, Maryland, on the creek, and adjoining the lands of L. and S. Maddox, and W.H. Adams, and containing twenty and three-fourths acres, more or less, assessed to William E. Maddox for1933 and 1934, made to the County Commissioners of Somerset County, Maryland, a body corporate, for the sum of seventy-six dollars and seventy cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is, thereupon, this 28th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 26th day of March, 1945, warning all persons interested in said property to be and appear in this Court in person or by attorney, on or before the 2nd day of May, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $76.70.

Edmond H. Johnson
Judge

And now at this day to wit, on the ninth day of May, in the year nineteen hundred and forty five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

Carlos Bozman,	)	No. Chancery
Ex Parte	)	Somerset County, Maryland

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Marylander and Herald, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 9th day of May, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported by and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge

And thereupon, it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Davis, Clerk.

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In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John H. Revelle, Hrs. for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector.	)	Be it remembered that heretofore, to wit, on the twenty-eighth day of February, in the year nineteen hundred and forty five, a certain Carlos Bozman, Collector of state and county taxes for the Sixth Collection District of Somerset County for the years 1933 and 1934, by L. Creston
County Commissioners of Somerset County, Md., Purchaser.	)	

Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit thereunto annexed, which said report and affidavit so as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John H. Revelle, Hrs. for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector.	No. 5992 Chancery
	In the Circuit Court for
	Somerset County, Maryland,
County Commissioners of Somerset County, Md. Purchaser.	In Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1933, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to John H. Revelle Hrs. in Fairmount Election District, Somerset County, Maryland, the sum of one dollars and thirty-eight cents State taxes, and five dollars and fifty cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1934.

That in the month of August, 1933, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1934, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to John H. Revelle Hrs. in Fairmount Election District, Somerset County, Maryland, the sum of one dollars and twenty-two cents State taxes, and five dollars and thirty-nine cents, County taxes,

and that said State and County taxes were due and in arrears on January 1, 1935.

That in the month of August, 1934, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said John H. Revelle Hrs., in said Fairmount Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to John H. Revelle Hrs., in said election district, as follows:

All that lot of land situate, lying and being in Fairmount Election District, Somerset County, Maryland, containing twenty-two acres, more or less, adjoining the lands of Banks Waters, Charles H. Ford, George Revelle and A. Ketcham, and assessed to John H. Revelle Hrs. for 1933 and 1934, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate, it being the highest bidder therefor, at and for the sum of seventy-eight dollars, now fully paid, and a copy of said advertisement is herewith filed as a part of this report marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman

County Treasurer and Collector
of State and County taxes

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of February, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

IN FAIRMOUNT DISTRICT

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on _____, April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land in Fairmount Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No. _____. All that lot in Fairmount Election District, Somerset County, Maryland, containing twenty-two acres, more or less, adjoining the lands of Banks Waters, Charles H. Ford, George Revelle and A. Ketcham, and assessed to John H. Revelle Hrs. for 1933 and 1934, and sold for taxes due for said years.

CARLOS BOZMAN
County Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John H. Revelle Hrs. for 1933 and 1934, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland.	)	No. 5992 Chancery In the Circuit Court for Somerset County, Maryland.
The County Commissioners of Somerset County, Maryland Purchaser	)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on April 6, 1937, of land in Fairmount Election District, adjoining the lands of Banks Waters, Charles H. Ford, George Revelle and A. Ketcham, and containing twenty-two acres, more or less, assessed to John H. Revelle Hrs. for 1933 and 1934, made to the County Commissioners of Somerset County, Maryland, a body corporate, for the sum of seventy-eight dollars, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is, thereupon, this 28th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 26th day of March, 1945, warning all persons interested in said property to be and appear in this Court in person or by attorney, on or before the 2nd day of May, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $78.00.

Edmond H. Johnson
Judge

And now at this day to wit, on the twenty-eight day of February, nineteen hundred and forty five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the

said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

Carlos Bozman,	)	No. Chancery
Ex Parte	)	Somerset County, Maryland

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Marylander and Herald, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 9th day of May, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

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In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to Annie U. Hurley for the years 1933 and 1934, made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md. Purchaser.	Be it remembered that heretofore, to wit, on the twenty-eighth day of February, in the year nineteen hundred and forty five, a certain Carlos Bozman, Collector of state and county taxes for the Sixth Collection District of Somerset County for the years 1933 and 1934,

by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit thereunto annexed, which said report and affidavit so as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to Annie U. Hurley for the years 1933 and 1934, made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md. Purchaser.	No. 5993 Chancery In the Circuit Court for Somerset County, Maryland, in Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1933, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Annie U. Hurley in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and sixty-three cents State taxes, and two dollars and fifty cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1934.

That in the month of August, 1933, the said Harry E. Muir, then County Treasurer and

Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1934, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Annie U. Hurley in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and fifty-five cents State taxes, and two dollars and forty-five cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1935.

That in the month of August, 1934, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Annie U. Hurley in said Fairmount Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year

or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Annie U. Hurley in said election district, as follows:

All that lot of land situate, lying and being in Fairmount Election District, Somerset County, Maryland, on Rumbley, adjoining the lands of R.C. Ford, G.H. Dize, L.J. Ford and Thomas Blake, and containing one acre, more or less, and assessed to Annie U. Hurley for 1933 and 1934, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate, it being the highest bidder therefor, at and for the sum of fifty-two dollars and seventy-one cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman

County Treasurer and Collector
of State and County taxes

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of February, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

IN FAIRMOUNT DISTRICT

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on Tuesday, April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land in Fairmount Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No._____. All that lot of land in Fairmount Election District, Somerset County, Maryland, containing one acre, more or less, with the improvements thereon, on Rumbley, adjoining the lands of R.C. Ford, G.H. Dize, L.J. Ford and Thomas Blake, and assessed to Annie U. Hurley for 1933 and 1934, and sold for taxes due for said years.

CARLOS BOZMAN

County Treasurer.

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to Annie U. Hurley, for 1933 and 1934, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland.	)	No. 5993 Chancery In the Circuit Court for Somerset County, Maryland.
The County Commissioners of Somerset County, Maryland Purchaser.	)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on April 6, 1937, of land in Fairmount Election District, Somerset County, Maryland, on Rumbley, adjoining the lands of R.C. Ford, G.H. Dize, L.J. Ford and Thomas Blake, and containing one acre, more or less, assessed to Annie U. Hurley for 1933 and 1934, made to the County Commissioners of Somerset County, Maryland, a body corporate, for the sum of fifty-two dollars and seventy-one cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is, thereupon, this 28th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 26th day of March, 1945, warning all persons interested in said property to be and appear in this Court in person or by attorney, on or before the 2nd day of May, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $52.71.

Edmond H. Johnson
Judge

And now at this day to wit, on the ninth day of May, in the year nineteen hundred and forty five, comes again into Court here the said Collector by his solicitor aforesaid, and on motion of the said Collector by his solicitor aforesaid, the Court here passed the following order, to wit:

Carlos Bozman,	)	No. Chancery
Ex Parte	)	Somerset County, Maryland

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Marylander and Herald, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 9th day of May, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge

And thereupon, it is ordered by the Court here that the proceedings aforesaid, be entered of record according to law and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

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May Term, 1945.

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to Sarah E. Rowe, colored, for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md.----------Purchaser.	Be it remembered that heretofore, to wit, on the twenty-eighth day of February, in the year nineteen hundred and forty-five, a certain Carlos Bozman, Collector of state and county taxes for the Sixth collection district of Somerset County

for the years 1933 and 1934, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit, thereunto annexed, which said report and affidavit so as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to Sarah E. Rowe, colored, for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md. Purchaser.	No. 5994 Chancery In the Circuit Court for Somerset County, Maryland, in Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1933, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Sarah E. Rowe, colored, in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and eighty-five cents State taxes, and three dollars and forty cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1934.

That in the month of August, 1933, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1934, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists

for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Sarah E. Rowe, colored, in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and seventy-five cents State taxes, and three dollars and thirty-three cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1935.

That in the month of August, 1934, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills containing a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Sarah E. Rowe, colored, in said Fairmount Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Sarah E. Rowe, colored, in said election district, as follows:

All that lot of land situate, lying and being in Fairmount Election District, Somerset County, Maryland, adjoining the lands of J. E. Horsey, W. E. Cox and E. D. Waters, and containing one acre, more or less, assessed to Sarah E. Rowe, colored, for 1933 and 1934, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate, it being the highest bidder therefor, at and for the sum of seventy dollars and thirty-four cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted.

Carlos Bozman

County Treasurer and Collector
of State and County Taxes

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of February, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

IN FAIRMOUNT DISTRICT

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on Tuesday, April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land in Fairmount Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No. ____. All that lot of land in Fairmount Election District, Somerset County, Maryland, containing one acre, more or less, with the improvements thereon, and adjoining the lands of J. E. Horsey, W. E. Cox and E. D. Waters, and assessed to Sarah E. Rowe, colored, for 1933 and 1934, and sold for taxes due for said years.

CARLOS BOZMAN

County Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to Sarah E. Rowe, colored, for 1933 and 1934, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland.	)	No. 5994 Chancery In the Circuit Court for Somerset County, Md.
The County Commissioners of Somerset County, Maryland----------purchaser.	)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on April 6, 1937, of land in Fairmount Election District, Somerset County, Maryland, adjoining the lands of J. E. Horsey, W. E. Cox and E. D. Waters, and containing one acre, more or less, assessed to Sarah E. Rowe, colored, for 1933 and 1934, made to the County Commissioners of Somerset County, Maryland, for the sum of seventy dollars and thirty-four cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is thereupon, this 28th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 26th day of March, 1945, warning all persons interested in said property to be and appear in this Court in person or by

May Term, 1945.

attorney, on or before the 2nd day of May, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $70.34.

Edmond H. Johnson

Judge

And now at this day to wit, on the ninth day of May, in the year nineteen hundred and forty five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector, by his solicitor aforesaid the Court here passed the following order, to wit:

Carlos Bozman,	)	No. Chancery
Ex Parte	)	Somerset County, Maryland

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Marylander and Herald, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 9th day of May, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.

Judge

And thereupon, it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

""

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to Andrew J. Hall for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md.----------,Purchaser.	)	Be it remembered that heretofore, to wit, on the twenty-eight day of February, in the year nineteen hundred and forty-five, a certain Carlos Bozman, Collector of state and county taxes for the Sixth collection district of Somerset County

for the years 1933 and 1934, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit, thereunto annexed, which said report and affidavit so as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to Andrew J. Hall for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md. Purchaser.	)	No. 5995 Chancery In the Circuit Court for Somerset County, Maryland, in Equity

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1933, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions,

as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Andrew J. Hall in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and forty-five cents State taxes, and no dollars and eighty cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1934.

That in the month of August, 1933, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1934, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Andrew J. Hall in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and forty cents State taxes, and no dollars and seventy-six cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1935.

That in the month of August, 1934, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Andrew J. Hall, in said Fairmount Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Andrew J. Hall in said election district, as follows:

ALL that lot of land situate, lying and being in Fairmount Election District, Somerset County, Maryland, adjoining the lands of H. B. Miles, Herschel Ford, W. H. Adams and George McGrath, and containing five acres, more or less, and assessed to Andrew J. Hall for 1933 and 1934, and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate, it being the highest bidder therefor, at and for the sum of fifty dollars and seventy-two cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted.

Carlos Bozman

County Treasurer and Collector
of State and County taxes

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of February, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

IN FAIRMOUNT DISTRICT

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on Tuesday, April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land in Fairmount Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

May Term, 1945.

No._____. All that lot of land in Fairmount Election District, Somerset County, Maryland, adjoining the lands of H. B. Miles, Herschel Ford, W. H. Adams, and George McGrath, and containing five acres, more or less, and assessed to Andrew J. Hall for 1933 and 1934, and sold for taxes due for said years.

CARLOS BOZMAN

County Treasurer.

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to Andrew J. Hall for 1933 and 1934, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland.	)	No. 5995 Chancery
	)	In the Circuit Court
	)	for Somerset County,
	)	Maryland.
The County Commissioners of Somerset County, Maryland----------Purchaser.	)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on April 6, 1937, of land in Fairmount Election District, Somerset County, Maryland, adjoining the lands of H. B. Miles, Herschel Ford, W. H. Adams and George McGrath, and containing five acres, more or less, and assessed to Andrew J. Hall for 1933 and 1934, made to the County Commissioners of Somerset County, Maryland, for the sum of fifty dollars and seventy-two cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is, thereupon, this 28th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice by given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 26th day of March, 1945, warning all persons interested in said property to be and appear in this Court in person or be attorney, on or before the 2nd day of May, 1945, to show cause, in any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $50.72.

Edmond H. Johnson

Judge

And now at this day to wit, on the ninth day of May, in the year nineteen hundred and forty-five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid, the Court here passed the following order, to wit:

Carlos Bozman,	)	No. Chancery
Ex Parte	)	Somerset County, Maryland

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Marylander and Herald, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 9th day of May, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the same therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.

Judge

And thereupon, it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

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In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Frederick S. Jewett for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md.----------, Purchaser.	Be it remembered that heretofore, to wit, on the twenty-eight day of February in the year nineteen hundred and forty-five, a certain Carlos Bozman, Collector of State and county taxes for the Twelfth collection district of Somerset

County for the years 1931 and 1932, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales, with an affidavit, thereunto annexed which said report and affidavit so as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Frederick S. Jewett for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md. Purchaser	No. 5997 Chancery In the Circuit Court for Somerset County, Maryland, in Equity

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1931, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Frederick S. Jewett in Asbury Election District, Somerset County, Maryland, the sum of no dollars and fifty cents State taxes, and three dollars and fifty cents, County Taxes and that said State and County taxes were due and in arrears on January 1, 1932.

That in the month of August, 1935, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisment and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 29, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law

showing the aggregate assessment of every person, set of persons or corporate institutions as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Frederick S. Jewett in Asbury Eledtion District, Somerset County, Maryland, the sum of no dollars and fifty cents State taxes, and three dollars and twenty cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1933.

That in the month of August, 1935, the said Harry E. Muir, then County Treasurer and collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir , then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer on or before the first day of October next succeeding said levy, and that such advertisment and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1931 and 1932 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Frederick S. Jewett in said Asbury Election District and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Crisfield Times, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed and the said Carlos Bozman County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did on August 9, 1935, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash all that lot, tract or parcel of land, being the real estate assessed to Frederick S. Jewett in said elcetion district, as follows:

All that lot of land situate, lying and being in Asbury Election District, Somerset County, Maryland, binding on the county road, and adjoining the lands of Annie Jewett and George Miles, and containing two and one-half acres, more or less, and assessed to Frederick S. Jewett for 1931 and 1932, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, it being the highest bidder therefor, at and for the sum of twelve dollars and sixty-nine cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman
County Treasurer and Collector of State and
County Taxes.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of February, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Gertrude H. Bozman SEAL OF

Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

IN ASBURY DISTRICT

By virtue of the power and authority vested in me as County Treasurer for Somerset County Maryland, I hereby give notice that on Tuesday, August 9, 1935, at or about the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction for cash, all the lots or parcels of land in Asbury Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No.____ All that lot in Asbury Election District, Somerset County, Maryland, containing two and one-half acres, more or less, and improvements, adjoining the lands of Annie Jewett and George Miles, and assessed to Frederick S. Jewett, for 1931 and 1932, and sold for taxes due for said years.

Carlos Bozman

County Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County Maryland, assessed to Frederick S. Jewett, for 1931 and 1932, reported by Carlos Bozman, County Treasurer and Collector of State and County Taxes for Somerset County, Maryland.	)	No. 5997 Chancery
	)	In the Circuit Court
	)	for Somerset County,
	)	Maryland
The County Commissioners of Somerset County, Maryland----------Purchaser	)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on August 9, 1935, of land in Asbury Election District, Somerset County, Maryland, adjoining the lands of Annie Jewett and Gerorge Miles and containing two and one-half acres, more or less, assessed to Frederick S. Jewett, for 1931 and 1932, made to the County Commissioners of Somerset County, Maryland, for the sum of twelve dollars and sixty-nine cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is, thereupon, this 28th day of February, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 26th day of March 1945, warning all persons interested in said property to be and appear in this Court in person or by attorney on or before the 2nd day of May 1945, to show cause, if any they have, why said sale shall not be ratified, and confirmed.

The report states the amount of sale to be $12.69.

Edmond H. Johnson
Judge

And now at this day to wit, on the sixteenth day of May, in the year nineteen hundred and forty five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid, the Court here passed the following order, to wit:

Carlos Bozman,	)	No. Chancery
Ex Parte	)	Somerset County, Maryland

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in The Crisfield Post, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 16th day of May, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin F. Barnes CLERK.

""

Edgar A. Jones, Assignee Ex parte under power in Mortgage from Alice C. Bennett & L. Atwood Bennett, her husband to Myrtle T. Derrickson	))))))	Be it remembered that heretofore to wit, on the seventh day of March in the year nineteen hundred and forty-five, a certain Edgar A. Jones of Somerset County and State of Maryland, in his proper person exhibited and filed in the Circuit Court here, the original and assignment of a certain mortgage and a

certain Bill Obligatory executed and delivered to Myrtle T. Derrickson by a certain Alice C. Bennett and L. Atwood Bennett, her husband, of Wicomico County and State of Maryland, which said original mortage and assignment are in the words following to wit:

THIS MORTGAGE, Made this First day of August in the year nineteen hundred and forty-two by Alice C. Bennett and L. Atwood Bennett, her husband, both of Wicomico County, and State of Maryland, parties of the first part:

Whereas, the said parties of the first part are justly indebted unto Myrtle T. Derrickson of Odessa, Newcastle County, and State of Delaware, party of the second part, in the full and just sum of Fifteen Hundred Dollars evidenced by the certain bill obligatory of the said parties of the first part bearing even date herewith, for the said princiapl sum of $1500.00 payable to the order of the said party of the second part, one year after date hereof, with interest thereon at the rate of six percentum per annum, payable semi-annually, and to secure the payment of which said principal sum, with interest thereon in the manner and at the times aforesaid limited for the payment thereof respectively, these presents are executed.

Now, therefore, this mortgage witnesseth, that the said parties of the first part, in consideration of the premises, and for the purpose aforesaid, and in the further consideration of One Dollar ($1.00) to them in hand paid by the said party of the second part (receipt whereof is hereby by them acknowledged) do hereby grant and convey unto the said party of the second part, her heirs and assings,

All that tract of land situated in West Princess Anne Election District, of Somerset County, and State of Maryland; bounded on the North by Passerdyke Creek; bounded on the East by the lands of Charles E. Smith, and the lands of the Federal Land Bank of Baltimore; bounded on the South by woodland; bounded on the West by the land known as the "Jerome Dennis Land," containing fifty (50) acres of land, more or less.

Together with the buildings and improvements thereon; and the rights, roads, ways, waters privileges, appurtenances and advantages therto belonging, or in any wise appertaining.

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee her heirs and assigns forever.

PROVIDED that if the said Mortgagors shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said bill obligatory, 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 Mortgagors shall possess the aforesaid property upon paying, in the mean tim,e all taxes and assessments, public debts 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 aforesaid, the said parties of the first part do hereby covenant to pay when legally demandalbe. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, than the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagee her personal representatives or assigsn, or L. Atwood Bennett, their Attorney or Agent, at

any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash, to satisfy and pay said debt, interest and all costs incurred in making such sale, and to grant and convey 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 tim,e place, manner and terms of sale by advertisement in some newspaper printed in Somerset county, and such other notice as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorney's fee, 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; secondly, to the payment of all claims of the said Mortgagee her perosnal 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 Mortgagor, or to whoever may be entitled to the same and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted, and that the said Mortgagors or any person in their behalf shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagors covenant to pay the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee and one-half the commission hereinbefore mentioned, to be claculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the evnet that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagors do further covenant to insure, and pending the existance of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least one thousand dollars, and to cause the policy to be effected thereon to be so framed or endorsed, as in case of fire, to insure to the benefit of the said mortgagee her personal representatives and assigns, to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgageee, and if the said mortgagors shall fail to insure and keep insured the improvements aforesaid for the benefit of the mortgagee her and to deposit the policy or policies as aforesaid, the said mortgagee her hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee her may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

Witness the hands and seals of said mortgagors.

TEST: L. Morris Byrd

Alice C. Bennett (SEAL)

L. Atwood Bennett (SEAL)

STATE OF MARYLAND, Wicomico COUNTY, to wit:

I HEREBY CERTIFY That on this 1st day of August in the year nineteen hundred and forty-two before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico county personally appeared Alice C. Bennett and L. Atwood Bennett, her husband, the mortgagors named in the foregoing mortgage and each acknowledged the foregoing mortgage to be their respective act and deed; and at the same time place also personally appeared before me Myrtle T. Derrickson, the within named mortgagee, and made oath in due form of law, that the consider-

ation mentioned in the foregoing mortgage is true and bona fide as therein set forth.

As witness my hand and notarial seal.

L. Morris Byrd SEAL OF

State Stamps: $1.50

Notary Public NOTARY

Received for Record November 19, 1942 and recorded in Liber B.L.B. No. 119, folio 456, one of the Land Records of Somerset County.

Per Benjamin L. Barnes Clerk.

For value received I hereby assign the within mortgage to Edgar A. Jones for the purpose of foreclosure. As witness my hand and seal this 1st day of March, 1945.

TEST: J. Asbury Holloway Myrtle T. Derrickson (SEAL)

Filed for Record March 7, 1945, and recorded in Liber B.L.B. No. 119, folio 456 .

Test: Benjamin L. Barnes Clerk.

The Bill Obligatory referred to above is in the words following to wit:

ONE YEAR AFTER DATE, For Value Received, We hereby promise to the order of Myrtle Derrickson of Newcastle County, and State of Delaware, the sum of Fifteen Hundred Dollars with interest thereon at the rate of six percentum (6%) per annum, from the date hereof, to be payable on semi-annually the same being for money borrowed from the said Myrtle T. Derrickson and to secure the repayment of which, with interest as aforesaid we have this day executed unto the said Myrtle T. Derrickson a mortgage of even date herewith on certain real estate situated in West Princess Anne Election District of Somerset County and State of Maryland.

And it is further agreed that if any default be made in the payment of the principal debt or interest, or either of them at the time limited for the payment thereof, or in any condition or covenant of the said mortgage, then the entire debt and all interest thereon shall be immediately due and demandable; and we hereby covenant to pay ten per cent (10%) as collection fees and we hereby authorize and empower L. Atwood Bennett, or nay attorney of any Court of Record in Maryland, or elsewhere, to appear in any of said Courts at any time thereafter in an action or actions of debt hereon at the suit of said Myrtle T. Derrickson, her personal representatives or assigns, and in the name and stead of ourselves, our heirs, executors or administrators, to confess judgment during term or recess for the said principal debt and interest and ten percent (10%) as collection fees, together with all the costs and charges of the suit, and we hereby waive all the right to personal summons and to exemption of every kind as to the debt evidenced by this obligation and to all staty of execution upon any judgment rendered hereon.

As witness our hands and seals this the 1st day of August in the year nineteen hundred and forty two.

Alice C. Bennett (SEAL)

TEST: J. Asbury Halloway

L. Atwood Bennett (SEAL)

For value received I hereby assign the within bill obligatory to Edgar A. Jones, for purpose of foreclosure and collection. As witness my hand and seal this 1st day of March, 1945.

TEST: J. Asbury Halloway Myrtle T. Derrickson (SEAL)

And thereupon the said Edgar A. Jones, Assignee filed in Court here a bond in the words following to wit:

Know all men by these presents, that we, Edgar A. Jones, L. Shanley Ford and Briddelle H. Dougherty, all of Princess Anne, Somerset County, Maryland, are held firmly bound unto the State of Maryland, in the full and just sum of Three 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, and administrators, jointly and severally, firmly by these presents; sealed with our seals and dated this 29th day of March, in the year nineteen hundred forty-five.

Whereas, by mortgage dated October 1, 1942, recorded among the Lnad Records of Somerset County in Liber B.L.B. No. 119, folio 456, Alice C. Bennett and L. Atwood Bennett, her husband, conveyed to Myrtle T. Derrickson certain real estate in Somerset County, to secure the payment of the sum therein mentioned, and

Whereas, the said Myrtle T. Derrickson has duly assigned said mortgage to the said Edgar A. Jones for the purpose of collection and foreclosure; which said assignment is duly recorded among the aforesaid Land Records, and

Whereas, by virtue of the power and authority contained in said mortgage, the said Edgar A. Jones is authorized, upon default, to sell the property conveyed by said mortgage, and whereas, default has occurred in the terms and conditions of said mortgage and the said Edgar A. Jones ia about to exercise the power of sale in said mortgage contained.

Now therefore, the conditions of the above obligation is such, that if the above bounden Edgar A. Jones, does and shall well and faithfully perform the trust reposed in him by said mortgage and shall abide 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 and remain in full force and virtue in law.

Witness: Sally Ann Lawson

Edgar A. Jones (SEAL)
L. Shanley Ford (SEAL)
Bridelle H. Daugherty (SEAL)

Which said bond was thus thereon endorsed, to wit:

The within Bond Approved,

Benjamin L. Barnes, Clerk

And thereafter to wit, on the eleventh day of April, in the year nineteen hundred and forty-five, the said Assignee exhibited and filed in the Circuit Court here a report of sales and distribution, with an affadavit thereunto annexed, which said report and distribution and affadavit so aforesaid filed, are in the words following to wit:

EDGAR A. JONES ASSIGNEE FOR THE PURPOSE OF FORECLOSURE FROM MYRTLE T. DERICKSON	)	No. 6003 Chancery
VS.	)	In the Circuit Court for Somerset County in Equity.
ALICE C. BENNETT L. ATWOOD BENNETT, HER HUSBAND EXPARTE	)	
	)	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Edgar A. Jones, Assignee for the purpose of foreclosure of a certain mortgage, made by Alice C. Bennett and L. Atwood Bennett, her husband to Myrtle T. Derrickson for $1500.00 dated August 1st, 1942, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 119, folio 456, and by said Myrtle T. Derrickson assigned to Edgar A. Jones, for the purpose of foreclosure, default having occured in the covenants of said mortgage, the undersigned, Assignee as aforesaid, filed said mortgage for the purpose of foreclosure, and respectfully shows unto your Honors, that after having given bond with security approved by the Clerk of the Court for the faithful dishcarge of the trust, as aforesaid reposed in him by said mortgage, as required by law, and giving notice of the time, place, manner and terms of sale by advertisement in the Marylander and Herald, a newspaper published in Somerset County, Maryland, one a week for three successive weeks before the day of sale, he did, pursuant yo said notice attend at the front of the Court House Door, at Princess Anne, State of Maryland, on Friday, March 30th, 1945, at 2 O'clock P.M., and then and there proceeded to sell the property aforesaid, to wit:

All that tract of land situated in West Princess Anne Election District, Somerset County, and State of Maryland, bounded on North by Passedyke Creek; bounded on the East by the lands of Charles E. Smith, and the lands of the Feereal Land Bank of Baltimore; bounded on the South by woodland; and bounded on the West by the land formerly owned by Jerome Dennis, containing 50 acres of land, more or less,

And then and there sold said property to J. Asbury Holloway at public sale, who being the highest and best bidder therefor at the sum of one thousand dollars. Terms of sale complied with.

And the said Assignee named in this Report of Sale further reporsts and prays ratification and distribution of funds coming into his hands from said sale, as follows, that is to sale:

March 30th, 1945 By amount of sale		$1000.00
To Edgar A. Jones, appearance fee	$10.00	
To Edgar A. Jones, commissions as per order of Court	72.00	
To Benjamin L. Barnes, Clerks cost	18.75	
To Marylander and Herald for advertising and order nisi	16.50	
To Edwin B. Muir Auct.	5.00	
Balance applied on mortgage and interest of Myrtle T. Derrickson	$877.75	$1000.00

Respectfully submitted,

Edgar A. Jones
Assignee for purpose of foreclosure

State of Maryland, Somerset County, to wit:

I hereby certify that on 12th day of April, 1945, before me the subscribed, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Edgar A. Jones, assignee as aforesaid, and made oath in due form of law that the matters and things set forth in said report of sale and distribution are true and correct to the best of his knowledge and belief, and that the sale was fairly made.

As witness my hand and notarial seal the day and year just above written.

Sally Ann Lawson
Notary Public

SEAL OF NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

EDGAR A. JONES ASSIGNEE FOR THE PURPOSE OF FORECLOSURE FROM MYRTLE T. DERRICKSON	)	No. 6003 Chancery
VS.	)	In the Circuit Court for Somerset County, in Equity.
ALICE C. BENNETT, AND L. ATWOOD BENNETT, HER HUSBAND	)	

ORDER NISI

Ordered this 12 day of April, in the year nineteen hundred and forty-five, by the Circuit Court for Somerset County, and State of Maryland in Equity, that the sale of the property mentioned in these proceedings, and the distribution of the funds arising therefrom, made and reported by Edgar A. Jones, assignee for the purpose of foreclosure as aforesaid, as set forth in said report of sale, be ratified and confirmed, unless cause to the contrary, thereof be shown on or before the 14th day of May 1945; provided a copy of this order be inserted in some newspaper published in Somerset County, Maryland, once in each of three successive weeks before the 12th day of May, 1945.

The report of sales amount to $1,000.00.

Benjamin L. Barnes
Clerk of The Circuit Court

And now at this day to wit, on the sixth day of June, in the year nineteen hundred and forty-five comes again into Court here the said assignee and on motion of the said assignee the Court here passed the following order, to wit:

EDGAR A. JONES, ASSIGNEE FOR THE PURPOSE OF FORECLOSURE FROM MYRTLE T. DERRICKSON	)	No. 6003 Chancery
VS.	)	In the Circuit Court For Somerset County In Equity
ALICE C. BENNETT AND L. ATWOOD BENNETT, HER HUSBAND	)	

Ordered, this the 6th day of June, 1945, by the Circuit Court for Somerset County, and State of Maryland, in Equity, that the sale of the property mentioned in these proceedings and the distribution of the funds arising therefrom, made and reported by Edgar A. Jones, Assignee as aforesaid, 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 required by the Order Nisi passed in said cause, and it appearing that the costs of this proceedings having been paid.

Edmond H. Johnson
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes Clerk.

"""

PAUL R. EVANS VS. CHARLES H. WARD, LUCY EVANS, LILLIE M. WARD, SARAH E. WHITE, MARY E. LAWRENCE, CHARLES BISHOP, MARGUERITE BISHOP, WILLIAM BISHOP, PEARL COLBOURNE, SARAH COLBOURNE, ETHEL D. COURSEY, IRA IRVING, HENRIETTA IRVING, AND LILLIAN EVANS.	Be it remembered that heretofore, to wit, on the twenty-first day of September, in the year nineteen hundred and forty-four, a certain Paul R. Evans, by Harry C. Dashiell, his solicitor exhibited and filed in the Circuit Court here a bill of complaint against Charles H. Ward, Lucy Evans, Lillie M. Ward, Sarah E. White, Mary E. Lawrence, Charles Bishop, Marguerite Bishop, William Bishop, Pearl Colbourne, Sarah Colbourne, Ethel D. Coursey, Ira Irving, Henrietta Irving, and Lillian Evans, which said bill of complaint is in the words following, to wit:

PLAINTIFF, PAUL R. EVANS VS. CHARLES H. WARD, LUCY EVANS, LILLIE M. WARD, SARAH E. WHITE, MARY E. LAWRENCE, CHARLES BISHOP, MARGUERITE BISHIP, WILLIAM BISHOP, PEARL COLBOURNE, SARAH COLBOURNE, ETHEL D. COURSEY, IRA IRVING, HENRIETTA IRVING, AND LILLIAN EVANS.	No. 5955 Chancery In the Circuit Court for Somerset County, In Equity.

TO THE HONORABLE, THE JUDGES, OF SAID COURT:

Your Orator, complaining, says:

I

That George Evans, Sr., late of Somerset County, deceased, was in his lieftime, and at the time of his death, seized and possessed of valuable Real Estate, situate lying and being in Lawson's Election District, in said Somerset County, and State of Maryland.

II

That being so seized, the said George Evans, Sr., departed this life intestate during the year 1890, without leaving a wife surviving him, but leaving surviving him as his only heirs at law, the following children and grandchildren, namely:

(a) A daughter, Marietta Ward, who has since departed this life, intestate, leaving as her only heir at law, a son, the defendent, Charles H. Ward, an adult who resides in said Somerset County, Maryland.

(b) A son, George Evans, Jr., who has since died, leaving surviving him, a widow, the defendetn, Lucy Evans, an adult; a daughter, the defendent, Mary E. Lawrence, an adult, a daughter, the defendant, Lillie M. Ward, an adult, all residing in said Somerset County, Maryland; a daughter, the defendent, Pearl Colbourne, an adult residing at Port Norris, in the State of New Jersey; a daughter, the defendent, Sarah E. White, an adult residing in Wicomico County and State of Maryland, and the following children of Esther Evans, Bishop, a daughter of the said George Evans, Jr., who has departed this life since the death of her said Father, leaving the three following children, all infants, surviving her, namely: The defendents, Charles Bishop, Marguerite Bishop, and William Bishop, all residing in said Somerset County, Maryland, and the Plaintiff, a son, Paul R. Evans, who is an adult residing in said Somerset County, Maryland.

(c) Sarah Colbourne, the defendent, and a daughter of the said George Evans, Sr., an adult residing in the City of Providence, and State of Rhode Island.

(d) A daughter, Annie Evans Irving, who has departed this life since the death of her said Father, leaving surviving her, the following children, Ethel D. Coursey, the defendent, an adult residing in Queen Anne's County, and State of Maryland, a son, the defendent, Ira Irving, an adult residing in Philadelphia, in the State of Pennsylvania, and a daughter, Henrietta Irving, the defendent, an adult residing in said City of Philadelphia, and State of Pennsylvania.

(e) The defendent, Lillian Evans, a da ghter of the said George Evans, Sr., who is an adult, but is a non compos mentis, and who is now an inmate of Byberry Hospital, an institution for the insane in Philadelphia, Pennsylvania.

III

That the aforesaid Real Estate owned by the said George Evans, Sr., at the time of his death, is not susceptible of division or partition among the parties entitled to interest therein, and that it would be to the interest and benefit of said parties to sell said Real Estate and to divide the proceeds among 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 defendents herein according to their respective rights and interest in said Real Estate.

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

MAY IT PLEASE YOUR HONOR, to grant unto your Orator, the writ of subpoena, directed to the said (Charles H. Ward, Lucy Evans),(Lillie M. Ward, Mary E. Lawrence) all adults, and, too, Charles Bishop, Marguerite Bishop, and William Bishop, all infants under the age of 21 yrs. all residing in said Somerset County, Maryland, and, too, Sarah E. White, an adult residing in Wicomico County, and State of Maryland, and, to, Ethel D. Coursey, an adult residing in Queen Anne's County, in said State of Maryland, commanding them and each of them, to be and appear in this Court, either in person, or by Solicitor, on or before a certain day to be named therein, to answer the premises and abide by and perform such decree as may be passed therein; and also, the order of publication, giving notice to the said Pearl Colbourne, an adult residing at Port Norris, in the State of New Jersey, and, too, Sarah Colbourne, an adult, residing in the City of Providence, in the State of Rhode Island, and, to, Ira Irving, an adult, and to Henrietta Irving, an adult, both residing in the City of Philadelphia, and State of Pennsylvania, and, to, Lillian Evans, an adult, who is a non compos mentis, and is an inmate of an asylum, for the insane, in the City of Philadelphia, and State of Pennsylvania and all of which last named defendents, are non-residents of the State of Maryland, and giving notice to all of said non-resident defendents of the object and substance of this Bill, and warning them to appear in this Court in person, or by Solicitor on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not be passed as prayed.

AND AS IN DUTY BOUND, ETC.

Harry C. Dashiell
Solicitor for Complainant

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenae were issed, to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Charles H. Ward and Lucy Evans of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAy in October next to answer the complaint of Paul R. Evans against you and others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944. ISSUED the 22nd day of September Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL The State of Maryland

OF To Lillie M. Ward and Mary E. Lawrence of Somerset County, Greeting:

COURT YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944. ISSUED the 22nd day of September Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL The State of Maryland
OF
COURT To Charles Bishop, an infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944. ISSUED the 22nd day of September Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

Seal The State of Maryland
of
Court To Marguerite Bishop, infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944. ISSUED the 22nd day of September Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL The State of Maryland
OF
To William Bishop, an infant of Somerset County, Greeting:
Court

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944. ISSUED THE 22nd day of September Anno Domini 1944.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Sarah E. White of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS , the Honorable Levin Claude Bailey Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944. ISSUED the 22nd day of September Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Ethel D. Coursey of Queen Anne County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944. ISSUED the 22nd day of September Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

At which said first MONDAY in October, in the year nineteen hundred and forty-four and the day of the return of the above recited writs, came again into Court here the said complainant by his solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the first five writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Charles H. Ward summoned, Lucy Evans non est.

Murray E. Ward, Sheriff.

To the second of said writs: Lillie M. Ward summoned, and Mary E. Lawrence non est.

Murray E. Ward, Sheriff.

To the third of said writs: Charles Bishop non est.

Murray E. Ward, Sheriff.

To the fourth of said writs: Marguerite Bishop summoned and a copy left with said infant and with Carl Bishop, the father of said infant.

Murray E. Ward, Sheriff.

To the fifth of said writs: William Bishop summoned and a copy left with said infant and a copy left with Carl Bishop, the father of said infant.

Murray E. Ward, Sheriff.

On the day and year aforesaid came into Court here the said Complainant by his solicitor, and the Sheriff of Wicomico County to whom the sixth writ aforesaid was, in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit: Non Est as of this date 9/29/44

L. H. Brewington, Sheriff.

On the day and year aforesaid came into Court here the said Complainant by his solicitor, and the Sheriff of Queen Anne County to whom the seventh writ aforesaid was, in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit: Summoned by reading same to Ethel D. Coursey and leaving copy of same with her. September 28, 1944.

Louis B. Perkins, Sheriff.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following order of publication was issued, to wit:

ORDER OF PUBLICATION

PAUL R. EVANS	)	No. 5955 Chancery
VS.	)	In the Circuit Court for Somerset County, in Equity.
CHARLES H. WARD, ET. ALS	)	
	)	

The object of this suit, is to procure a decree for the sale of the Real Estate of George Evans, Sr., late of Somerset County, deceased, situate in Lawson's Election District, in said Somerset County, Maryland.

The Bill states that George Evans, Sr., late of said Somerset County, was, in his lifetime, seized and possessed of valuable Real Estate in Lawson's Election District, in said Somerset County, Maryland; that being so seized, the said George Evans, Sr., departed this life intestate, during the year 1890, leaving no widow surviving him, but leaving surviving him as his only heirs at law, the following children and grandchildren: a daughter, Marietta Ward, who has since died, leaving as her only heir at law, a son, Charles H. Ward, an adult who resides in said Somerset County; a son, George Evans, Jr., who has since died, leaving surviving him, a widow, Lucy Evans, an adult, a daughter, Mary E. Lawrence, an adult, a daughter the defendant, Lillie M. Ward, an adult, all residing in said Somerset County; a daughter, Pearl Colbourne, an adult residing at Port Norris, New Jersey, a daughter, Sarah E. White, an adult, residing in Wicomico County, Maryland, and the following children of Esther Evans Bishop, a daughter of the said George Evans, Jr., who died after her Father, leaving the three following children, all infants, namely: Charles Bishop, Marguerite Bishop, and William Bishop all residing in said Somerset County, and a son, Paul R. Evans, an adult, residing in said Somerset County; Sarah Colbourne, a daughter of George Evans, Sr., an adult, residing in the City of Providence, and State of Rhode Island; a daughter Annie Irving, who departed this life after the death of her Father, George Evans, Sr., leaving the following children: Ethel D. Coursey, an adult residing in Queen Anne's County, Maryland, a son, Ira Irving, and a daughter Henrietta Irving, both adults, and both residing in the City of Philadelphia, and State of Pennsylvania; another daughter of the said George Evans, Sr., Lillian Evans, who is an adult, but is a non compos mentis, and is now an inmate of Byberry Hospital, an institution in Philadelphia, Pennsylvania; that the real estate of the said George Evans, Sr., is not susceptible of division or partition among the parties entitled to interest therein, and that it would be to the inter st and benefit of said parties to sell said real estate, and divide the proceeds among them.

It is, upon this 21st day of September, 1944, ordered by the Circuit Court for Somerset County, in Equity, that the Plaintiff, by causing a copy of this order, to be inserted in some newspaper published in said Somerset County, Maryland, once in each of four successive weeks, before the 23rd day of October, 1944, give notice to the said absent defendents, all adults, Pearl Colbourne, at Port Norris, in the State of New Jersey, Sarah Colbourne, in the City of Providence, and State of Rhode Island, Ira Irving, Henrietta Irving, in the City of Philadelphia, and State of Pennsylvania, and Lillian Evans, a non compos mentis, and an inmate of an asylum, in the City of Philadelphia and State of Pennsylvania, of the object and substance of this Bill warning them to appear in this Court, in person, or by Solicitor, on or before the 8th day of November, 1944, to show cause, if any they have, why a decree ought not be passed as prayed.

Benjamin L. Barnes, Clerk.

And afterwards, to wit, on the thirteenth day of October, nineteen hundred and forty-four, the following subpoenae were reissued:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Charles Bishop, an infant of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of Paul. R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the 2nd day of October Anno Domini 1944. ISSUED the 13th day of October Anno Domini 1944.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Lucy Evans and Sarah E. White of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the 2nd day of October Anno Domini 1944. ISSUED the 13th day of October Anno Domini 1944.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Mary E. Lawrence of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the 4th day of September Anno Domini 1944. ISSUED the 13th day of October Anno Domini 1944.

Per order

Benjamin L. Barnes, Clerk.

At which said first Monday in November, in the year nineteen hundred and forty-four and the day of the return of the above recited writs, dame agains into Court here the said complainant by his solicitor, and the Sheriff of Wicomico County, L. H. Brewington, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: 10/26/44 Non Est.

L. H. Brewington, Sheriff.

To the second of said writs: 10/26/44 Non Est as to both

L. H. Brewington, Sheriff.

And also at the same time came into Court here, the Sheriff of Baltimore City, Joseph C. Deegan, to whom the third writ was delivered for service, and made return thereof to the Court here in the words following to wit:

To the third of said writs: Summoned and a copy of the Process left with the defendant. 10/18/44.

Joseph C. Deegan, Sheriff.

And afterwards to wit, on the twenty-eighth day of November, nineteen hundred and forty four, the following subpoenas were reissued:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Charles Bishop, Infant of Wicomico County, Greeting;

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in December next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey Chief Judge of the First Judicial Circuit of Maryland, the 6th day of November Anno Domini 1944. ISSUED the 28th day of November Anno Domini 1944.

Per order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Lucy Evans & Sarah E. White of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in December next to answer the complaint of Paul R. Evans against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey Chief Judge of the First Judicial Circuit of Maryland, the 6th day of November Anno Domini 1944. ISSUED the 28th day of November Anno Domini 1944.

Per Order

Benjamin L. Barnes, Clerk.

At which said Monday in December in the year nineteen hundred and forty-four, and the day of the return of the above recited writs, came again into Court here the said Complainant by his solicitor, and the Sheriff of Wicomico County, L. H. Brewington, to whom the writs aforesaid were in form aforesaid delivered for service, also came and made return thereof to the Court here in the words following to wit:

To the first of said writs: Summoned by reading to and leaving copy of subpoena with Lucy Evans, guardian for Charles Bishop, infant, this 1st day of December, 1944.

L. H. Brewington, Sheriff.

To the second of said writs: Summoned Lucy Evans and Sarah E. White and copy of subpoena left with them this 1st day of December, 1944.

L. H. Brewington, Sheriff.

And afterwards to wit, on the ninth day of January in the year nineteen hundred and forty-five the following affidavit was filed.

Paul R. Evans	)	No. Chancery
Vs.	)	In the Circuit Court for Somerset County, in Equity.
Charles H. Ward, et. als.	)	
	)	

THIS IS TO CERTIFY that on this 8th day of January, in the year nineteen hundred and forty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Harry C. Dashiell, the Solicitor for the Complainant in the above entitled cause, and made oath in due form of law that the said defendants in said cause, Charles H. Ward, Lucy Evans, Lillie M. Ward, Sarah E. White, Mary E. Lawrence, Charles Bishop, Marguerite Bishop, William Bishop, Pearl Coulbourne, Sarah E. Coulbourne, Ethel De Coursey, Ira Irvin, Harriet Irvin and Lilliam Evans are not now in the military or naval service of the United States and have not been in such military or naval servive within three years of the filing of the bill of complaint in this cause.

Jeannette Wilson SEAL OF
Notary Public NOTARY

And thereafter to wit, on the ninth day of January in the year nineteen hundred and forty-five, the said Complainant by his Solicitor aforesaid filed in Court here a petition in the words following to wit:

PAUL R. EVANS	)	No. Chancery
VS.	)	In the Circuit Court for Somerset County, in Equity.
CHARLES H. WARD, ET. ALS.	)	
	)	

The petition of the Complainant, Paul R. Evans, respectfully represents:

That the said defendents in this cause, Charles Bishop, Marguerite Bishop, and William Bishop, all infants, have been duly summoned to appear in said cause, but being infants, they cannot answer and defend this suit for themselves; and the defendent, Lillian Evans, non compos mentis has been duly summoned to appear in said cause, but being non compos mentis, the said defendent cannot answer and defend this suit for herself.

Your petitioner, therefore, prays your Honor, to appoint a Guardian and liten, to appear and answer for said infant defendents, Charles Bishop, Marguerite Bishop, and William Bishop, and for said defendent, Lillian Evans, non compos mentis, as aforesaid.

Harry C. Dashiell
Solicitor for Complainant

Upon which said petition the Court here passed the following order, to wit:

Upon the aforegoing petition, it is hereby ordered this 2nd day of January, 1945, by the Circuit Court for Somerset County, that Grace J. Barnes be, and is hereby appointed Guardian ad liten, to appear and answer for said infant defendents, Charles Bishop, Marguerite Bishop, and William Bishop, and for said defendent, Lillian Evans, a non compos mentis all of whom cannot answer and defend this suit for themselves.

W. Laird Henry, Jr.
Judge

And thereupon, the said Grace J. Barnes, as Guardian specially appointed, filed in Court here the following answer to wit:

The answer of Grace J. Barnes, The Guardian ad liten, duly appointed by this Court, to appear and answer for said infant defendents, Charles Bishop, Marguerite Bishop, and William Bishop, and for Lillian Evans, who is a non compos mentis, respectfully represents:

That said defendents, being infants, and a non compos mentis, cannot answer and defend this suit for themselves, but they and each of them submit their rights hereunder to the protection of this Honorable Court.

Grace J. Barnes

And thereafter, to wit, on the eleventh day of January, in the year nineteen hundred and forty-five the said complainant by his Solicitor aforesaid filed in Court here a petition in the words following to wit:

Paul R. Evans	)	No. 5955 Chancery
Vs.	)	In the Circuit Court for Somerset County, in Equity.
Charles H. Ward et. als.	)	
	)	

The patition of the complainant respectfully represents:

That the adult defendants in the above entitled cause, Charles H. Ward, Lucy Evans, Lillie M. Ward, Sarah E. White, Mary E. Lawrence, Pearl Coulbourne, Sarah E. Coulbourne, Ethel De Coursey, Ira Irving and Harriet Irving have all been duly summoned to appear to said bill of Complaint, but have failed either to appear or answer said bill of complaint.

Your petitioner therefore prays your Honor to pass an order for a decree pro confesso against said adult defendants, being so summoned and failing to appear and answer as above set forth; and also to pas an order granting leave to the parties to this cause to tqke testimony in support of the allegations of the bill of complaint.

Harry C. Dashiell
Solicitor for the Complainant.

Upon which said petition the Court here passed the following order, to wit:

Upon the aforegoing petition, it is hereby ordered this 10th day of January, nineteen hundred and forty five, by the Circuit Court for Somerset County, in Equity, that said Bill of complaint be and the same is hereby taken pro confesso against Charles H. Ward, Lucy Evans Lillie M. Ward, Sarah E. White, Mary E. Lawrence, Pearl Coulbourne, Sarah E. Coulbourne, Ethel DeCoursey, Ira Irving and Harriet Irving, all adults, and all being duly summoned and failing to appear and answer said bill of complaint.

And it is further ordered that leave be and it is hereby granted to the parties to this cause to take depositions before a Standing Examiner of this Court in support of the allegations of the bill of complaint.

W. Laird Henry, Jr.
Judge

And afterwards to wit, on the second day of March, in the year nineteen hundred and forty-five Benson W. Sterling, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Paul R. Evans	)	No. 5955 Chancery
Vs.	)	In the Circuit Court
Charles H. Ward, Lucy Evans, Lillie M. Ward Sarah E. White, Mary E. Lawrence, Charles Bishop, Marguerite Bishop, William Bishop, Pearl Coulbourne, Sarah Coulbourne, Ethel D. Coursey, Ira Irving, Henrietta Irving, and Lillian Evans.	)	for Somerset County, in Equity.
	)	
	)	

In this cause an order having been passed for testimony to be taken to support the allegations of the bill, I, Benson W. Sterling, of Crisfield, Maryland one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn etc., do hereby certify that on this 26th day of February, 1945, in Somerset County, aforesaid, I did take the following testimony, to wit:

Charles H. Ward, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int. 1. Please state your name, age, residence and occupation?

Ans. My name is Charles H. Ward, my age is 56 years, my residence is Marion Station, Somerset County, Maryland, and my occupation is that of Undertaker.

Int. 2. Do you know the parties to this suit, and if so, how long have you known them?

Ans. Yes, I know all of the parties to this suit. I am one of the defendants and the plaintiff and the other defendants are members of my own family. I have known them all of their lives, and all of my life.

Int. 3. Did you or not know George Evans, Sr., during his life time, if so, is he living or dead, and if dead where and where did he die? Did he or not die intestate and who are his heirs at law?

Ans. I cannot say that I remember George Evans, Sr. He was my grand-father but he died in 1890 when I was two years old. My information is that he died at his home near Marion Station, Maryland. He did not leave a will and his heirs at law is as follows: a daughter-Mary Etta Ward, who died after my grand-father, she was my mother and I an her son and only heir at law. I reside in Somerset County, Maryland. A-son George Evans, Jr., who died after his father leaving surviving him a widow the defendant Lucy Evans an adult; a daughter the defendant Mary E. Lawrence and another daughter the defendant Lillie M. Ward, both adults and both reside in Somerset County, Maryland; another daughter the defendant Pearl Coulbourne Sarah E. White an adult who resides at Salisbury, Maryland and the following Children of Esther Evans Bishop a daughter of the said George Evans, Jr., who died after her father leaving the three following children, namely: the defendants Charles Bishop, Marguerite Bishop and Lillie Bishop. All of these children lives in Somerset County, Maryland, an the plaintiff a son, Paul R. Evans who also resides in Somerset County, Maryland.

C: George Evans, Sr., also left a daughter the defendant Sarah Coulbourne, an adult who lives at Providence, Rhode Island.

D: My grandfather also had another daughter Annie Evans Irving who is dead leaving surviving her the following children: Ethel D. Coursey the defendant an aduly who lives in Queen Anne County, Maryland. A son Ira Irving an adult who lives in Philadelphia, Penna., and another daughter Henrietta Irving an adult defendant who resides in said city of Philadelphia, Penna.

E: George Evans Sr., also left another daughter, Lillian Evans, who is an adult but is now insane and is at Byberry Hospital in Philadelphia, Penna.

Int. 4. Please state whether or not the said George Evans, Sr., left any real estate at the time of his death, and if so, describe it and state its value?

Ans. At the time of his death George Evans, Sr., owned a tract of land in Lawsons Election District, Somerset County, Maryland. It is bounded on the North by the County Road known as the "Hollands Crossing Road" and on the East by the land owned or formerly owned by Azarah Henry, on the South and West by the lands of

and containing five acres more or less. This property is improved by a Dwelling, and in my opinion is worth about $800.00.

Int. 5. Please state whether or not the said property can be divided in kind or will it or not be for the benefit of the said parties to sell said property and divide the proceeds among the said parties?

Ans. It cannot be divided in kind. There are too many heirs and there is not enough land actually to give each of the heirs a building lot. It will be necessary therefore to sell said property as a whole and divide the proceeds among the parties entitled to interest therein.

COURTS QUESTION?

Ans. That is about all.

Witness: Benson W. Sterling
Examiner.

Charles H. Ward

Isadore Croswell, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int. 1. Please state your name, age, residence and occupation?

Ans. My name is Isadore Croswell, my age is 39 years, my residence is Marion Station, Somerset County, Maryland and my occupation is that of Farmer.

Int. 2. Do you know the parties to this suit, and if so, how long have you known them?

Ans. I am acquainted with all parties to this suit. I have known them all of my life. They are all above the age of 21 years except Charles Bishop, Marguerite Bishop and William Bishop who are minors under the age of 21 years.

Did you or not know George Evans, Sr., during his life time, if so, is he living or dead?

ans. No I did not know George Evans, Sr., he died before I was born. I understand he died at his home near Marion Station, Maryland.

Int. 4. Did he or not leave any real estate at the time of his death, and if so, where is same located and who are his heirs at law?

Ans. He owned a tract of land containing about five or six acres of land situate on Hollands Crossing Road, bounded on North by land of Dr. J. F. Somers heirs and County Road and East by Rawl Ward and South and West by Miles Tract.

All of the plaintiffs mentioned in this suit are the only heirs at law of George Evans, Sr., Sarah Coulbourne and Lillian Evans are the only children of the said George Evans Sr., living the other plaintiffs are the grand children and great grand children of the said George Evans, Sr. Some of the heirs are residents of Somerset County, Maryland and part is in Pennsylvania and Sarah Coulbourne lives in Rhode Island.

Int. 5. Please state whether or not, in your opinion the above mentioned tract of land can be divided among the heirs of the said George Evans, Sr.?

Ans. In my opinion the tract cannot be divided among the heirs as same is not so situated as to give each heir a lot large enough to be of any benefit to them, and I believe the only way for to make a division of the ewtate is to sell the land and divide the money among them according to their share.

Int. 6. Please state, in your opinion, what is the value of the real estate owned by the said George Evans, Sr., at the time of his death?

Ans. I would say the land was worth about $800.

COURTS QUESTION?

Ans. That is about all I know.

Witness: Benson W. Sterling
Examiner

Isidore Croswell

There being no further witness present to be examined and at the suggestion of the Solicitor for the complainant, the papers are herewith returned to Court, and I further cerify the annexed bill of costs is correct and true.

Bill of Costs:

Examiner----------$4.00

WITNESS MY HAND AND SEAL

Benson W. Sterling (SEAL)
Examiner in Chancery

And thereafter to wit, on the thirteenth day of March in the year nineteen hundred and forty-five, the Circuit Court here, passed the following Decree in the premises to wit:

PAUL R. EVANS)	No. 5955 Chancery
VS.)	In the Circuit Court for Somerset County, in Equity.
CHARLES H. WARD, ET. ALS.)	
)	

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

It is, therefore, this 13th day of March, 1945, by the Circuit Court for Somerset County, in Equity, adjudged, ordered, and decreed, that the real estate in the proceedings mentioned or so much thereof, as may be necessary, be sold.

That Harry C. Dashiell, be, and he is hereby appointed Trustee, to make such sale, and that the course and manner of his proceedings shall be as follows:

He shall first file in the office of the Clerk of the Circuit Court for Somerset County, in Equity, a bond to the State of Maryland, executed by himself, and a surity or surities, to be approved by the said Clerk, on the penalty of two thousand dollars, ($2000.00), if individual surity or surities, or ½ of said penal sum, if corporate security, or securities, condition for the faithful performance of the Trust reposed in him, by this decree, or that may be reposed in him by any future decree, or order in the premises: he shall then proceed to make sale of said real estate, having first given at least three weeks previous notice, inserted in some newspaper, printed and published in said Somerset County, and such further notice as he may think proper, of the time, place, manner and terms, of sale, which said terms shall be as follows: ½ in cash on the day of sale, and the balance of the purchase money to be paid in six months from the day of sale, the deferred payment to bear interest from the day of sale, and the payment thereof, to be secured by the bond of the purchaser, with a surity or surities to be approved by the said Trustee, or all cash at the option of the purchaser or purchasers.

And as soon as may be, after such sale or sales, the said Trustee shall return to this Court, a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale or sales annexed, and on the ratification of such sale or sales by this Court, and on the payment of the whole purchase money, (and not before), and acknowledged, according to law, convey to the purchaser, or purchasers, of said property, or to his, her, or their heirs and assigns, the property to him, her, or them, sold free, clear, and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from, or under them. And the said Trustee shall bring unto this Court, the money arising from such sale, or sales, and the bonds which may be taken for the same, to be disposed of, under the direction of this Court, after deducting therefrom, the costs of this suit, and such commissions to the said 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.

Levin C. Bailey
Judge

And thereupon, the said Harry C. Dashiell, Trustee, filed a Bond in the Court here in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS:

That, Harry C. Dashiell, of Somerset County and State of Maryland, Principal, and The American Surity Company, of New York, a corporation created and existing under the laws of the State of New York, are held and firmly bound unto the said State of Maryland, in the full and just sum of one thousand dollars, ($1000.00), to be paid to the said State of Maryland, or it's 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, personal representatives, and assigns, firmly by these presents, sealed with our seals, and dated this 31st day of March, 1945.

WHEREAS, the above boundant Harry C. Dashiell, was by a decree of the Circuit Court for Somerset County, passed on the 13th day of March, 1945, appointed Trustee, to make sale of the

real estate mentioned, and referred to in the case of Paul R. Evans, vs. Charles H. Ward, et. als,as will fully appear by reference to the proceedings, in No. 5955 Chancery, now pending on the docket of the Circuit Court for Somerset County.

NOW, the condition of the above obligation is such, that if the above boundant, Harry C. Dashiell, do and shall, well, truly, and faithfully perform the Trust reposed in him by said decree, or that may be reposed in him, by any future decree or order in the premises, then this obligation to be void; otherwise to be and remain in full force and virtue in law.

AS WITNESS the hand and seal of the said Harry C. Dashiell, the corporate seal of the said American Surity Company, a corporation as aforesaid, and the hand of the Attorney-in-fact of said corporation, all the day and year first above written.

Harry C. Dashiell, Principal (SEAL)

AMERICAN SURITY COMPANY OF NEW YORK

Test: Benjamin L. Barnes

BY Harry C. Dashiell
Attorney-in-fact

And thereafter to wit, on the twenty-fifth day of April, in the year nineteen hundred and forty-five, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following to wit:

PAUL R. EVANS	)	No. 5955 Chancery
VS.	)	In the circuit Court for Somerset County, in Equity.
CHARLES H. WARD, ET. ALS.	)	
	)	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sales of Harry C. Dashiell, Trustee, appointed by decree of this Honorable Court, passed in the above entitled cause, to make sale of the Real Estate therein mentioned respectfully represents:

That after giving bond with security for the faithful discharge of the Trust, as required by the said decree, and after giving notice of the time, place, manner, and terms of sale, by advertisement in the Crisfield Times, a weekly newspaper, printed and published in said Somerset County, once a week, for three successive weeks, before the day of sale, and by hand bills posted at the Court House Door, at Princess Anne, Maryland, he did, pursuant to said notice, attend in front of the Bank of Crisfield, in Crisfield, Maryland, on Saturday, the 21st day of April, 1945, at the hour of two o'clock PM, and then and there proceeded to offer said Real Estate for sale, by Public Auction, that is to say:

Your Trustee offered for sale all that tract or parcel of land, in Lawson's Election District, in said Somerset County, Maryland, lying and binding on the Hollands Crossing Road, bounded on the North, by the land of Dr. J.F. Somers' heirs, on the East by Rawl Ward, and on the South and West, by the Miles' tract, and containing five acres of land, more or less; and being the same land which was conveyed to George Evans, Sr., by Samuel L. Tull and wife, by deed dated April 8, 1880, and recorded among the land records of said Somerset County, in Liber BFL No. 2, folio 576 etc. This property is improved by a dwelling.

And your said Trustee sold said Real Estate to the said Paul R. Evans, of said Somerset County, Maryland, he being the highest and best bidder therefor, at and for the sum of seven hundred and forty dollars, ($740.00); and the said purchaser has complied with the terms of said sale, by paying the sum of three hundred and seventy dollars, ($370.00), in cash, and giving to your said Trustee, his note for the balance of said purchase money, payable upon the ratification of said sale by this Honorable Court.

All of which is respectfully submitted.

Test: Jeannette W. Bell

Harry C. Dashiell
Trustee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 25th day of April, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Harry C. Dashiell, Trustee named in the above report of sale, and made oath in due form of law, that the matters and things stated in the aforegoing Report of Sale are true as therein stated, to the best of his knowledge, information, and belief, and that the sale therein reported, was fairly made.

As witness my hand and Notarial Seal the day and year above written.

Jeannette Wilson SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

PAUL R. EVANS	)	No. 5955 Chancery
VS.	)	In the Circuit Court for Somerset County, in Equity.
CHARLES H. WARD, ET. ALS	)	
	)	

ORDER NISI

ORDERED that the sale of the Real Estate mentioned in these proceedings made and reported by Harry C. Dashiell, Trustee, aforesaid, be ratified and confirmed, unless cause to the contrary thereof, is shown on or before the 28th day of May, 1945, providing a copy of this order be inserted in some newspaper, published in said Somerset County, once in each of three successive weeks before the 26th day of May, 1945.

The Report states the amount of sales to be seven hundred forty dollars, ($740.00).

Benjamin L. Barnes, Clerk.

And now at this day, to wit, on the thirteenth day of June in the year nineteen hundred and forty-five, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

ORDERED by the Circuit Court for Somerset County, in Equity, this 13th day of June, 1945, that the sale of the Real Estate mentioned in these proceedings made and reported by Harry C. Dashiell, 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 since it appears that Harry C. Dashiell, the Auditor of this Court, is the Solicitor for the Complainant in this cause, it is further ordered that Jeannette W. Bell, be, and she is hereby appointed Special Auditor to state the account in this cause.

Edmond H. Johnson
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. CLERK

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L. Creston Beauchamp, Assignee Ex parte under power in Mortgage from Wallace M. Quinn and wife to The Marine Bank of Crisfield, a Body Corporate	Be it remembered that heretofore to wit, on the twenty-second day of November in the year nineteen hundred and forty-four, a certain L. Creston Beauchamp of Somerset County, and State of Maryland, exhibited and filed in the Circuit Court here, the original and several assignments of a certain mortgage executed and delivered to

the Marine Bank of Crisfield, by a certain Wallace M. Quinn and Augusta C. Quinn, his wife, of Somerset County and State of Maryland, which said original mortgage and assignments are in the words following to wit:

THIS MORTGAGE Made this thirtieth day of April in the year nineteen hundred and thirty four by Wallace M. Quinn and Augusta C. Quinn, his wife, of Somerset County, in the State of Maryland:-

Whereas the said Wallace M. Quinn and Augusta C. Quinn, his wife, have this day borrowed from "The Marine Bank of Crisfield", a body corporate existing under the laws of the State of Maryland, the sum of Forty Thousand Dollars,($40,000.00) and have executed and delivered unto the said "The Marine Bank of Crisfield", a body corporate as aforesaid, their promissory note for said sum of Forty Thousand Dollars, ($40,000.00) dated evenly herewith, payable two years after date, with interest from date, which said interest is to be paid semi-annually; and whereas, for the purpose of further securing the payment of said sum of money, with interest and payable as aforesaid, the said Wallace M. Quinn and Augusta C. Quinn, his wife, have agreed to execute this mortgage.

Now therefore this mortgage Witnesseth, that in consideration of the premises and the sum of five dollars in hand paid, the said Wallace M. Quinn and Augusta C. Quinn, his wife, have granted and by these presents do grant and convey unto the said "The Marine Bank of Crisfield", a body corporate as aforesaid, it's successors and assigns, all those lots or parcels of land situate, lying and being in the town of Crisfield, Somerset County, in the State of Maryland, and in that part of said Town of Crisfield called "Jersey",--the same being all the real estate and premises conveyed unto the said Wallace M. Quinn by "The Crisfield Ship Building Company", a body corporate existing under the laws of the State of Maryland, by deed bearing date of the twenty-first day of June, in the year Nineteen hundred and twenty, and duly recorded among the land records of Somerset County, State of Maryland, and is also all the real estate and premises conveyed unto the said "The Crisfield Ship Building Company", a body corporate as aforesaid, by the following deeds, First--deed from James B. Tawes and wife and Benjamin F. Gibson and wife, bearing date the twenty-ninth day of July, in the year Nineteen hundred and eighteen, and recorded among the said Land Records in Liber W.J.S. No. 74, folio 499 etc., Second--deed from John B. Nelson, Trustee, bearing date the fourteenth day of September, in the year Nineteen hundred and eighteen, and recorded among said Land Records in Liber W.J.S. No. 77, folio 117 etc., THIRD, deed from James B. Tawes and wife and Benjamin F. Gibson and wife bearing date the sixteenth day of November, in the year Nineteen hundred and eighteen and recorded among the said Land Records in Liber W.J.S. No, 77, folio 346, etc., and FOURTH--deed from James B. Tawes and wife, Benjamin F. Gibson and wife, A. Wellington Tawes and wife, J. Millard Tawes and wife, and Ernest B. Nelson and wife, bearing date the eighteenth day of November, in the year Nineteen hundred and eighteen, and recorded among said Land Records in Liber W.J.S. No.77, folio 344 etc--to which said deeds and records, and all the references in each of them contained, special reference is here made for a more accurate description of the lands and premises hereby mortgaged.

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee its successors and assigns forever.

PROVIDED that if the said Mortgagors shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said promissor note 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 Mortgagors, shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said Wallace M. Quinn and Augusta C. Quinn, his wife, mortgagors,do hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said mortgagee its successors or assigns John B. Robins, its and their attorney or Agent at any time after such defaultto sell the property hereby mortgaged, or so much thereof as may be necessary, for cash, 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 purchaser or purchasers thereof, his, her, or their heirs or assigns; and which sale shall be madein the manner following, viz: upon giving twenty days' notice of the time place, manner and terms of sale by advertisement in some newspaper printed in Somerset County, and such other notice as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attonrey's fee, 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; 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 Mortgagors or to whoever may be entitled to the same; and in the event that said mortgaged property, or anypart thereof, shall be advertised under the powers hereby granted, and that the said Mortgagors, or any person in their behalf shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagors covenant to pay to the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonalbe Attorney's fee and one half the commission hereinbefore mentioned, to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid, and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagors do further covenant to insure, and pending the existence of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least dollars, 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, and assigns to the extent of the lien or claim hereunder, and to deposit the policy or policies in the

hands of the mortgagee, and if the said mortgagors shall fail to insure and keep insured the improvements aforesaid for the benefit of the mortgagee and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

WITNESS the hands and seals of said mortgagors

TEST: Herman F. Nelson — Wallace M. Quinn (SEAL)
Augusta C. Quinn (SEAL)

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that on this 30th day of April in the year nineteen hundred and thirty four, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County personally appeared Wallace M. Quinn and Augusta C. Quinn, his wife, the mortgagors named in the foregoing mortgage and they acknowledged the foregoing mortgage to be their respective act and deed; and at the same time and place also personally appeared before me T. Edward Webb, President of the Marine Bank of Crisfield, Crisfield, Maryland and made oath in due form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth and that he is President of the said The Marine Bank of Crisfield, mortgagee and its duly authorized agent for the purpose of making this affidavit.

Herman F. Nelson — SEAL OF
Notary Public — NOTARY

Received for Record May 18, 1934, and recorded in Liber J.M.T. 103, folio 566 one of the Land Records of Somerset County

Per J. Millard Tawes, Clerk

For value received The Marine Bank of Crisfield, a corporation, hereby assigns the within Mortgage to Harry C. Dashiell for the purpose of collection and foreclosure. As witness the Corporate Seal of the said Corporation and the hand of William H. Bradshaw, the Vice President thereof, this twenty-seventh day of December, Nineteen hundred and forty-one.

The Marine Bank of Crisfield

Attest: William M. Wooster, Cashier — By William H. Bradshaw, Vice President — SEAL

Filed for Record Dec. 30, 1941 and recorded in Liber G.W.L. No 103, folio 566.

Test Benjamin L. Barnes, Clerk

The proceedings in No. 5615 Chancery having been dismissed and the herein original mortgage having been withdrawn upon order of Court, and for Value received, I hereby assign the within mortgage to The Marine Bank of Crisfield, without recourse. As witness my hand and seal this 19th. day of March, 1942.

TEST: Francew Bloodsworth — Harry C. Dashiell (SEAL)
Assignee of Mortgage for foreclosure

Filed for Record March 19, 1942 and recorded in Liber J.M.T. No. 103, folio 567.

Test Benjamin L. Barnes, Clerk

For value received The Marine Bank of Crisfield, a corporation hereby assigns the within mortgage to Harry C. Dashiell for the purpose of collection and foreclosure
As witness the Corporate Seal of the s id Corporation and the hand of William H. Bradshaw, a Vice President thereof, this twenty-sixth day of September, Nineteen Hundred and Forty-two.

ATTEST: William M. Wooster, Cashier — By William H. Bradshaw, Vice President — SEAL

Filed for Record Oct. 10, 1942 and recorded in Liber J.M.T. No. 103, folio 567.

Test Benjamin L. Barnes, Clerk

The proceedings in No. 5735 Chancery having been dismissed and the herein original mortgage having been withdrawn upon order of court, and for value received, I hereby assign the within

mortgage to The Marine Bank of Crisfield, a body corporate, without recourse.

As witness my hand and seal this 26th day of October, nineteen hundred and forty-two.

Test: Frances J. Sterling — Harry C. Dashiell (SEAL)
Assignee of mortgage for foreclosure

Filed for Record Oct. 29, 1942, and recorded in Liber B.L.B, No. 123, folio 374.

Test Benjamin L. Barnes, Clerk.

For value received, The Marine Bank of Crisfield, a body corporate hereby assigns the within and aforegoing mortgage to the Bank of Crisfield, a body corporate, without recourse.

As witness the corporate seal of the said The Marine Bank of Crisfield, a body corporate as aforesaid, and the hand of William H. Bradshaw the Vice President of said body corporate, this 26th day of October, nineteen hundred and forty two.

ATTEST: William M. Wooster, Cashier — The Marine Bank of Crisfield SEAL
By William H. Bradshaw, Vice President

Filed for Record Oct. 29, 1942, and recorded in Liber B.L.B. No. 123, folio 374.

Test Benjamin L. Barnes, Clerk

For value received, the Bank of Crisfield, a corporation existing under the laws of the State of Maryland, hereby assigns the within and aforegoing mortgage to Clarence A. Christy and Olive R. Christy, his wife, without recourse.

As witness the corporate seal of the said Bank of Crisfield, a body corporate as aforesaid, and the hand of A. Wellington Tawes, the President of said Corporation, this 18 day of November, 1944.

ATTEST: J. Coyne Sterling, Cashier — The Bank of Crisfield SEAL
By A. Wellington Tawes, President

Filed for Record November 20, 1944 and recorded in Liber B.L.B. No. 128, folio 183.

Test: Benjamin L. Barnes, Clerk

For value received, and for the purpose of foreclosure and collection, we hereby assign the within mortgage to L. Creston Beauchamp. Witness our hands and seals this 20th day of November 1944.

TEST: Rachel M. Jones — Clarence A. Christy (SEAL)
Oliver R. Christy (SEAL)

Filed for Record November 22, 1944 and recorded in Liber B.L.B. No 128, folio 200.

Test Benjamin L. Barnes, Clerk.

And thereupon the said L. Creston Beauchamp, Assignee filed in Court here a bond in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, L. Creston Beauchamp, principal, Clarence Christy and Olive Christy, his wife, and A. Wellington Tawes, sureties, all of Somerset County, Maryland, are held and firmly bound unto the State of Maryland in the sum of thirty thousand dollars, to be paid to the said State of Maryland, or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this 13th day of December, nineteen hundred and forty-four.

WHEREAS, the above bound L. Creston Beauchamp, by virtue of the power and authority contained in a mortgage from Wallace M. Quinn and Augusta C. Quinn, his wife, to the Marine Bank of Crisfield, dated April 30, 1934, recorded among the land records of said Somerset County in Liber J.M.T. No. 103, folio 566, and which said mortgage has been assigned to the said L. Creston Beauchamp for the purpose of foreclosure and collection, and the said L. Creston Beauchamp is about to sell the land and premises described in said mortgage because of default having been in the terms and conditions therein;

NOW therefore, the condition of the above obligation is such that if the above bound L. Creston Beauchamp does and shall well and faithfully perform the trust reposed in him by said mortgage, and shall abide by and fulfill any decree or order which shall be made by any Court of Equity in relation to the sale of the above mentioned property, or the proceeds thereof, then this obligation to be void; otherwise to be and remain in full force and virtue in law.

TEST AS TO L. CRESTON BEAUCHAMP:	L. Creston Beauchamp	(SEAL)
Benjamin L. Barnes	Clarence Christy	(SEAL)
	Olive Christy	(SEAL)
Test: J. Millard Tawes	A. Wellington Tawes	(SEAL)

Which said bond was thus thereon endorsed, to wit:

The within Bond Approved,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twentieth day of June, in the year nineteen hundred and forty-five, the said Assignee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed, which said report and affidavit so aforesaid filed, are in the words following to wit:

L. CRESTON BEAUCHAMP, EX PARTE trust created by mortgage from WALLACE M. QUINN AND WIFE TO MARINE BANK OF CRISFIELD.	)	No. 5970 Chancery
	)	In the Circuit Court for Somerset County,
	)	Maryland.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of L. Creston Beauchamp, assignee for the purpose of foreclosure of a mortgage from Wallace M. Quinn and wife to the Marine Bank of Crisfield, dated April 39, 1934, recorded among the land records of said Somerset County in Liber J.M.T. No. 103, folio 566, assigned to the said L. Creston Beauchamp, respectfully represents:

That by virtue of the power and authority contained in said mortgage and after having given bond with approved security, as required by law, conditioned upon the faithful performance of the trust reposed in him by said mortgage, and after having given at least twenty days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in said Somerset County, and by hand-bill posted at the Court House door in said County, he did, in pursuance of said notice, attend at the Crisfield Shipbuilding Co. office Building in Jersey, Crisfield, Maryland, on Saturday, May, 12, 1945, at the hour of eleven o'clock A.M. and then and there proceeded to sell at public auction the following described property, conveyed by said mortgage, namely:

He offered all those tracts or parcels of land situate, lying and being in Crisfield Election District, Somerset County, Maryland, in the part of Crisfield, known as Jersey, binding on Little Annamessex River and the Lavolette Road, adjoining the land of Clarence Christy, and known as the Nelson Railway Property, or The Crisfield Shipbuilding Company; the land hereby conveyed being the same and all the land which was conveyed to the said Wallace M. Quinn by The Crisfield Shipbuilding Company by deed dated June 21, 1920, recorded among the land records of said Somerset County in Liber W.J.S No. 80 folio 557 except the reserved lot on which is located the office building of the said Wallace M. Quinn Col; and being also the same land conveyed to the said The Crisfield Shipbuilding Company by Wallace M. Quinn and wife by deed dated February 10, 1941, and recorded among said land records in Liber B.L.B. No. 118, folio 589. The above tracts of land are laid down as plat No. 3 on the Plat Book filed in the office of the Clerk of the Circuit Court for said Somerset County, and are improved by office Buildings Marine Railways, Oyster Packing Houses and other buildings,-and sold the same to Clarence A. Christy and Olive S. Christy, his wife, of said Somerset County, they being the highest bidders thereof at and for the sum of forty-seven thousand three hundred and fifty dollars, which they have paid and secured to the satisfaction of your assignee and trustee.

And the assignee and trustee prays a ratification of his proceedings in the premises. All of which is respectfully submitted.

L. Creston Beauchamp
Assignee and Trustee

State of Maryland, Somerset County, to wit:

I hereby certify that on this 15th day of May, 1945, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp the assignee and trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk of Court

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

L. CRESTON BEAUCHAMP, EX PARTE TRUST CREATED BY MORTGAGE FROM WALLACE M. QUINN AND WIFE TO MARINE BANK OF CRISFIELD	No. 5970 Chancery In the Circuit Court for Somerset County, Maryland

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 15th day of May, 1945, that the report of L. Creston Beauchamp, assignee and trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 18th day of June, 1945; provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of three successive weeks before the 16th day of June, 1945.

The report states the amount of sale to be $47350.00

Benjamin L. Barnes
Clerk of Court

And now at this day to wit, on the twentieth day of June, in the year nineteen hundred and forty-five comes again into Court here the said assignee and on motion of the said assignee the Court here passed the following order, to wit:

L. CRESTON BEAUCHAMP, EX PARTE	No. 5970 Chancery In the Circuit Court for Somerset County, Maryland.

It having been proved to the Court that a copy of the preceding order nisi has been published according to its provisions, and no exceptions having been filed and no cause to the contrary having been shown, it is this 20th day of June, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the within report of L. Creston Beauchamp, assignee and trustee, and the sale by him reported, be and the same are hereby finally ratified and confirmed; and the trustee is hereby allowed the usual commissions, and such other expenses as he shall produce vouchers for to the auditor.

Edmond H. Johnson
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same isaccordingly done.

Per Benjamin L. Barnes Clerk.

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L. Creston Beauchamp, Assignee Ex Parte under power in Mortgage from Crisfield Shipbuilding Co., Inc., Harry Spear, President to the Bank of Crisfield, a body corporate.	Be it remembered that heretofore to wit, on the twenty-second day of November in the year nineteen hundred and forty-four, a certain L. Creston Beauchamp of Somerset County and State of Maryland, exhibited and filed in the Circuit Court here, the original and several assignements of a certain

mortgage executed and delivered to the Bank of Crisfield, by a certain Crisfield Shipbuilding Co., Inc., Harry Spear, President, of Somerset County and State of Maryland, which said original mortgage and assignments are in the words following to wit:

THIS MORTGAGE, Made this fourth day of November in the year nineteen hundred and forty-two, by the Crisfield Shipbuilding Co., Inc., a body corporate existing under the laws of the State of Maryland:-

Whereas, the said Crisfield Shipbuilding Co., Inc., a body corporate as aforesaid, has this day borrowed from the Bank of Crisfield, a body corporate existing under the laws of the State of Maryland, the sum of two thousand dollars ($2,000.00) which the said Bank of Crisfield, a body corporate as aforesaid, has advanced and loaned to the said Crisfield Shipbuilding Co. Inc. a body corporate as aforesaid, to enable the said Crisfield Shipbuilding Co., Inc., a body corporate as aforesaid, to complete the purchase of the real estate hereinafter described this day conveyed unto the s id Crisfield Shipbuilding co., Inc. by Walter L. Gibson and the said Bank of Crisfield, a body corporate as aforesaid, and which sum so advanced has been paid to the said Crisfield Shipbuilding Co, Inc. a body corporate as aforesaid, on account of the purchase money for said real estate; and whereas, the said Crisfield Shipbuilding Co, Inc., a body corporate as aforesaid has executed and delivered unto the said Bank of Crisfield, a body corporate as aforesaid, their Bill Obligatory for said sum of two thousand dollars ($2,000.00) dated evenly herewith, payable to the said Bank of Crisfield, a body corporate as aforesaid, three years after date, with interest from date, which said interest is to be paid semi-annually; and whereas, for the purpose of further securing the payment of said sum of money, with interest and payable as aforesaid, the said Crisfield Shipbuilding Co, Inc., a body corporate as aforesaid has agreed to execute this mortgage.

Now therefore this Purchase Money Mortgage Witnessrth, that in consideration of the premises and of the sum of five dollars ($5.00) in hand paid, the said Crisfield Shipbuilding Co, Inc. a body corporate as aforesaid, has granted and by these presents do grant and convey unto the said Bank of Crisfield, a body corporate as aforesaid, its successors and assigns in fee simple the following real estate: "All that lot or parcel of land, containing ninety (90) acres, more or less, partly in Crisfield District, and partly in Asbury District, Somerset County, in the State of Maryland, and fronting on the Little Annamessex River, being the same and all the real estate and premises conveyed unto the Frederick Thornton and said Walter L. Gibson by George H. Myers, Trustee, by deed bearing date the fourth day of February, in the year nineteen hundred and twenty, and recorded among Land Records of Somerset County in Liber W,J.S. No. 80, folio 62 etc"--and being the same property and real estate to which an undivided one-half interest in same was conveyed to the said Bank of Crisfield, a body corporate existing as aforesaid, by the fourth paragraph of a deed bearing date the sixteenth day of July in the year nineteen hundred and twenty six from Luther Daugherty, Sheriff of Somerset County and which deed is recorded in said Land Records in Liber W.J.S. No. 93 folio 319 etc.--and being the same and all the real estate and premises conveyed unto the said Crisfield Shipbuilding Co., Inc. a body corporate as aforesaid, by the said Walter L. Gibson and the said Bank of Crisfield, by deed bearing even date herewith, not yet recorded or delivered but intended to be delivered and recorded among the said Land Records of Somerset Connty contemporaneously with this mortgage.--

to which said deeds and records, and all the referenes in each of them contained, special reference is here made for a more accurate and complete description of the lands and premises hereby mortgaged.

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee, its successors and assigns forever.

PROVIDED that if the said Mortgagor shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said bill obligatory, and shall perform all the covenants herein on their part ot be performed then this mortgage shall be void.

And it is agreed that until default be made in the premises, the said Mortgagor shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said Crisfield Shipbuilding Co., Inc., a body corporate as aforesaid do hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of the, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagee, its successors or assigns or Prentiss W. Evans, its and their Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash to satisfy and pay said debt, interest and all costs incurred in making such sale, and to grant and convey 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 by advertisement in some newspaper printed in Somerset County, and such other notices as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorneys Fee, 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 jurisiction in the State of Maryland; secondly, to the payment of all claims of the said Mortgagee, its successorspersonal 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 Mortgagor, or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted, and that the said Mortgagor or any person in their behalf shall pay said mortgage debt and interest after an advertisement and vefore a sale, the said Mortgagor covenant to pay the party advertising under the said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorneys's fee and one half the commission hereinbefore mentionedto be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgage property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdicition to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagor do further covenant to insure, and pending the existance of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least dollars, 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 personal representatives and assigns, to the extent of the lien or cliam hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagor shall fail to insure and keep insured the improvements aforesaid for the benefit of the mortgagee and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

WITNESS the hand and seal of said mortgagor.

The Crisfield Shipbuilding Co. Inc. (SEAL)

Test: J. Coyne Sterling

BY Harry Spear, President

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify, that on this fourth day of November in the year nineteen hundred and forty two before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid personally appeared Harry Spear, President of the Crisfield Shipbuilding Co., Inc., a body corporate as aforesaid the mortgagor named in the foregoing mortgage and he acknowledged the foregoing mortgage to be the act and deed; of the Crisfield Shipbuilding Co. Inc. and he further made oath as aforesaid that he has been duly authorized by the said Crisfield Shipbuilding Co., Inc. to execute this mortgage for the said Crisfield Shipbuilding Co., Inc. a body corporate as aforesaid, and at the same time and place also appeared before me, a. Wellington Tawes, President of the said Bank of Crisfield, a body corporate as aforesaid and made oath in due form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth.

Myrtle V. Gorsuch SEAL OF

Notary Public NOTARY

Received for Record Nov. 12, 1942 and recorded in Liber B.L.B. No. 119, folio 448 one of the Land Records of Somerset County.

Per Benjamin L. Barnes, Clerk.

For value received, the Bank of Crisfield, a corporation existing under the laws of the State of Maryland, hereby assigns the within and aforegoing mortgage to Clarence A. Christy and Olive R. Christy, his wife, without recourse.

As witness the corporate seal of the said Bank of Crisfield, a body corporate as aforesaid and the hand of A. Wellington Tawes, the President of said Corporation, this 18 day of November 1944.

THE BANK OF CRISFIELD SEAL

ATTEST: J. Coyne Sterling BY A. Wellington Tawes, President

Filed for Record Nov. 20, 1944 and recorded in Liber B.L.B. No. 119, folio 448.

Test: Benjamin L. Barnes CLERK

For value received, and for the purpose of foreclosure and collection, we hereby assign the within mortgage to L. Creston Beauchamp. Witness our hands and seals this 20th day of November 1944.

Clarence A. Christy (SEAL)

TEST: Rachel M. Jones

Olive R. Christy (SEAL)

Filed for Record Nov. 22, 1944 and recorded in Liber B.L.B. No. 119, folio 449.

Test: Benjamin L. Barnes, Clerk

And thereupon the said L. Creston Beauchamp, Assignee filed in Court here a bond in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, L. Creston Beauchamp, principal, and Clarence Christy and Olive Christy, his wife, and A. Wellington Tawes, sureties, all of Somerset County Maryland, are held and firmly bound unto the State of Maryland in the sum of five thousand dollars, to be paid to the said State of Maryland, or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this 13th day of December, 1944.

WHEREAS, the above bound L. Creston Beauchamp, by virtue of the power and authority contained in a mortgage from The Crisfield Shipbuilding Company to the Bank of Crisfield, dated November 4, 1942, recorded among the land records of said Somerset County in Liber B.L.B. No. 119, folio 448, which said mortgage has been assigned to the said L. Creston Beauchamp for the purpose of foreclosure and collection, and the said L. Creston Beauchamp is about to sell the mortgaged premises because of a default in the terms and conditions of said mortgage;

Now, therefore, the condition of the above obligation is such that if the above bound L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said mortgage, and shall abide by and fulfill any decree or order which shall be made by the Circuit Court of Somerset County, Maryland, in Equity, in relation to the sale of the above mentioned property, or the proceeds thereof, then this obligation shall be void; otherwise to be and remain in full force in law.

Test as to L. Creston Beauchamp:
Benjamin L. Barnes

L. Creston Beauchamp, Principal (SEAL)

Clarence Chirsty (SEAL)

Olive Christy (SEAL)

Test: J. Millard Tawes

A. Wellington Tawes (SEAL)

Which said bond was thus thereon endorsed, to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twentieth day of June, in the year nineteen hundred and forty-five, the said Assignee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed, which said report and affidavit so aforesaid filed, are in the words following to wit:

L. CRESTON BEAUCHAMP, EX PARTE	)	No. 5971 Chancery
TRUST CREATED BY MORTGAGE FROM	)	In the Circuit Court for Somerset County,
CRISFIELD SHIPBUILDING CO. TO	)	Maryland.
BANK OF CRISFIELD.	)	
	)	

TO THE HONORABLE, THE JUDGE OF SAID COURT.

The report of L. Creston Beauchamp, assignee for the purpose of foreclosure of a mortgage from the Crisfield Shipbuilding Co. to the Bank of Crisfield, dated November 4, 1942, recorded among the land records of Somerset County, Maryland, in Liber B.L.B. No. 119, folio 448, respectfully represents:

That by virtue of the power and authority contained in said mortgage and after having given bond with approved security, as required by law, conditioned upon the faithful performance of the trust reposed in him by said mortgage, and after having given at least twenty days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in said Somerset County, and by handbill posted at the

Court House door in said county, he did, in pursuance of said notice attend at the Crisfield Shipbuilding Co. office Building in Jersey, Crisfield, Maryland, on Saturday, May 12, 1945, at the hour of eleven o'clock A.M., and then and there proceeded to sell at public auction the following property, conveyed by said mortgage:

He offered all that tract or parcel of waterfront property, situate, lying and being partly in Crisfield Election District and partly in Asbury Election District, Somerset County, Maryland, binding on Little Annamessex River and Lavolette Road, and containing 90 acres, more or less; being the same and all the land which was conveyed to the said Crisfield Shipbuilding Company by Walter L. Gibson and the Bank of Crisfield by deed dated November 4, 1942, recorded among the land records of said Somerset County in Liber B.L.B. No. 123, folio 394, and sold the same to Clarence A. Chrsity and Olive S. Christy, his wife, of said Somerset County, they being the highest bidders therefor, at and for the sum of thirty-six hundred and seventy-five dollars, which they have fully paid.

And the assignee and trustee prays a ratification of his proceedings in the premises.

And as in duty bound, etc.

L. Creston Beauchamp
Assignee and Trustee

State of Maryland, Somerset County, to wit:

I hereby certify that on this 15th day of May, 1945, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp the assignee and trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Benjmain L. Barnes
Clerk of Court

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

L. CRESTON BEAUCHAMP, EX PARTE.) TRUST CREATED BY MORTGAGE FROM) CRISFIELD SHIPBUILDING CO. TO) BANK OF CRISFIELD)	No. 5971 Chancery In the Circuit Court for Somerset County, Maryland.

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 15th day of May, 1945, that the report of L. Creston Beauchamp, the assignee and trustee mentioned in the foregoing report of sale, and the sale of real estate by him therein reported be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before June 18th, 1945; provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of three successive weeks before the 16th day of June, 1945.

The report states the amount of sale to be $3675.00

Benjamin L. Barnes
Clerk of Court.

And now at this day to wit, on the twentieth day of June, in the year nineteen hundred and forty five comes again into Court here the said assignee and on motion of the said assignee the Court here passed the following order, to wit:

L. CRESTON BEAUCHAMP, EX PARTE)	No. 5971 Chancery Circuit Court for Somerset County, Md.

It having been proved to the Court that a copy of the preceding order nisi has been published according to its provisions, and no exceptions having been filed and no cause to the

contrary having been shown, it is this 20th day of June, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the within report of L. Creston Beauchamp, assignee and trustee, and the sale by him reported, be and the same are hereby finally reatified and confirmed; and the trustee is hereby allowed the usual commissions and such other expenses as he shall produce vouchers for to the auditor.

Edmond H. Johnson
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. Clerk.

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In the matter of the tax sale of real estate in East Princess Anne Election District, Somerset County, Maryland, assessed to James E. Stewart for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector.	Be it remembered that heretofore, to wit, on the twenty-ninth day of September in the year nineteen hundred forty-four, a certain Carlos Bozman, Collector of State and county taxes for the Fifteenth collection district
County Commissioners of Somerset County, Maryland---- ----------, Purchaser.	

of Somerset County for the years 1931 and 1932, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit, thereunto annexed which said report and affidavit so as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in East Princess Anne Election District, Somerset County, Maryland, assessed to James E. Stewart for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector.	No. 5956 Chancery In the Circuit Court for Somerset County, Maryland, In Equity
County Commissioners of Somerset County, Maryland. Purchaser.	

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1931, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purposes as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to James E. Stewart East Princess Anne Election District, Somerset County, Maryland, the sum of one dollars and ninety four cents State taxes and thirteen dollars and fifty three cents County taxes, and that said State and County taxes were due and in arrears in January 1, 1932;

That in the month of August, 19 1931, the said Harry E. Muir, the County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican , a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in CrisfieldMaryland, and the said Harry E. Miir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or

persons or corporate institutions, to whom the property included in said tax bills was assessed so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required, by law, showing the aggregate assessment of every person, set of persons or corporate institutions as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the prope ty assessed to James E. Stewart in East Princess Anne Election District, Somerset County, Maryland, the sum of one dollars and ninety four cents State Taxes, and twelve dollars and thirty-seven cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1933;

That in the month of August, 1932, the said Harry E. Muir, then County treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland; and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1931 and 1932 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said James E. Stewart in said East Princess Anne Election District; and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House Door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on January 1, 1935, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to James E. Stewart in said election district, as follows:

No. All that lot of land in East Princess Anne Election District, Somerset County, Maryland, containing twenty-three and one half acres, more or less, and the improvements thereon, adjoining the lands of George Milbourne, Will Todd and Will Jones, and assessed to James E. Stewart heirs for 1931 and 1932, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate, it being the highest bidder therefor, at and for the sum of two hundred and one dollars, now fully paid, and a copy of said advertisement is herewith filed,as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted.

Carlos Bozman
County Treasurer and Collector of State and County Taxes.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of September, 1944, before me, the subscriber a Notary Public of the Sta e of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, Treasurer of said Somerset County, and made oath in due form of law that the matters stated in the foregoing report of sale are true as therein set forth, to the best of his knowledge and belief, and that the sale therein was fairly made.

Witness my hand and notarial seal.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" refereed to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, by the provisions of the General Assembly of Maryland, I hereby give notice that on Tuesday, January 1, 1935, at the hour of two o'clock P.M., at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the hereinafter severally mentioned and described lot or parcels of land in East Princess Anne Election District, Somerset County Maryland, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land, or charged to and due from theseveral persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and costs.

No. All that lot of land in East Princess Anne Election District Somerset County, Maryland, containing 23½ acres, more or less, with the improvements thereon, adjoining the lands of George Milbourne, Will Todd and Will Jones, and assessed to James E. Stewart heirs for 1931 and 1932, and sold for taxes due for said years.

Carlos Bozman
County Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in East Princess Anne Election District, Somerset County, Maryland, assessed to James E. Stewart for 1931 and 1932, made and reported by Carlos Bozman, County Treasurer.)	No. 5956 Chancery In the Circuit Court for Somerset County, Maryland.
County Commissioners of Somerset County, Maryland Purchasers.)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and county taxes for Somerset County, Maryland, relating to the sale on January 1, 1935, of land in East Princess Anne Election District, said Somerset County, adjoining the lands of George Milbourne, Will Todd and Will Jones, and containing 23½ acres, more or less, and assessed to James E. Stewart for 1931and 1932 made to the County Commissioners of said Somerset County, a body corporate, at and for the sum of two hundred and one dollars, now fully paid, having been presented to the Court and examined and it appearing that the provisions of law in relation thereto have been complied with:

It is, thereupon, this 29th day of September, 1944, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before October 30th 1944, warning all persons to be and appear in this Court, in person or by solicitor, on or before November 30th 1944 to show cause if any they have why said saleshall not be ratified and confirmed.

Thr report states the amount of sale to be $201.00

W. Laird Henry,Jr.

Judge

And afterwards to wit, on the Twentieth day of December in the year nineteen hundred and forty-four, a petition and Order of Court were filed, which said petition and Order of Court are in the words following to wit:

In the Matter of the Tax Sale of Real Estate in East Princess Anne Election District, Somerset County, Maryland, assessed to James E. Stewart, made by Carlos Bozman, Treasurer County Commissioners of Somerset County, Maryland Purchaser.	)	No. 5956 Chancery In the Circuit Court for Somerset County, Maryland

To the Honorable, the Judge of said Court:

The petition of Carlos Bozman, Treasurer and Collector, respectfully represents that heretofore he reported the tax sale mentioned in the proceedings, and that on September 29, 1944 an order nisi was signed by this Court; but that inadvertantly the said order nisi was not published in the newspaper.

Your petitioner asks the Court to issue a new order nisi so that the same may be printed in one of the county newspapers according to the requirements of law.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Treasurer.

Upon the foregoing petition of Carlos Bozman, County Treasurer and collector, it is, this 20th day of December, 1944, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that a new order nisi, with appropriate dates, issue as requested in the petition.

Edmond H. Johnson

Judge

And thereafter to wit, on the twentieth day of December in the year nineteen hundred and forty-four, the following revised Order Nisi was filed;

In the matter of the tax sale of real estate in East Princess Anne Election District, Somerset County, Maryland, assessed to James E. Stewart for 1931 and 1932, made and reported by Carlos Bozman, County Treasurer, County Commissioners of Somerset County, Maryland Purchaser.	)	No. 5956 Chancery In the Circuit Court for Somerset County, Maryland

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale of January 1, 1935, of land in East Princess Anne Election District, said Somerset County, adjoin-

ing the lands of George Milbourne, Will Todd and Will Jones, and containing 23½ acres, more or less, and assessed to James E. Stewart for 1931 and 1932, made to the County Commissioners of said Somerset County, a body corporate, at and for the sum of two hundred and one dollars, now fully paid, having been presented to the Court and examined and it appearing that the provisions of law in relation thereto have been complied with:

It is, thereupon, this 20th day of December, 1944, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before January 22, 1945, warning all persons to be and appear in this Court, in person or by solicitor on or before February 23, 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $201.00

Edmond H. Johnson

Judge

And now at this day to wit, on the thirteenth day of June, in the year nineteen hundred and forty-five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid, the Court here passed the following order, to wit:

In the matter of the tax sale of real estate in East Princess Anne Election District, Somerset County, Maryland, assessed to James E. Stewart for 1931 and 1932, made and reported by Carlos Bozman, County Treasurer.	No. Chancery In the Circuit Court For Somerset County, Maryland
County Commissioners of Somerset County, Maryland, Purchaser.	

It having been proved to the Court that, in the above entitled cause, notice has been given by publication of the order nisi heretofore passed in this cause in the Maryland and Herald, a newspaper published in said Somerset County, according to the terms of said order nisi, and no objection having been filed and no cause to the contrary having been shown, it is, this 13th day of June 1945, by the Circuit Court for Somerset County, Maryland, in Equity adjudged, ordered and decreed that the foregoing report of sale and the sale of real estate therein reported be and the same are hereby finally ratified and confirmed.

Edmond H. Johnson

Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes Clerk.

""

State of Maryland, Somerset County, to wit:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in July, being the second day of the same month, in the year of our Lord one thousand nine hundred and forty five.

Were present,

Hon. W. Laird Henry Jr., Chief Judge
Hon. Levin C. Bailey, Assoc. Judge
Hon. Edmond H. Johnson, Assoc. Judge

Murray E. Ward, Sheriff and Benjamin L. Barnes, Clerk

In the record of proceedings of said Court, among others were the following to wit:

In the matter of the tax sale of real estate in Deals Island Election District, Somerset County, Maryland, assessed to John & Cora Johnson for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md. Purchaser	Be it remembered that heretofore to wit, on the twenty-third day of May, in the year nineteen hundred and forty five, a certain Carlos Bozman, Collector of State and County taxes for the Fourteenth Collection District of Somerset County for

the years 1933 and 1934, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit thereunto annexed, which said report and affidavit as as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in Deals Island Election District, Somerset County, Maryland, assessed to John & Cora Johnson for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Md. Purchaser	No. 6020 Chancery In the Circuit Court for Somerset County, Maryland, in Equity.

To the Honorable, the Judges of the said Court;

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1933, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose as required by law showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to John & Cora Johnson in Deals Island Election District, Somerset County, Maryland, the sum of no dollars and sixty four cents State taxes, and two dollars and fifty-five cents, County taxes and that said State and County taxes were due and in arrears on January 1, 1934.

That in the month of August, 1933 the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate insti-

tutions, to whom the property included in said tax bills was assessed so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1934, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose as required by law showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to John and Cora Johnson in Deals Island Election District, Somerset County, Maryland, the sum of no dollars and fifty-six cents State taxes, and two dollars and fifty cents County Taxes, and that said State and County taxes were due and in arrears on January 1, 1935.

That in the month of August 1934, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treaaurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said John & Cora Johnson in said Deals Island Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House Door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on October 7, 1936 at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction for cash all that lot tract or parcel of land, being the real estate assessed to John & Cora Johnson in said election district, as follows:

All that lot or parcel of land situate, lying and being in Deals Island Election District Somerset County, Maryland, size 60'x120' on a private road adjoining the lands of W. Parker Roland Ballard and James Ballard, and assessed to John and Cora Johnson for 1933 and 1934 and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, it being the highest bidder therefor, at and for the sum of thirty six dollars and thirty cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman
County Treasurer and Collector of State and County taxes

State of Maryland, Somerset County, to wit:

I hereby certify that on this 22 day of May, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Vivian Catlin SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following to wit:

EXHIBIT A

TREASURER'S SALE FOR TAXES
IN DEALS ISLAND DISTRICT

By virtue of the power and authority vested in me as County Treasurer for Somerset County Maryland, I hereby give notice that on _____, October 7, 1936, at or about the hours of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land in Deals Island Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the state and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed which said taxes are now due and in arrears for said years, together with interest and cost.

No. _____. All that lot or parcel of land situate, lying and being in Deals Island Election District, Somerset County, Maryland, size 60'x120' on a private raod adjoining the lands of W. Parker, Roland Ballard and James Ballard, and assessed to John and Cora Johnson for 1933 and 1934, and sold for taxes due for said years.

Carlos Bozman
County Treasurer

Upon which said report, the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Deals Island Election District, Somerset County, Maryland, assessed to John and Cora Johnson, for 1933 and 1934, reported by Carlos Bozman, County Treasurer and Collector of State and County Taxes for Somerset County, Md.) The County Commissioners of Somerset County Maryland Purchaser.)	No. 6020 Chancery In the Circuit Court for Somerset County, Maryland.

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County Taxes for Somerset County, Maryland, relating to the sale on October 7, 1936, of land in Deals Island Election District, Somerset County, Maryland, adjoining the lands of W. Parker, Roland Ballard and James Ballard, size 60'x120' assessed to John and Cora Johnson for 1933 and 1934, made to the County Commissioners of Somerset County, Maryland, for the sum of thirty-six dollars and thirty cents, now fully paid, having been presented to the Court and exami ed and appearing to be rugular, and it appearing that the provisions of law in relation thereto have been complied with:

It is, thereupon, this 23 day of May 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 20th day June 1945, warning all persons interested in said property to be and appear in this Court in person or by attorney on or before the 25th day of July, 1945, to show cause, if any they have why said sale shall not be reatified and confirmed.

The report states the amount of sale to be $36.30.

W. Laird Henry, Jr.
Judge.

And now at this day to wit, on the first day of August, in the year nineteen hundred and forty-five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by is solicitor aforesaid the Court here passed the following order, to wit:

Carlos Bozman, Ex Parte	)	No. Chancery
	)	Somerset County, Maryland

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Marylander and Herald, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi and no objection having been filed and no cause to the contrary having been shown, it is this 1st day of August, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. Clerk.

""

In the matter of the tax sale of real estate in Asbury Election Election, District Somerset County, Maryland, assessed to Douglas Rowe for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector.

County Commissioners of Somerset County, Maryland. Purchaser.

Be it remembered that heretofore, to wit, on the twenty-third day of May, in the year nineteen hundred and forty-five, a certain Carlos Bozman, Collector of State and County taxes for the twelfth collection district of Somerset County for the years 1931 and 1932, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit, thereunto annexed which said report and affidavit so as aforesaid filed, are in the words following to wit:

In the matter of the tax sale of real estate in Asbury Election Election, District Somerset County, Maryland, assessed to Douglas Rowe for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector.

County Commissioners of Somerset County, Maryland. Purchaser.

No. 6021 Chancery

In the Circuit Court for Somerset County, Maryland

In Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1931, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Douglas Rowe in Asbury Election District, Somerset County, Maryland, the sum of one dollars and twenty-one cents State taxes, and eight dollars and forty-nine cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1932.

That in the month of August, 1931 the said Harry E. Muir, the County Treaaurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate instituitions to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by

law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Douglas Rowe in Asbury Election District, Somerset County, Maryland, the sum of one dollars and twenty-one cents State taxes, and seven dollars and seventy six cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1933

That in the month of August, 1932, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and inthe Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice with interest thereon, that said taxes would be collected by process of law.

That the said State and county taxes for the years 1931 and 1932 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Douglas Rowe in said Asbury Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real esta e not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Crisfield Post a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on August 9, 1935, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot tract or parcel of land, being the real estate assessed to Douglas Rowe in said election district, as follows:

All that lot of land in Asbury Election District, Somerset County, Maryland, containing two and one half acres, more or less, adjoining the lands of Dr. Barkley and Gibson, and assessed to Douglas Rowe for 1931 and 1932, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, it being the highest bidder therefor, at and for the sum of thirty-three dollars and eighty-seven cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman
County Treasurer and Collector of State and County taxes.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 22nd day of May 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Vivian Catlin SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A

TREASURER'S SALE FOR TAXES

IN ASBURY DISTRICT

By virtue of the power and authority vested in me as County Treasurer for Somerset County Maryland, I hereby give notice that on _____, August 9, 1935, at or about the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land in Asbury Election District, Somerset County Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No_____. All that lot of land in Asbury Election District, Somerset County, Maryland, containing two and one half acres, more or less, adjoining the lands of Dr. Barkley and Gibson and assessed to Douglas Rowe for 1931 and 1932, and sold for taxes due for said years.

Carlos Bozman

County Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Douglas Rowe for 1931 and 1932, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland. The County Commissioners of Somerset County Maryland Purchaser.	No. 6021 Chancery In the Circuit Court for Somerset County, Maryland

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer, and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on August 9, 1935, of land in Asbury Election District, Somerset County, Maryland, adjoining the lands of Dr. Barkley and Gibson, and containing two and one-half acres, more or less, assessed to Douglas Rowe, for 1931 and 1932, made to the County Commissioners of Somerset County, Maryland for the sum of thirty-three dollars and eighty -seven cents, now fully paid having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with:

It is thereupon this 23 day of May 1945, by the Circuit Court for Somerset County, Maryland in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 20th day of June, 1945 warning all persons interested in said property to be and appear in this Court in person or by attorney, on or before the 25th day of July 1945 to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $33.87.

W. Laird Henry, Jr.

Judge

And now at this day to wit, on the first day of August, in the year nineteen hundred and forty-five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

Carlos Bozman,	)	No.	Chancery
EX Parte	)	Somerset County, Maryland	

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Crisrield Post, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 1st day of August, 1945; by the Circuit Court for Somerset County, Maryland, in Equity, adjusged ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.

Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes Clerk.

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Godfrey Child, Attorney Ex Parte under power in Mortgage from George Riley Watson and Mary K. Watson, his wife, to Godfrey Child

Be it remembered that heretofore to wit, on the twenty-first day of May in the year nineteen hundred and forty-five, a Certain Godfrey Child, in his proper person exhibited and filed in the Circuit Court here the original of a certain mortgage executed and delivered to the said Godfrey Child by a certain George Riley Watson and Mary K. Watson, his wife, which said original mortgage is in the words following to wit:

THIS MORTGAGE, Made this eleventh day of May in the year nineteen hundred and thirty-nine by George Riley Watson and Mary K. Watson, his wife, of Somerset County and State of Maryland.

WHEREAS the said George R. Watson and Mary K. Watson, his wife, have become indebted and are now indebted unto Godfrey Child of Worcester County, Maryland, in the principal sum of one thousand dollars ($1000) for moniesthis day loaned and advanced and have given therefor their bill obligatory of even date herewith, payable to the order of the said Godfrey Child, two years after date, together with interest thereon, at the rate of 6% per annum, payable semi-annualy from date until paid but with the privilege to said mortgagors to pay one hundred dollars ($100) on any multiple thereof on account of the principal sum of the said bill obligatory at any interest paying period and to secure the prompt payment of the said sum of money, together with all interest thereon, to accrue when and as the same shall become due and payable according to the tanor and effect of the said bill obligatory these presents are executed.

NOW THEREFORE, THIS MORTGAGE WITNESSETH, That in consideration of the premises and the sum of one dollar ($1.00) and for the purpose aforesaid, the said George R. Watson and Mary K. Watson, his wife, do hereby grant and convey unto the said Godfrey Child, his heirs and assigns all those two farms, tracts or parcels of land, situate, lying and being in Dublin Election District of Somerset County, Maryland, and more particularly described as follows:

FIRST: All that farm or all those tracts or parcels of land situate, lying and being in the County and, as aforesaid, on the County Road, leading from Cokesbury to Costen Station containing ninety-two (92) acres of land, more or less, and being in all respects all and the same tracts or parcels of land granted and conveyed to the said George R. Watson from William T. C. Hargis, widower, by deed dated March 9, 1939, and of record among the Land Records of Somerset County, Maryland, in Liber J.M.T. No.115, at folios 517, et sec. Reference to the aforesaid deed and to the references and recitals contained therein is hereby made for a more complete and accurate description.

SECOND: All that farm or all those tracts or parcels of land situate, lying and being in Dublin Election District of Somerset County, Maryland, and being a part of a tract of land in said District called "Ireland" and containing one hundred seventy-six (176) acres, more or less, and being in all respects all and the same farm granted and conveyed to the said George R. Watson from Olivia Costen, widow, by deed dated June 29, 1937, and of record among the aforesaid Land Records in Liber J.M.T. No. 113, at folios 139, et sec.

Reference is made to the aforesaid deed and to the references and recitals therein contained for a more complete and accurate description.

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee his heirs and assigns forever.

PROVIDED that if the said Mortgagors shall well and truly pay unto the said Mortgagee the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said bill obligatory, 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 Mortgagors shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts and charges, of every kind, levied or assessed, or to be levied or assessed on said hereby mortgaged property which taxes assess ments, public dues, charges, mortgage debt and interest aforesaid, the said George R. Watson and Mary K. Watson, his wife, do hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagee's personal representatives or assigns, or Godfrey Child their attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash to satisfy and pay said debt, interest and all costs incurred in making such sale, and to grant and convey 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 by advertisement in some newspaper printed in Somerset County, and such other notices as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorney's fee, 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; secondly, to the payment of all claims of the said Mortgagee his 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 or to whoever may be entitled to the same, and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted, and that the said Mortgagors or any person in their behalf shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagors covenant to pay the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee and one half the commission hereinbefore mentioned to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid, and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagors do further covenant to insure, and pending the existance of this mortgage to keep insured the improvements on hereby mortgaged land to the amount of at least fifteen hundred dollars and to cause the policy to be effected thereon to be so framed or endorsed, as in case of fire, to insure to the benefit of the said mortgagee his personal representatives and assigns, to the extent of the lein or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagors shall fail to insure and keep insured the improvements aforesaid for the benefit of the mortgagee and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

WITNESS the hands and seals of said mortgagors.

TEST: Louise V. Powell George Riley Watson (SEAL)

Mary K. Watson (SEAL)

STATE OF MARYLAND, Worcester County, towit:

I hereby certify, that on this eleventh day of May in the year nineteen hundred and thirty nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for Worcester County personally appeared George R. Watson and Mary K. Watson, his wife, the mortgagors named in the foregoing mortgage and they acknowledged the foregoing mortgage is true and bona fide as therein set forth.

STATE STAMPS: $1.00 Louise V. Powell SEAL OF

Notary Public NOTARY

Received for Record May 13, 1939 and recorded in Liber J.M.T. No. 114, folio 265, one of the Land Records of Somerset County.

Per Benjamin L. Barnes, Clerk.

And thereupon the said Godfrey Child, attorney filed in Court here a bond in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Godfrey Child, as Principal, and United States Fidelity and Guaranty Company, a body corporate, as Surety, are held and firmly bound unto the State of Maryland in the full and just sum of Three thousand dollars ($3000.00) 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 assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 19th day of May, A.D. 1945.

WHEREAS, the above bounden Godfrey Child, by virtue of the power and authority contained in a mortgage from George Riley Watson and Mary K. Watson, his wife, to Godfrey Child, dated May 11, 1939 and of record among the Land Records of Somerset County, Maryland in Liber J.M.T. No. 114 at folio 265 is about to sell the land and premises described in the said mortgage, as Attorney named therein, default having been made in the debt therein specified, and in the covenants and conditions therein apecified.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that, if the above bounden Godfrey Child does and shall well and truly and faithfully perform the trust reposed in him under and by virtue of the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be passed by any Court of Equity in relation to the sale of the 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.

WITNESS the hands and seals of the parties.

Godfrey Child (SEAL)

UNITED STATES FIDELITY AND GUARANTY COMPANY

Signed, sealed and delivered in the presence of: SEAL

BY H. M. Walters
Its Attorney-in-fact, Surety.

Doris C. Hickman

Which said bond was thus thereon endorsed, to wit:

The within bond approved,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty-fifth day of June in the year nineteen hundred and forty-five, the said Attorney exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit so aforesaid filed, are in the words following to wit:

IN THE MATTER OF THE TRUST)
CREATED BY A MORTGAGE FROM
GEORGE RILEY WATSON AND)
MARY K. WATSON, HIS WIFE,
TO GODFREY CHILD)
)

In the Circuit Court for
Somerset County, Maryland.

In Equity.

No. _____ Chancery

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Godfrey Child, Attorney named for foreclosure in a mortgage from George Riley Watson and Mary K. Watson, his wife, to Godfrey Child, said mortgage being dated May 11, 1939 and recorded among the Land Records of Somerset County, Maryland in Liber J.M.T. No. 114 at folios 265, et seq., respectfully shows:

THAT, after giving bond, with security approved by this Court for the faithful performance of his trust and after having complied with all the other prerequisites, ad required by law and by the said mortgage, and after having given notice of the time, place, manner and terms of sale, by advertisement published in Marylander and Herald, a newspaper printed and published in Princess Anne, Somerset County, Maryland at least twenty (20) days before the time of said sale, and by copies of said advertisement circulated and posted in the vicinity of said sale, as provided by said mortgage, he did, pursuant to said notice, attend in front of the Court House door in Princess Anne, Somerset County, Maryland on Tuesday, June 19, 1945 at the hour of three o'clock P.M. and then and there proceeded to offer for sale all the land and premises mentioned and described in said mortgage in the following manner, that is to say:

He offered for sale at public auction to the highest bidder, for cash, "all those two farms, tracts or pardels of land situate, lying and being in Dublin Election District of Somerset County, Maryland and more partiuclarly described as follows:

"FIRST: All that farm or all those tracts or parcels of land situate, lying and being in the District, County and State aforesaid on the County road leading from Cokesbury to Costen Stateion, containing ninety-two (92) acres of land, more or less, and being in all respects all and the same tracts or parcels of land granted and conveyed to the said George R. Watson from William T. C. Hargis, widower, by deed dated March 9, 1939 and of record among the Land Records of Somerset County, Maryland in Liber J.M.T. No. 115 at folios 517, et seq. Reference to the aforesaid deed and to the references and recitals contained therein is hereby made for a more complete and accurate description.

SECOND: All that farm or all those tracts or parcels of land situate, lying and being in Dublin Election District of Somerset County, Maryland and being a part of a tract of land in said District called "Ireland" and containing one hundred and seventy six (176) acres, more or less, and being in all respects all and the same farm granted and conveyed to the said George R. Watson from Olevia Costen by deed dated June 29, 1937 and of record among the aforesaid Land Records in Liber J.M.T. No. 113 at folios 139, et seq. Reference is made to the aforesaid deed and to the references and recitals therein contained for a more complete and accurate description.

A more particular description of the property, together with the improvements thereon, was set forth in said advertisement, a copy of which is attached hereto and made a part hereof.

And your Attorney reports that, in accordance with the advertised manner and terms of sale he first offered the two (2) farms as an entirety and recieved a bid therefor of Eighteen hundred dollars ($1800.00) which bid he reserved.

He then offered the farm first described in the said advertisement and first described above and recieved a bid of One thousand dollars ($1000.00) therefor from Evelyn Watson John and G. Raymond Watson.

He then offered the farm secondly described in said advertisement and secondly described above and received a bid of Eleven hundred dollars ($1100.00) therefore from the said Elevyn

Watson John and G. Raymond Watson.

In accordance with the terms of sale, he accepted the bids for the separate parcels and sold the two (2) tracts or parcels of land to the said Evelyn Watson John and G. Raymond Watson at and for the sum of One thousand dollars ($1000.00) for the first farm above described and at and for the sum of Eleven hundred dollars ($1100.00) for the second farm above described, making an aggregate purchase price for the said two (2) farms of Twenty-one hundred dollars and the said Evelyn Watson John and G. Raymond Watson being at said sums the highest and best bidders therefor.

AND the said Evelyn Watson John and G. Raymond Watson have passed to your Attorney their bill obligatory for Twenty-one hundred dollars ($2100.00) payable upon ratification of sale, without interest.

Respectfully submitted,

Godfrey Child
Attorney named in said mortgage for foreclosure.

STATE OF MARYLAND, WORCESTER COUNTY, to wit:

I hereby certify that on this 23rd day of June, A. D. 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Worcester County, personally appeared Godfrey Child, Attorney as set forth in the aforegoing report of sale, and made oath in due form of law that the matters and facts set forth therein are true as therein stated to the best of his knowledge, information and belief and that the sales therein reported were fairly made.

In testimony whereof, I have hereunto subscribed my name and affixed my Notarial Seal.

Doris C. Hickman SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

IN THE MATTER OF THE TRUST CREATED BY A MORTGAGE FROM GEORGE RILEY WATSON AND MARY K. WATSON, HIS WIFE, TO GODFREY CHILD	)	In the Circuit Court for Somerset County, Maryland.
	)	In Equity.
	)	No. 6019 Chancery.

- ORDER NISI-

ORDERED that the sales of real estate mentioned and described in these proceedings and made and reported by Godfrey Child, Attorney named for foreclosure in a mortgage from George Riley Watson and Mary K. Watson, his wife, to Godfrey Child, be ratified and confirmed unless cause to the contrary be shown on or before the 26th day of July 1945, provided a copy of this order be inserted in some newspaper printed and published in Somerset County, Maryland once in each of three successive weeks before the 23rd day of July, 1945.

The Report States the amount of sales to be Twenty-one hundred dollars ($2100.00).

Benjamin L. Barnes, Clerk.

And now at this day to wit, on the first day of August, in the year nineteen hundred and forty five comes again into Court here the said Attorney and on motion of the said Attorney the Court here passed the following order, to wit:

ORDERED by the Circuit Court for Somerset County, Maryland, sitting in Equity, this 1st day of August, 1945, that the sales of real estate made and reported by Godfrey Child, Attorney named for foreclosure in a mortgage from George Riley Watson and Mary K. Watson, his wife, to Godfrey Child, said real estate being mentioned and described in these proceedings, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given, as required by the order nisi passed in said cause, and the said Godfrey Child is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes. Clerk.

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Benjamin F. Nelson and Florence Green Nelson Vs. Norman Nelson, Nora Nelson, Wilbern B. Nelson, Louise K. Nelson, May Nelson Garrison, Guy Garrison, J. Frank Nelson, Addie Evans Nelson, Reba P. Long, John T. Long, Ben C. Nelson, Dorothy D. Nelson, Charles H. Nelson, Carolyn Thompson Nelson, Mary Elizabeth Tull, Melvin Tull, Loran L. Nelson and Margaret W. Nelson.	Be it remembered that heretofore, to wit, on the thirtieth day of November, in the year nineteen hundred and forty-two, a certain Benjamin F. Nelson and Florence Green Nelson by L. Paul Ewell, their solicitor exhibited and filed in the Circuit Court here a bill of complaint against Norman Nelson, Nora Nelson, Wilbern B. Nelson, Louise K. Nelson, May Nelson Garrison, Guy Garrison, J. Frank Nelson, Addie Evans Nelson, Reba P. Long, John T. Long, Ben C. Nelson, Dorothy D. Nelson, Charles H. Nelson, Carolyn Thompson Nelson, Mary Elizabeth Tull, Melvin Tull, Loran L. Nelson and Margaret W. Nelson, which said bill of complaint is in the words following, to wit:

Benjamin F. Nelson and Florence Green Nelson Vs. Norman Nelson, Nora Nelson, Wilbern B. Nelson, Louise K. Nelson, May Nelson Garrison, Guy Garrison, J. Frank Nelson, Addie Evans Nelson, Reba P. Long, John T. Long, Ben C. Nelson, Dorothy D. Nelson, Charles H. Nelson, Carolyn Thompson Nelson, Mary Elizabeth Tull, Melvin Tull, Loran L. Nelson and Margaret W. Nelson.	No. 5757 Chancery. In the Circuit Court for Somerset County, Maryland In Equity.

TO THE HONORABLE, THE JUDGES, OF SAID COURT:

Your Orators complaining say:

1. That a certain Benjamin W;Nelson, late of Somerset County, Maryland, deceased, was in his lifetime seized and possessed of certain tracts or parcels of land situate, lying and being in Somerset County, Maryland.

2. That being so seized and possessed the said Benjamin W. Nelson departed this life intestate, leaving no widow surviving him but leaving the following children his only heirs at law, to whom said lands have descended by operation of law, that is to say,

Benjamin F. Nelson, a son, who intermarried with Florence Green Nelson, the plaintiffs in this case; Norman Nelson, a son, who intermarried with Nora Nelson, defendants; Wilbern B. Nelson, a son, who intermarried with Louise K. Nelson, defendants; May Nelson Garrison, a daughter, who intermarried with Guy Garrison, defendants; J. Frank Nelson, a son, who intermarried with Addie Evans Nelson, defendants; Reba P. Long, a daughter, who intermarried with John T. Long, defendants; Ben C. Nelson, a son, who intermarried with Dorothy D. Nelson, defendants; Charles H. Nelson, a son, who intermarried with Carolyn Thompson Nelson, defendants; Mary Elizabeth Tull, a daughter, who intermarried with Melvin Tull, defendants; and Loran L. Nelson, a son, who intermarried with Margaret W. Nelson, defendants.

3. That all of the parties to this suit are over the age of twenty-one years.

4. That all of the parties to this suit are residents of the State of Maryland, with the exception of Charles H. Nelson and Carolyn Thompson Nelson, who are non-residents of the State of Maryland and residents of the State of Delaware.

5. That the real estate of which the said Benjamin W. Nelson died seized and possessed is not susceptibel of partition, without material loss and injury to the parties entitled to interest therein, and in order to make division of said interest it will be necessary to sell said real estate and the proceeds thereof divided among the parties according to their several interests.

To the end, therefore,

(1) That a decree may be passed by this court for the sale of the real estate referred to in these proceedings of which the said Benjamin W. Nelson died seized and possessed.

(2) That the proceeds of said sale may be distributed among the parties to this suit according to their respective rights and interest.

(3) That your orators may have such other and further relief as their case may require.

May it please your Honores to grant unto your orators the writ of subpoena, directed to the said Norman Nelson, Nora Nelson, Wilbern B. Nelson, Louise K. Nelson, May Nelson Garrison, Guy Garrison, J. Frank Nelson, Addie Evans Nelson, Reba P. Long, John T. Long, Ben C. Nelson, Dorothy D. Nelson, Mary Elizabeth Tull, Melvin Tull, Loran L. Nelson and Margaret W. Nelson, all residents of the State of Maryland, commanding them, and each of them, to be and appear in this Court, at some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein, and also to grant unto your orators the order of publication, giving notice to the said Charles H. Nelson and Carolyn Thompson Nelson, non-residents of the State of Maryland, but residents of the State of Delaware, of the objects and substance of this bill and warning them and each of them to appear in this court, in person or by solicitor, on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

That the said (Norman Nelson, Nora Nelson, May Nelson Garrison, Guy Garrison,)(J. Frank Nelson, Addie Evans Nelson, Reba P. Long and John T. Long) reside at Crisfield, Somerset County, Maryland, and (Wilbern B. Nelson, Louise K. Nelson, Loran L. Nelson and Margaret W. Nelson) reside at 5308 Holder Avenue, Baltimore, Maryland, Ben C. Nelson and Dorothy D. Nelson reside at 41 East Henrietta Street, Baltimore, Maryland, Mary Elizabeth Tull and Melvin Tull reside at 2514 Garrett Avenue, Baltimore, Maryland.

And as in duty bound, etc.,

L. Paul Ewell,
Solicitor for Complainants.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenae were issued, to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT — The State of Maryland

To Norman Nelson, Nora Nelson, May Nelson Garrison, Guy Garrison of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in December next to answer the complaint of Benjamin F. Nelson and Florence Green Nelson against youand others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable BENJAMIN A. JOHNSON, Chief Judge of the First Judicial Circuit of Maryland, the second day of November Anno Domini 1942. ISSUED the thirtieth day of November Anno Domini 1942.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT — The State of Maryland

To J. Frank Nelson, Addie Evans Nelson, Reba P. Long and John T. Long of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in December next to answer the complaint of Benjamin F. Nelson and Florence Green Nelson against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable BENJAMIN A. JOHNSON, Chief Judge of the First Judicial Circuit of Maryland, the second day of November Anno Domini 1942. ISSUED the thirtieth day of November Anno Domini 1942.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Wilbern B. Nelson, Louise K. Nelson, Loran L. Nelson and Margaret W. Nelson of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in December next to answer the complaint of Benjamin F. Nelson and Florence Green Nelson against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable BENJAMIN A. JOHNSON, Chief Judge of the First Judicial Circuit of Maryland, the second day of November Anno Domini 1942. ISSUED the thirtieth day of November Anno Domini 1942.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF Court The State of Maryland

To Ben C. Nelson and Dorothy D. Nelson of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne, Town on the first MONDAY in December next to answer the complaint of Benjamin F. Nelson and Florence Green Nelson against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable BENJAMIN A. JOHNSON, Chief Judge of the First Judicial Circuit of Maryland, the second day of November Anno Domini 1942. ISSUED the thirtieth day of November Anno Domini 1942.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, To wit;

SEAL OF COURT The State of Maryland

To Mary Elizabeth Tull and Melvin Tull of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First MONDAY in December next to answer the complaint of Benjamin F. Nelson and Florence Green Nelson against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, The Honorable BENJAMIN A. JOHNSON, Chief Judge of the First Judicial Circuit of Maryland, the second day of November Anno Domini 1942. ISSUED the thirtieth day of November Anno Domini 1942.

Per Order,

Benjamin L. Barnes, Clerk.

At which said first MONDAY in october, in the year nineteen hundred and forty-two and the day of the return of the above recited writs, came again into Court here the said complainants by their solicitor, and the Sheriff of Somerset County, I. Fred Phoebus, to whom the first two writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Sumomed severly and copy left with each defendant.

I. Fred Phoebus, Sheriff.
Harold E. Sterling, Deputy Sheriff.

To the second of said writs: Sumoned severly and copy left with each defendant.

I. Fred Phoebus, Sheriff
Harold E. Sterling, Deputy Sheriff.

On the day and year aforesaid came into Court here the said Complainants by their solicitor, and the Sheriff of Baltimore City to whom the third, fourth and fifth writs aforesaid were, in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the third of said writs: Summoned Omnus and a copy of the Process left with each defendant.

Joseph C. Deegan, Sheriff

To the fourth of said writs: Summoned Ambo and a copy of the Process left with each defendant.

Joseph C. Deegan, Sheriff

To the fifth of said writs: Summoned Ambo and a copy of the Process left with each defendant.

Joseph C. Deegan, Sheriff.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following order of publication was issued, to wit:

Benjamin F. Nelson and Florence Green Nelson	In the Circuit Court for
Vs.	Somerset County , Maryland
Norman Nelson, Nora Nelson, Wilbern B. Nelson, Louise K. Nelson, May Nelson Garrison, Guy Garrison, J. Frank Nelson, Addie Evans Nelson, Reba P. Long, John T. Long, Ben C. Nelson, Dorothy D. Nelson, Charles H. Nelson, Carolyn Thompson Nelson, Mary Elizabeth Tull, Melvin Tull, Loran L. Nelson and Margaret W. Nelson.	In Equity.
	No. _____ Chancery.

ORDER OF PUBLICATION

The object of this suit is to procure a decree for the sale of certain real estate in Somerset County, Maryland, of which a certain Benjamin W. Nelson, late of Somerset County, Maryland, died seized. The bill states:

That the said Benjamin W. Nelson died intestate, leaving no widow surviving him, but leaving the following children his only heirs at law, to whom the said real estate descended by operation of law, namely, Benjamin F. Nelson, a son, who intermarried with Florence Green Nelson, the plaintiffs in this case; Norman Nelson, a son, who intermarried with Nora Nelson, defendants Wilbern B. Nelson, a son, who intermarried with Louise K. Nelson, defendants; May Nelson Garrison, a daughter, who intermarried with Guy Garrison, defendants; J. Frank Nelson, a son, who intermarried with Addie Evans Nelson, defendants; Reba P. Long, a daughter, who intermarried with John T. Long, defendants; Ben C. Nelson, a son, who intermarried with Dorothy D. Nelson, defendants; Charles H. Nelson, a son, who intermarried with Carolyn Thompson Nelson, defendants Mary Elizabeth Tull, a daughter, who intermarried with Melvin Tull, defendnats; and Loran L. Nelson, a son, who intermarried with Margaret W. Nelson, defendants; that all the parties to this suit are over twenty-one years of age; that all the parties to this suit are residents of the State of Maryland,except Charles H. Nelson and Carolyn Thompson Nelson, who are residents of the State of Delaware; that the real estate is not susceptible of partition, without material loss and injury to the parties entitled to interest therein and in order to make division of said interest it will be necessary to sell said real estate and the proceeds divided among the parties according to their several interests. The bill also prays for general relief.

It is thereupon, this 30th day of November, 1942, ordered by the Circuit Court for Somerset County, Maryland, in Equity that the plaintiffs, by causing a copy of this order to be inserted in some newspaper published in said Somerset County, Maryland, once in each of four successive weeks before the 2nd day of January, 1943, give notice to the absent defendants of the object and substance of this bill, warning them and each of them, to be and appear in this Court in

person or by solicitor, on or before the 18th day of January next, to show cause, if any they have why a decree ought not to be passed as prayed.

Benjamin L. Barnes, Clerk .

And afterwards to wit, on the third day of December in the year nineteen hundred and forty-two the answer of Charles H. Nelson and Carolyn Thompson Nelson were filed, which answer is in the words following to wit:

Benjamin F. Nelson and Florence Green Nelson	)	IN the Circuit Court for
	)	Somerset County, Maryland
Vs.	)	In Equity.
Norman Nelson, et al.	)	No. Chancery

To the Honorable, the Judges of said court:

The answer of Charles H. Nelson and Carolyn Thompson Nelson to the bill of complaint of Benjamin F. Nelson and Florence Green Nelson against them and others in this court exhibited.

These defendants admit the matters and facts set forth in said bill of complaint and consent to the passage of such decree as may be right and proper in the premises, waiving all delays of statute, rules of Court and otherwise.

Charles H. Nelson

Carolyn Thompson Nelson

And afterwards to wit, on the third day of December in the year nineteen hundred and forty-two the answer of Norman Nelson, Nora Nelson, May Nelson Garrison, Guy Garrison, J. Frank Nelson, Addie Evans Nelson, Reba P. Long, and John T. Long were filed, which answers are in the words following to wit:

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court for
	)	Somerset County, Maryland
Vs.	)	In Equity.
Norman Nelson, et al.	)	No. Chancery

To the Honorable, the Judges of said Court:

The answer of Norman Nelson, Nora Nelson, May Nelson Garrison, Guy Garrison, J. Frank Nelson, Addie Evans Nelson, Reba P. Long and John T. Long, to the bill of complaint of Benjamin F. Nelson and Florence Green Nelson against them and others in this court exhibited.

These defendants admit the matters and facts set forth in said bill of complaint and consent to the passage of such decree as may be right and proper in the premises, waiving all delays of statute, rules of court and otherwise.

Norman Nelson
Nora Nelson
May Nelson Garrison
Guy Garrison
J. Frank Nelson
Addie Evans Nelson
Reba P. Long
John T. Long

And afterwards to wit, on the seventh day of December in the year nineteen hundred and forty-two the answer of Loran L. Nelson and Margaret W. Nelson were filed, which answer is in the words following to wit:

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court for
	)	Somerset County, Maryland
Vs.	)	In Equity
Norman Nelson, et al.	)	No. 5747 Chancery

To the Honorable, the Judges of said Court:

The answer of Loran L. Nelson and Margaret W. Nelson, to the bill of complaint of Benjamin F. Nelson and Florence Green Nelson against them and others in this Court exhibited.

These defendants admit the matters and facts set forth in said bill of complaint and consent to the passage of such decree as may be right and proper in the premises, waiving all delays of statute, rules of court and otherwise.

Loran L. Nelson

Margaret W. Nelson

And afterwards to wit, on the seventh day of December in the year ninteen hundred and forty-two the answer of Wilbern B. Nelson and Louise K. Nelson were filed, which answer is in the words following to wit:

Benjamin E. Nelson and Florence Green Nelson	)	In the Circuit Court for
	)	Somerset County, Maryland.
Vs.	)	In Equity.
Norman Nelson, et al.	)	No. 5747 Chancery

To the Honorable, the Judges of said Court:

The answer of Wilbern B. Nelson and Louise K. Nelson, to the bill of complaint of Benjamin F. Nelson and Florence Green Nelson against them and others in this Court exhibited.

These defendants admit the matters and facts set forth in said bill of complaint and consent to the passage of such decree as may be right and proper in the premises, waiving all delays of statute, rules of court and otherwise.

Wilbern B. Nelson

Louise K. Nelson

And afterwards to wit, on the eighth day of December in the year ninteen hundred and forty-two the answer of Mary Elizabeth Tull and Melvin Tull were filed, which answer is in the words following to wit:

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court for
	)	Somerset County, Maryland.
Vs.	)	In Equity.
Norman Nelson, et al.	)	No. Chancery

To the Honorable, the Judges of said Court:

The answer of Mary Elizabeth Tull and Melvin Tull, to the bill of complaint of Benjamin F. Nelson and Florence Green Nelson against them and others in this court exhibited.

These defendants admit the matters and facts set forth in said bill of complaint and consent to the passage of such decree as may be right and proper in the premises, waiving all delays of statute, rules of court and otherwise.

Mary Elizabeth Tull

Melvin Tull

And afterwards to wit, on the twenty-fourth day of December in the year nineteen hundred and forty-two the answer of Ben C. Nelson and Dorothy D. Nelson were filed, which answer is in the words following to wit:

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court for
	)	Somerset County, Maryland
Vs.	)	In Equity
Norman Nelson, et al.	)	No. 5747 Chancery

To the honorable, the Judges of said Court:

The answer of Ben C. Nelson and Dorothy D. Nelson, to the bill of complaint of Benjamin F. Nelson and Florence Green Nelson against them and others in this court exhibited.

These defendants admit the matters and facts set forth in said bill of complaint and consent to the passage of such decree as may be right and proper in the premises, waiving all delays of statute, rules of court and otherwise.

Ben. C. Nelson
Dorothy D. Nelson

Daniel S. Sullivan Jr., Solicitor for Ben C. Nelson and Dorothy D. Nelson, two of the defendants.

And thereafter to wit, on the Seventh day of January in the year nineteen hundred and forty-three, the said Complainants by their Solicitor aforesaid filed in Court here a petition in the words following to wit:

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court for
	)	Somerset County, Maryland.
Vs.	)	In Equity.
Norman Nelson, et al.	)	No. Chancery.

To the Honorable, the Judges of said Court:

The petition of Benjamin F. Nelson and Florence Green Nelson, respectfully represents:

1. That your petitioners are the plaintiffs and Norman Nelson, Nora Nelson, Wilbern B. Nelson, Louise K. Nelson, May Nelson Garrison, Guy Garrison, J. Frank Nelson, Addie Evans Nelson, Reba P. Long, John T. Long, Ben C. Nelson, Dorothy D. Nelson, Charles H. Nelson, Carolyn Thompson Nelson, Mary Elizabeth Tull, Melvin Tull, Loran L. Nelson and Margaret W. Nelson are defendants in the above proceedings.

2. That, as by reference to said proceedings will appear, all of the defendants are adults above twenty-one years of age and have, and each has, answered the bill of complaint of your petitioners admitting the matters and facts set forth in said bill of complaint consenting to the passage of such decree as may be right and proper in the premises, waiving all delays of statute, rules of court and otherwise.

3. That your petitioners desire to take testimony to substantiate the allegations set forth in their bill of complaint and pray that leave be granted to them to take said testimony before one of the standing examiners of this court.

L. Paul Ewell,
Solicitor for Complainant.

Upon which said petition the Court here passed the following order, to wit:

Ordered this 7th day of January, 1943, by the Circuit Court for Somerset County, Maryland, in Equity, that leave be and is hereby granted to the plaintiffs to take testimony to substantiate the allegations in their bill of complaint as in the foregoing petition prayed before one of the Standing Examiners of this Court.

James M. Crockett
Judge.

And afterwards to wit, on the twenty-seventh day of January, in the year nineteen hundred and forty-three Edward P. Wyatt, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Benjamin F. Nelson and Florence Green Nelson	)	
	)	In the Circuit Court for
Vs.	)	Somerset County, Maryland
Norman Nelson, Nora Nelson, Wilbern B. Nelson, Louise K. Nelson, May Nelson Garrison, Guy Garrison, J. Frank Nelson, Addie Evans Nelson, Reba P. Long, John T. Long, Ben C. Nelson, Dorothy D. Nelson, Charles H. Nelson, Carolyn Thompson Nelson, Mary Elizabeth Tull, Melvin Tull, Loran L. Nelson and Margaret W. Nelson	)	In Equity.
	)	No. 5757 Chancery.

To the Honorable, the Judges of said Court:

I, Edward P. Wyatt, one of the Regular Standing Examiners in Chancery in the Circuit Court for Somerset County, Maryland, was heretofore notified that the complainants in the above entitled cause desired to take testimony to substantiate the allegations of their bill of com-

plainants in the above entitled cause desired to take testimony to substantiate the allegations of their bill of complaint in the above cause filed, and in pursuance of an order previously signed by this court, I did accordingly attend at my office located No. 932 West Main Street, Crisfield, Somerset County, Maryland, on the 25 day of January, 1943 at the hour of 2 o'clock in the afternoon, and then and there proceeded to take the depositions of the witnesses then present, and did accordingly return to this court said depositions on the said 25 day of January, 1943, as will a ppear by reference to these proceedings.

John T. Long, a witness of lawful age, produced on the part of the Complainants, having been first duly sworn by me, deposes and says:

Q. 1. State your name, age, residence and occupation.

A. John T. Long; 51 years; reside at Crisfield, Md.; farmer

Q. 2. Are you acquainted with all the parties to this suit:

A. Yes, my wife is a daughter of Benjamin W. Nelson

Q. 3. Mr. Long, have you read the bill of complaint, and if so, state whether or not the allegations set forth therein are true?

A. Yes. I know all the parties and the facts set forth therein are true.

Q. 4. When did Mr. Benjamin W. Nelson die?

A. He died on or about December 20, 1941

Q. 5. Are you acquainted with the land of which Benjamin W. Nelson died seized?

A. Yes, I am very well acquainted with it.

I hold in my hand certified copies of the following deeds-

Deed from Edward B. Lankford and wife marked "Exhibit A", containing 14 acres;

Deed from Edward B. Lankford and wife marked "Exhibit B", containing 77-1/2 Acres as conveyed, but Benjamin W. Nelson in his lifetime conveyed about one acre to Charles H. Nelson;

Deed from Levi S. Daugherty marked "Exhibit "C" containing one acre;

Deed from Noah Laird marked "Exhibit D", con taining 1-1/2 acres

He owned no other land than mentioned in these deeds to my knowledge.

Q. 6. Your attention is called to deed "Exhibit D" from Noah Laird to Benjamin Nelson, Jr. can you explain this?

A. Yes, his father was named Benjamin Nelson but he was always known as Benjamin Nelson, Jr. and he is the same person mentioned in the other deeds as Benjamin W. Nelson and is the same person who was the father of all the parties to this suit.

Q. 7. Mr. Long, what experience have you had, if any, in dealing in real estate?

A. I own and live on a farm across the road from the land in question, own two or three other farms and have bought and sold farm lands from time to time and have appraised several pieces of farm lands for estates, and one piece where two brothers were trying to agree. I have also watched real estate sales at public auction.

Q. 8. From your knowledge of the property and your experience with farm lands in the vicinity of which the property in question is located, please state your opinion of the fair market value of the property of which Benjamin W. Nelson died seized.

A. $3500.00

Q. 9. To Examiner's interrogatory.

A. Nothing.

Witness: John T. Long
Edward P. Wyatt
Examiner

William E. Bradshaw, a witness of lawful age, produced on the part of the Complainants, having been first duly sworn by me, deposes and says:

Q. 1. State your name, age, residence and occupation.

A. William E. Bradshaw; 61 years; Marion, Somerset County, Maryland; farmer.

Q. 2. Are you acquainted with all the parties to this suit?

A. Yes, I am acquainted with all the children and heirs of Benjamin W. Nelson. I may not be acquainted with some of their wives.

Q. 3. Have you read the bill of complaint, and if so, state whether the matters and things set forth therein are true?

A. Yes, all the statements therein are true.

Q. 4. Do you know when Mr. Benjamin W. Nelson died?

A. December , 1941.

Q. 5. Did you know him in his lifetime?

A. Yes, sir.

Q. 6. Are you acquainted with the land of which Mr. Benjamin W. Nelson died seized?

A. Yes, sir.

I hold in my hand certified copies of the following deeds-

Deed from Edward B. Lankford and wife marked "Exhibit A" containing 14 acres;

Deed from Edward B. Lankford and wife marked "Exhibit B", containing 77½ acres as conveyed, but Benjamin W. Nelson in his lifetime conveyed about one acre to Charles H. Nelson.

Deed from Levi S. Daugherty marked "Exhibit C", containing one acre.

Deed from Noah Laird marked "ExhibitD", containing 1½ acres.

Benjamin W. Nelson owned these lands in his lifetime. He did not own any other lands to my knowledge.

Q. 7. Can you explain why deed "Exhibit D" from Noah Laird is to Benjamin Nelson, Jr.?

A. Yes, he was known as Benjamin Nelson, Jr. His correct name was Benjamin W. Nelson, These names are one and the same person and the father of all the parties mentioned in the bill of complaint.

Q. 8. Are you related to the parties in any way?

A. No, I am not.

Q. 9. Mr. Bradshaw, state what experience, if any, you have had in dealing with farm lands in the vicinity in which Benjamin W. Nelson lived and died.

A. I own a farm in the neighborhood. I have lived in the neighborhood all my days and have lived on the farm where I am now living since 1916. I watch from time to time sales at public auction of real estate and have some fair knowledged of values of farm lands in the neighborhood.

Q. 10. Please state the fair market value of the farm lands of which Benjamin W. Nelson died seized.

A. About $3500.00

Q. 11. To Examiner's interrogatory.

A. Nothing more.

Witness:

William E. Bradshaw

Edward P. Wyatt
Examiner

Benjamin F. Nelson, a witness of lawful age, produced on the part of the Complainant, having been first duly sworn by me, depeses and says:

Q. 1. State your name, age, residence and occupation.

A. Benjamin F. Nelson; 49 years; Marion Station, Maryland, Farmer.

Q. 2. Do you know the parties to this suit?

A. Yes, I am a son of Benjamin W. Nelson, my wife is Florence Green Nelson and we are the plaintiffs in this case against the other children and heirs of my father.

Q. 3. Are you acquainted with the allegations of the bill of complaint?

A. Yes, and all the statements therein made are true.

Q. 4. Are you acquainted with the real estate of which your father died seized?

A. Yes sir. I hold in my hand certified copies of four deeds- "Exhibit A", B, C, and D" He owned all the lands except one acre in deed marked "Exhibit B" which was conveyed to him from Edward Lankford and wife, containing 77½ acres, from which he sold in his lifetime one acre. He owned no other land.

Exhibit D shows from Noah Laird to Benjamin Nelson, Jr. He is the same person as Benjamin W. Nelson. His father had the same name.

Q. 5. What experience have you had dealing in real estate?

A. I own a farm in the neighborhood and I watch from time to time sales that are made and have some idea of values of farm lands.

Q. 6. What in your opinion is a fair market value of the property in question covered by the deeds which you now hold in your hands and which you file as a part of your testimony.

A. $3500.00

Q. 7. To Examiner's interrogatory

A. Nothing more.

Witness: Benjamin F. Nelson

Edward P. Wyatt

No other witnesses being present and no further time for the production of evidence being asked, I then closed the examination.

Respectfully submitted under my hand and seal this 25 day of January, 1943.

Examiner
Costs due $4.00

Edward P. Wyatt
Examiner in Chancery.

Exhibit "A" mentioned in the foregoing testimony is in the words following to wit:

This deed made this twenty-seventh, 27th day of January in the year nineteen hundred and eight, by us Edward B. Lankford, and Susan J. Lankford, his wife, and William G. Lankford, all of Somerset County, in the State of Maryland, Witnesseth that in consideration of the sum of two hundred dollars, in hand paid and hereby receipted for by all the grantors herein and other good and valuable security, we the said Edward B. Lankford and Susan J. Lankford, his wife, and William G. Lankford, do grant sell and convey unto Benjamin W. Nelson, of said county and State all that lot or parcel of ground, situated in Lawsons District in Somerset County, Maryland, and described as beginning at a stone planted at the corner of the Mary J. Adams land, and at what is known as the woods, ditch, thence running northwestward by and with the centre of said ditch to the land of the Fletcher Russell lot, thence running southwestward, by and with the line of the land of the said Russel lot and the William Blair lot to a private road, reserved for the use of certain lots of land in the division of the William H. Roach, Estate, thence running southeastward by and with said private road to the land of John S. Long, thence Northeastward by and with said Long's land and the said Mary J. Adams' Land to the place of beginning, containing fourteen acres of land more or less, and being all of the woods or timber land which the said Edward B. Lankford and William G. Lankford purchased of Isaac H. Coulbourn and wife, and within the aforesaid metes and bounds. To have and to hold the hereindescribed woodland, together with the right of drainage through the ditches or drains now existing, and leading from the land hereby conveyed through the cleared or tenable land belonging to the said Lankfords and adjoining the sadd woodsland, unto and to him the said Benjamin W. Nelson his heirs and assigns in fee simple.

Witness our hands and seals the day and date first above written.

E. B. Lankford SEAL

Test: T. J. Adams

Susan J. Lankford SEAL

Wm. G. Lankford SEAL

State of Maryland, Somerset County, to wit:

I hereby certify that on this twenty seventh 27th day of January in the year nineteen hundred and eight before me the subscriber, a Justice of the Peace of the State of Maryland in and for Somerset County, personally appeared Edward B. Lankford, and William G. Lankford and

did each acknowledge the foregoing deed to be their respective act.

T. J. Adams (J.P.)

State of Maryland, Somerset County, to wit:

I hereby certify that on this twenty seventh day 27th of January, in the year nineteen hundred and eight before the subscriber a Justice of the Peace of the State of Maryland, in and for Somerset County, personally appeared Susan J. Lankford, wife of Edward B. and acknowledged the foregoing deed to be her act.

T. J. Adams (J.P.)

Received for Record 11th Feb. 1908, and recorded in Liber S.F.D. No. 48, folio 140 & c, one of the Land Records of Somerset County.

Per S. Frank Dashiell, Clerk.

State of Maryland, Somerset County, to wit:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County hereby certify that the aforegoing Deed is truly and correctly copied from Liber S.F.D. No. 48, folio 140, one of the Land Records of Somerset County.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court this 19th day of November, 1942.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland.

SEAL

Exhibit "B" mentioned in the foregoing testimony is in the words following to wit:

This Deed, made this eighteenth day of March, one thousand nine hundred and eleven, by Edward B. Lankford and Susan J. Lankford, his wife, and William G. Lankford, all of Somerset County and State of Maryland, Witnesseth, that in consideration of the sum of Five Dollars ($5.00) and other good and valuable considerations the said Edward B. Lankford, and Susan Lankford, his wife, and William G. Lankford, do grant and convey unto Benjamin W. Nelson of said County and State, his heirs and assigns, all that lot tract or parcel of land, called "Little Bottom", or by whatsoever name or names the same may be known or called situate, lying and being in Somerset County aforesaid, and more particularily described as follows, that is to say: All that tract or parcel of land situate in Lawsons Election District, in the County and State aforesaid, and on the Westward of the County road leading from the Home place of the late Wm. H. Roach to Crisfield, and containing seventy seven and one half (77½) acres, more or less, and being all the residue of the land which was conveyed unto the said Edward B. Lankford and William G. Lankford, by Jennie E. Coulbourne and husband, by deed dated April 30, 1907 and duly of record among the Land Records of Somerset County aforesaid, in Liber S.F.D. No. 45, folios 348 (fourteen acres of the land conveyed by the last mentioned deed, having been heretofore conveyed unto the said Benjamin W. Nelson by the said Edward B. Lankford, and William G. Lankford by deed dated January 27, 1908, and recorded among the aforesaid Land Records, in Liber S.F.D. No. 48, folios 140 etc.,)To all of which said deeds and all the references in them contained, special reference is hereby made, as part hereof, for a more full and particular description of the property hereby conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging or in any wise appertaining. To have and to hold, the aforesaid lot, parcels or tracts of 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 Benjamin W. Nelson, his heirs and assigns, forever in fee simple. And the said Edward B. Lankford and Susan J. Lankford, his wife, and William G. Lankford, covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of said land as may be requisite.

Witness the hands and seals of said grantors.

Edward B. Lankford (SEAL)

TEST: Wm. M. Hunt. Susan Lankford (SEAL)

William G. Lankford (SEAL)

State of Maryland, Somerset County, to wit:

I hereby certify that on this 18th day of March, in the year one thousand nine hundred and eleven, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Somerset County, aforesaid personally appeared Edward B. Lankford, and Susan J. Lankford, his wife, and William G. Lankford, and each, acknowledged the foregoing deed to be their respective deed and act.

Wm. M. Hunt, J.P.

Received for Record 18th, Apr. 1911, and recorded in Liber S.F.D. No. 57 folio 192 & c, one of the Land Records of Somerset County.

Per S. Frank Dashiell, Clerk.

State of Maryland, Somerset County, to wit:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County hereby certify that the aforegoing Deed is truly and correctly copied from Liber S.F.D. No. 57, folio 192 & c, one of the Land Records of Somerset County.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court this 27th day of November, 1942.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland.

Exhibit "C" mentioned in the foregoing testimony is in the words following to wit:

This deed made this twenty-eight day of July in the year Eighteen Hundred and eighty six (1886) by me Levi S. Daugherty of Somerset County in the State of Maryland, witnesseth, that in consideration of one hundred dollars, I, the said Levi S. Daugherty do grant unto Benjamin W. Nelson of the County and State aforesaid all that lot or parcel of land together with the improvements thereon situated in Somerset County, Maryland, and in Lawsons Election District, which is described as follows; it being contiguous to the East side of the new County Road that leads down to Daugherty's Creek Landing, and it is bounded on the South East side by the lands of Noah Laird, which was formerly owned by Wm. H. Daugherty, and it is bounded on the North and East sides by the reserved land of the aforesaid Levi S. Daugherty, the land hereby conveyed is one square acre no more nor no less, and it is conveyed in fee simple.

Witness my hand and seal this the day and year aforesaid.

Test: O.S. Horsey Levi S. Daugherty (SEAL)

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of July in the year 1886, before me the subscriber a Justice of the Peace of the said State in and for the aforesaid County personally appeared Levi S. Daugherty and acknowledged the aforegoing deed to be his act.

Oliver S. Horsey, J.P.

July the 29th day of Anno Domini 1886, then was delivered unto me the subscriber, the aforegoing Deed in order to be enrolled among the records of Somerset County, which said Deed together with the acknowledgment thereof, thereon endorsed, is accordingly enrolled among the same records in Liber H.F.L. No. 4, folio 323, on the day and year aforesaid.

Per H. Fillmore Lankford, Clk.

State of Maryland, Somerset County, to wit:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County hereby certify that the aforegoing Deed is truly and correctly copied from Liber H.F.L. No. 4, folio 323, one of the Land Records of Somerset County.

In testimony whereof I hereunto subscribe my name and affix the seal of said court this 20th day of November, 1942.

SEAL

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland.

Exhibit "D" referred to in the foregoing Testimony is in the words following to wit:

This Deed made this 23rd day of July A.D. 1888, by me, Noah Laird Witnesseth that in consideration of the sum of One Hundred Dollars to me in hand paid, whereof the receipt I do hereby acknowledge, I the said Noah Laird doth grant unto Benjamin Nelson, Jr. all of that lot or parcel of ground, situate in Lawson's District, Somerset County, Maryland, described as follows: Beginning for the same on the North side of the County Road leading to Daugherty's Creek, at the South Westermost corner of a lot of ground belonging to Benjamin F. Daugherty, running thence in a Northeasterly direction to the land of Levi Daugherty, thence in a Northwesterly direction to the land of the said Benjamin Nelson, thence in a Southerly direction to the said County Road, thence in an Easterly direction by and with the said Road to the place of the beginning, containing one and a half (1½) acres of ground more or less in fee simple.

Witness my hand and seal.

Noah Laird SEAL

Test: Thos. K. Whelton.

State of Maryland, Somerset County, towit:

I hereby certify that on this 23rd day of July A.D. 1888, before me, the subscriber, a Justice of the Peace of the State in and for the said County, personally appeared Noah Laird and acknowledged the aforegoing deed to be his free act.

Before Thos. K. Whelton, J.P.

August the 14th day Anno Domini 1888, then was delivered unto me the subscriber the aforegoing Deed in order to be enrolled among the records of Somerset County, which said Deed together with the acknowledgment thereof, thereon endorsed, is accordingly enrolled among, the same records in Liber H.F.L. Nl. 6, folio 227, on the day and year aforesaid.

Per H. Fillmore Lankford, Clk.

State of Maryland, Somerset County, to wit:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County hereby certify that the foregoing Deed is truly & correctly copied from Liber H.F.L. No. 6, folio 227, one of the Land Records of Somerset County.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court this 19th day of November, 1942.

Benjamin L. Barnes
Clerk of the Circuit Court for
Somerset County, Maryland.

And thereafter to wit, on the eighth day of February in the year Nineteen Hundred and Forty-three the Circuit Court here, passed the following Decree in the premises to wit:

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court for
	)	Somerset County, Maryland
Vs.	)	In Equity.
Norman Nelson, et al.	)	No. 5747 Chancery.

This cause standing ready for hearing and being submitted, the proceedings were read and considered:

It is thereupon, this 8th day of February 1943, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the property mentioned in these proceedings be sold; that L. Paul Ewell 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. If said surety shall be a corporation authorized to execute surety bonds in Somerset County, Maryland, the penalty of said bond shall be four thousand dollars ($4000.00) but if the surety or sureties on said bond shall be an individual or individuals, the penalty of said bond shall be seven thousand dollars ($7000.00) conditioned for the faithful performance of the trust reposed in him by this decree or to be reposed in by any future decree or order in the premises; he shall then proceed to make said sale, having given at least three weeks' previous notice by advertisement inserted in some weekly newspaper published in Somerset County, Maryland, as he shall think proper of the time, place, manner and terms 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 of the fairness of said sale; and on obtaining the court's ratification of the sale and on the payment of the whole of the 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 or assigns, the property and estate to him, her or them sold free, clear and discharged from all claims of the parties hereto, plaintiffs and defendants, and those claiming by, from or under them or either of them; and the said trustee shall bring into this court the money arising from said sale to be distributed under the direction of this court, after deducting the costs of this suit and such commissions to the said trustee as this court shall think proper to allow in considerations of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

W. Laird Henry, Jr.
Judge

And thereupon, the said L. Paul Ewell, Trustee, filed a Bond in the Court here in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, L. Paul Ewell of Pocomoke City, Worcester County, Maryland, and United States Fidelity and Guaranty Company, a Maryland corporation with its principal offices in the City of Baltimore, are held and firmly bound unto the State of Maryland in the full and just sum of four thousand dollars ($4000.00) 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, the said L. Paul Ewell binding his heirs, executors and administrators, and the said United States Fidelity and Guaranty binding its successors and assigns, firmly by these presents, sealed with our seals and dated this 9th day of February in the year nineteen hundred and forty-three.

WHEREAS the above bounden L. Paul Ewell, by virtue of a decree of the Circuit Court for Somerset County, Maryland, in Equity, has been appointed trustee to sell the property mentioned in the proceedings in the case of Benjamin F. Nelson and Florence Green Nelson vs. Norman Nelson et al and designated on the Chancery docket in said court as No. 5747 now pending in said court.

NOW THE CONDITION of the above obligation is such that if the above bounden L. Paul Ewell 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.

AS WITNESS the hand and seal of the said L. Paul Ewell and the signature of United States Fidelity and Guaranty Company by the said L. Paul Ewell, Attorney-in-Fact, the day and year first above written.

L. Paul Ewell SEAL
Principal

Signed, sealed and delivered in
the presence of
Dorothy M. Ardis

UNITED STATES FIDELITY AND GUARANTY COMPANY SEAL
BY L. Paul Ewell Attorney-in-Fact
Surety

Which said bond was thus thereon endorsed, to wit:

The within bond approved,

Benjamin L. Barnes, Clerk.

And thereafter wo wit, on the thirty-first day of January, in the year nineteen hundred and forty-four, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following to wit:

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court for
	)	Somerset County, Maryland.
Vs.	)	In Equity.
Norman Nelson, et al.	)	No. 5747 Chancery.

To the Honorable, the Judges of said Court:

The report of L. Paul Ewell, Trustee appointed by decree of this court passed in the above entitled cause to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security approved by this court for the faithful performance of his turst, and after having complied with all the other prerequisites as required by law and the aaid decree, and giving notice of the time, place, manner and terms of sale by advertisement inserted in The Crisfield Times, a weekly newspaper published at Crisfield, Somerset County, Maryland, and notice posted in front of the Court House door at Princess Anne, Somerset County, Maryland, for at least three successive weeks before the day of sale, and by hand bills extensively circulated in the vicinity of the property so offered for sale, he did, pursuant to said notice, attend in front of the Bank of Crisfield, at Crisfield, Somerset County, Maryland, on Saturday, March 6, 1943, at the hour of eleven o'clock in the morning, and then and there proceeded to sell said property in manner following, that is to say, your trustee offered at public sale to the highest bidder all that farm or tract of land situate, lying and being in Lawson's Election District, Somerset County, Maryland, containing fourteen (14) acres, more or less, and being all and the same farm or tract of land conveyed to Benjamin W. Nelson from Edward B. Lankford et al by deed dated January 27, 1908, and recorded among the land records ofSomerset County, Maryland, in Liber S.F.D. No. 48, folio 140, reference to which deed and the references therein contained special reference is hereby made for a more particular description of the same (This was sold with all the rights and privileges in and to the private road mentioned in said deed and subject to the limitations therein); and all that farm or tract of land situate, lying and being in Lawson's Election District of Somerset County, Maryland, sometimes called "Little Bolton", or by whatever name or names the same may be known or called, containing seventy-six and one half (76½) acres, more or less, being all and the same farm or tract of land conveyed to the said Benjamin W. Nelson by Edward B. Lankford et al by deed dated March 18, 1911, and recorded among the land records of Somerset County, Maryland, in Liber S.F.D. No. 57, folio 192, referance to which and the references therin contained, special reference is hereby made for a more particular description of the same. The deed herein mentioned calls for seventy seven and one-half (77½) acres but the said Benjamin W. Nelson in his lifetime conveyed one acre thereof to a certain Charles H. Nelson. This makes a total in these two tracts of ninety and one-half (90½) acres, more or less, and make up what is commonly called the "Home Place of the late Benjamin W. Nelson" and were used and occupied by him in his lifetime as one tract and sold by his trustee as such that is to say, as one tract of land, it being the fourth item mentioned in the advertisement of sale, and your trustee sold said two tracts of land to Benjamin Freely Nelson at and for the sum of three thousand dollars ($3000.00) he being then and there the highest bidder therefor, of which purchase money he has paid the sum of fifteen hundred dollars ($1500.00) the balance to be paid on the ratification of the sale. These two properties

constituting one farm are a part of the lands referred to in the bill of complaint in these proceedings and a part of the lands of which the said Benjamin W. Nelson, late of Somerset County, Maryland, died seized and possessed.

Your trustee also offered at public sale to the highest bidder as one tract, being the second item mentioned in the advertisement of sale, consisting of three tracts as therein set forth:

(a) All that lot or parcel of ground in Lawson's Election District, Somerset County, Maryland, on the road leading down to Daugherty's Creek known as the Levi S. Daugherty property containing one and three-fourths (1-3/4) acres, more or less, being all and the same property conveyed to a certain Elizabeth Nelson from Levi S. Daugherty by deed dated December 15, 1893, and recorded in Liber HFL No. 13, folios 597, etc.

(b) All that lot or parcel of ground in Lawson's Election District, Somerset County, Maryland, on the road leading down to Daugherty's Creek, containing one (1) acre, more or less, being all and the same lot or parcel of ground conveyed to Benjamin W. Nelson from Levi S. Daugherty by deed dated July 28, 1886, and recorded in Liber H.F.L. No. 4, folio 323.

(c) All that lot or parcel of ground in Lawson's Election District, Somerset County, Maryland, on the county road leading down to Daugherty's Creek, containing one and one-half (1-1/2) acres, more or less, being all and the same lot or parcel of ground conveyed to Benjamin W. Nelson as Benjamin Nelson, Jr., from Noah Laird by deed dated July 23, 1888 and recorded in Liber H.F.L. No. 6, folio 227.

These three tracts were sold as above mentioned in one item and as the second item mentioned in the advertisement of sale, and your trustee sold the same to Grace L. Daugherty at and for the sum of two hundred and sixty dollars ($260.00) she being then and there the highest bidder therefor.

It will be noticed that tract (a) above mentioned was conveyed to Elizabeth Nelson, who was the wife of Benjamin W. Nelson and the mother of all of the children mentioned in these proceedings as the children of Benjamin W. Nelson except one son, Norman Nelson, who was the son of a former wife of the said Benjamin W. Nelson. The said Elizabeth died intestate seized and possessed of this piece of land as well as of two other pieces of land hereinafter mentioned leaving surviving her the said Benjamin W. Nelson, her husband, and all of the persons mentioned in these proceedings as the children of the said Benjamin W. Nelson (except Norman Nelson above mentioned), to whom the same descended by operation of law, the said Benjamin W. Nelson thereafter departing this life intestate as set forth in these proceedings.

It will also be seen that tract (b) and tract (c) were conveyed to the said Benjamin W. Nelson, both of which said tracts he died seized and possessed, leaving no widow surviving him but leaving his children and heirs at law as set forth in these proceedings, to whom the same descended by operation of law.

These three tracts were sold as one tract because they were used and occupied as such and would have brough very little, if anything, if sold separately. The total purchase price was two hundred and sixty dollars ($260.00) one-third of which belongs, and should be paid, to the heirs of Elizabeth Nelson, thus leaving two-thirds or $173.33 accounted for in this report by this trustee. Owing to the fact that tract (a) belonged to Elizabeth Nelson in her lifetime, and being a part of the second item in the advertisement of sale, and the first and third items in the advertisement being also the property of Elizabeth Nelson, this trustee received from all of the heirs of the late Elizabeth Nelson a power of attorney to sell the same and for that reason the property was advertised by this trustee for the sale of the property of which the late Benjamin W. Nelson died seized under a decree in these proceedings and the lands of which the said Elizabeth Nelson died seized under power of attorney.

The first and second items mentioned in the advertisement of sale are not referred to in this report as these items are handled by me as attorney and not as trustee. The property was advertised in this manner as it seemed to be advantageous to all the parties in interest to so handle the same. For the purpose of information only, it is hereby stated that the heirs at law of Benjamin W. Nelson and Elizabeth Nelson are the same except a certain Norman Nelson, who is the son of the said Benjamin W. Nelson by a former wife as above set forth.

The total purchase price to be accounted for by this trustee is three thousand dollars ($3000.00) mentioned herein for the home place of which the late Benjamin W. Nelson died seized and which was sold as aforesaid to Benjamin Freely Nelson at and for the sum of three thousand dollars ($3000.00) and tract (b) and tract (c) as a part of the second item in said advertisement of sale, all of which is explained as above, for the sum of one hundred and seventy-three dollars and thirty-three cents ($173.33), making a total when final settlement is made of three thousand, one hundred and seventy-three dollars and thirty-three cents ($3173.33) to be accounted for by this trustee.

Respectfully submitted,

L. Paul Ewell
Trustee

State of Maryland, County of Worcester, to wit:

I hereby certify that on this 28th day of January, 1944, before me, the subscriber, a Notary Public of the State of Maryland, in and for Worcester County, personally appeared L. Paul Ewell Trustee named in the above report of sales, and made oath in due form of law that the matters and things stated in the foregoing report are true to the best of his knowledge and belief, and that the sales therein reported were fairly made.

In testimony whereof, I hereunto set my hand and affix my Notarial Seal.

Cynthia Ardis — SEAL OF
Notary Public — NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court for
	)	Somerset County, Maryland
Vs.	)	In Equity.
Norman Nelson, et al.	)	No. 5747 Chancery

ORDER NISI

Ordered by the Circuit Court for Somerset County, Maryland, sitting in equity, that the sales of the property mentioned in these proceedings made and reported by L. Paul Ewell, Trustee appointed by a decree of this court to make said sales, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 1st day of March next, provided a copy of this order be inserted in some weekly newspaper published in Somerset County, Maryland, once a week in each of three successive weeks before the 28th day of February next.

The report states the amount of sales to be $3173.33

Benjamin L. Barnes
Clerk.

And thereafter to wit, on the first day of March in the year nineteen hundred and forty-four, Exceptions to the aforegoing sale were filed, which Exceptions are in the words following to wit:

May Nelson Garrison and Guy W. Garrison	)	No. 5747 Chancery
	)	In the Circuit Court For Somerset County
Vs.	)	State of Maryland
L. Paul Ewell Trustee and Benjamin F. Nelson	)	
	)	

To the Honorable Judge Edmond Johnson, Judge of said Court:

Will you please file exceptions to the ratifications of the sales of the said Benjamin W. Nelson and Elizabeth Nelson his wife both deceased to each and every one of the said tracts and parcels of Real Estate that were sold by the said L. Paul Ewell on March 6, 1943 for the following reasons.

First: It was not properly advertised.

Second: It was a rainy day and some one that may been a bidder may been kept home for that reason.

Third: That the price it was sold for was a very gross inadequate amount and did not represent a fair market value.

Fourth: That the said L. Paul Ewell did promise your said orator that he would help him get a loan through The Farm Security Administration to buy the said Benj. W. Nelson and Elizabeth Nelson his wife Farm and Tracts of real estate but the said L. Paul Ewell failed to keep his promise and for that reason your said orator could not bid on the said real estate and make it sell for it full value.

Your Orator complaing says: that (1) The said L. Paul Ewell Trustee for the said Benj. W. Nelson and Elizabeth Nelson his wife did advertise in the Crisfield Times, the Real Estate in these proceedings to be sold for cash March 6th 1943 but the said L. Paul Ewell did not collect and distribute the cash as he had advertised it; and did not make a report on the said sales until Jan 31, 1944 which was almost a year after he had made the said sales. However your Orator believes that the said Paul Ewell did wait for almost a year to make the said report of sales so he could use the money that came from the said sales himself for that period of time. (2) That March 6th 1943 it rained so hard that there was a very small crowd present at the time when the said Benj. W. Nelson and Elizabeth Nelson his wife Real Estate was sold. (3) Item 1-called Evans property containing 5 acres more or less and was conveyed to the said Elizabeth Nelson from Benj. W. Nelson Jr. Jan 17, 1893 and was recorded in Liber HFL No 12 folio 157 etc and was sold to Benj F. Nelson for the sum of 110.00 when it was worth very much more. Item 2- called Levin S. Daugherty property containing 1 3/4 acres more or less and was conveyed to Elizabeth Nelson from Levin S. Daugherty Dec 15, 1893 and was recorded in Liber HFL No. 13 folio 597 etc this piece of Property was sold together with two other pieces of property that was conveyed to the said Benj. W. Nelson as follows second piece was conveyed to the said Benj. W. Nelson from Levin S. Daugherty and contained one acre more or less July 28, 1886 and was recorded in Liber HFL No. 4 folio 323 etc and a piece of property that was conveyed to the said Benj. W. Nelson from Noah Laird July 23, 1888 and recorded in Liber H.F.L. No. 6, folio 227 etc. and containing 1½ acres more or less these three pieces of property were sold togethere to Mrs. Grace L. Daugherty for only $260.00 which was a very gross amount and did not represent a fair market value; this property was worth $400.00 or more.

May Nelson Garrison

Guy W. Garrison

And afterwards to wit, on the twelfth day of June in the year nineteen hundred and forty-five the following answer to the Exceptions was filed

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court for Somerset County,
	)	Maryland
Vs.	)	In Equity
Norman Nelson et al.	)	No. 5747 Chancery

To the Honorable, the Judges of said Court:

The answer of L. Paul Ewell, Trustee to the exceptions filed to the sales made and reported by him as such trustee.

1. Answering the first paragraph of said exceptions, this trustee denies the matters and things therein alleged.

2. Answering the second paragraph of said exceptions, this trustee admits that on the day of said sales it rained but denies that the inclement weather on that day in any manner affected said sales because said sales were unusually well attended and there were more persons present than usually attend such sales.

And further answering said second paragraph of said exceptions, this trustee admits that report of sales was not made until the day alleged in said exceptions but as to all other matters alleged in said paragraph this trustee denies.

3. Answering the third paragraph of said exceptions, this trustee denies the allegations therein set forth.

4. Answering the fourth paragraph of said exceptions, this trustee denies the allegations therein set forth.

5. Answering the exceptions as a whole, this trustee denies that he or any person on his behalf, or under his direction, did anything that detracted from said sales or the interest of the parties therein, on the contrary this trustee alleges and avers that he handled said sales diligently and with proper care and skill, and this trustee insists upon all matters and things in law and equity to the merits of said exceptions to which he may be entitled to avail himself by demurrer, as provided by Section 185 of Article 16 of the Code of Public General Laws of Maryland.

And this trustee having fully answered said exceptions prays hence to be dismissed with his reasonable costs laid out and expended.

As in duty bound, etc.,

L. Paul Ewell, Trustee

And thereafter to wit, on the third day of August in the year nineteen hundred and forty-five, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Benjamin F. Nelson and Florence Green Nelson	)	IN THE CIRCUIT COURT FOR
	)	SOMERSET COUNTY, MARYLAND
Vs.	)	IN EQUITY
Norman Nelson et al.	)	NO. 5747 Chancery

To the Honorable the Judges of said Court:

The petition of L. Paul Ewell, Trustee, respectfully represents:

That a certain Guy Garrison and wife have heretofore filed certain exceptions to the ratification of the sale heretofore made and reported by your petitioner as trustee in these proceedings and your petitioner as trustee has filed his answer thereto.

Your petitioner therefore prays that said exceptions may be set for hearing to the end that the sale heretofore reported may be ratified.

As in duty bound, etc.

L. Pau. Ewell, Trustee

Upon which said petition the court passed the following order:

Ordered this 2nd day of August, 1945, by the Circuit Court for Somerset County, Maryland in Equity, upon the foregoing petition, that the exceptions filed by Guy Garrison and wife to the ratification of the sale reported by L. Paul Ewell, Trustee, in the above cause, be set for hearing at the Court House in Princess Anne, Maryland, on the 15th day of August 1945, at 11 o' clock A.M., provided a copy of the foregoing petition be served on the said Guy Garrison and May Garrison his wife, or their attorney of record, on or before the 8th day of August, 1945.

W. Laird Henry, Jr.
Judge.

And now at this day to wit, on the twenty second day of August in the year nineteen hundred and forty-five came again into Court here the said Complainants by their Solicitor aforesaid, and on motion of the said Complainants by their Solicitor aforesaid, the Court here passed the following order to wit:

Benjamin F. Nelson and Florence Green Nelson	)	In the Circuit Court
	)	for Somerset County, Maryland
Vs.	)	In Equity
Norman Nelson, et al.	)	No. 5747

It appearing from the proceedings in this cause that L. Paul Ewell, the duly appointed trustee to make sale of the real estate mentioned in these proceedings, made and filed his report of sales as said trustee and exceptions thereto having been made and filed and said trustee having answered the same, this cause came on to be heard on said exceptions and answers and the exceptants having offered no evidence to substantiate their allegations set forth in said exceptions,

It is this 22nd day of August, 1945, by the Circuit Court for Somerset County, Maryland, sitting in equity, ordered and decreed that the exceptions to said sales be and the same are hereby overruled.

And it is further ordered and decreed that the sales made and reported by the said trustee be and the same are hereby finally ratified and convirmed no cause to the contrary, other than the exceptions mentioned in this order and decree, having been shown, although due notice appears to have been given as required by the order nisi passed in said cause; and the trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Brewer Clerk.

""""""""""""""""""""""""""""""""""""""

State of Maryland, Somerset County, to wit:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in September, being the third day of the same month, in the year of Our Lord, one thousand nine hundred and forty-five.

Were present,

Hon. W. Laird Harry Jr., Chief Judge
Hon. Levin C. Bailey, Assoc. Judge
Hon. Edmond H. Johnson, Assoc. Judge

Murray E. Ward, Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following to wit:

In the matter of the tax sale of real estate in Brinkley Election District, Somerset County Maryland, assessed to Sydney Kersey's heirs for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and collector.	Be it remembered that heretofore to wit, on the fifth day of July, in the year nineteen hundred and forty-five, a certain Carlos Bozman, Collector of State and County taxes for the Third Collection District of Somerset County for the years
County Commissioners of Somerset County, Md. Purchaser.	

1931 and 1932, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit thereunto annexed, which said report and affidavit as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in Brinkley Election District, Somerset County Maryland, assessed to Sydney Kersey's heirs for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and collector.	No. 6033 Chancery In the Circuit Court for Somerset County, Maryland, in Equity.
County Commissioners of Somerset County, Md. Purchaser.	

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1931, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Sydney Kersey's heirs in Brinkley Election District, Somerset County, Maryland, the sum of one dollars and eighty-eightcents State taxes, and thirteen dollars and twelve cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1932.

That in the month of August, 1931, the said Harry E. Muir, then County Treasurer and Collector as aforesaid gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield Maryland, and the said Harry E. Muir, then County Treasurer, and collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institu-

tions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person set of persons or corporate institutions as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Sydney Kersey's heirs in Brinkley Election District, Somerset County, Maryland, the sum of one dollars and eighty-eight cents State taxes, and twelve dollars and no cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1933.

That in the month of August, 1932, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1931 and 1932 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Sydney Kersey's heirs in said Brinkley Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Crisfield Times a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on July 3, 1935, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Sydney Kersey's heirs in said election district, as follows:

All that lot or parcel of land, with the improvements thereon, situate, lying and being in Brinkley Election District Somerset County, Maryland, binding on the county road, and adjoining the lands of Harriet Evans, John Whittington, and F. A. Tull, and containing six acres, more or less, and a sessed to Sydney Kersey's heirs for 1931 and 1932 and sold the same to the County Commissioners, Somerset County, Maryland, a body corporate, it being the highest bidder therefor, at and for the sum of eighty-six dollars and ninty-nine cents, now fully paid and copy of said advertisement is herewith filed as a part of this report marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman
County Treasurer and Collector of State and County taxes.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 5th day of July 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, Maryland, aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Vivian Catlin SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following to wit:

EXHIBIT A

TREASURER'S SALE FOR TAXES

IN BRINKLEY'S DISTRICT

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on Tuesday, July 3, 1935, at or about the hour of two o' clock P.M. at the Court House door in Princess Anne, Maryland, I will sett at public auction, for cash, all the lots or parcels of land in Brinkley's Election District, Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the State and County taxes levied against the hereinafter described lots or parcels of land for the years mentioned or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No. All that lot of land in Brinkley's Election District, Somerset County, Maryland, adjoining the lands of Harriet Evans, John Whittington, F. A. Tull, and containing six acres, more or less, and assessed to Sydney Kersey's heirs for 1931 and 1932, and sold for taxes due for said years.

Carlos Bozman
County Treasurer

Upon which said report, the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Brinkley's Election District, Somerset County, Maryland, assessed to Sydney Kersey's heirs for 1931 and 1932, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland.)	No. 6033 Chancery In the Circuit Court for Somerset County, Maryland.
The County Commissioners of Somerset County, Maryland---------Purchaser.)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on July 3, 1935, of land in Brinkley's Election District, Somerset County, Maryland, adjoining the lands of Harriet Evans, John Whittington, and F. A. Tull, and containing six acres, more or less, and assessed to Sydney Kersey's heirs for 1931 and 1932, made to the County Commissioners of Somerset County, Maryland, for the sum of eighty-six dollars and ninety-nine cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relating thereto have been complied with;

It is, thereupon, this 5th day of July, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice by given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 6th day of August, 1945, warning all persons interested in said property to be and appear in this Court in person or by attorney, on or before the 6th day of September 1945, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $86.99.

Levin C. Bailey
Judge

And now at this day to wit, on the fifteenth day of September, in the year nineteen hundred and forty five, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order to wit:

Carlos Bozman, Ex Parte) No. Chancery
) Somerset County, Maryland

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in the Crisfield Post, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 15th day of September, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

Edmond H. Johnson
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. Clerk.

""

State of Maryland, Somerset County, to wit:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in November, being the fifth day of the same month, in the year of Our Lord, one thousand nine hundred and forty-five.

Were present,

Hon. W. Laird Henry, Jr., Chief Judge
Hon. Levin C. Bailey, Assoc. Judge
Hon. Edmond H. Johnson, Assoc. Judge

Murray E. Ward, Sheriff and Benjamin L. Barnes, Clerk.

Edgar A. Jones, Assignee, Ex-Parte, under power in a mortgage from Arthur Carr to C. Edwin Hayman, Lee L. Hayman and Madeline H. Dougherty, partners trading as C. H. Hayman & Sons Company	Be it remembered that heretofore to wit, on the fourteenth day of September in the year nineteen hundred and forty-five a Certain Edgar A. Jones, in his proper person exhibited and filed in the Circuit Court here the original of a certain mortgage and assignments executed and delivered to

C. Edwin Hayman, Lee L. Hayman and Madeline H. Dougherty, partners trading as C. H. Hayman & Sons company, which said original mortgage and assignments is in the words following to wit:

THIS MORTGAGE, Made this 9th day of May, in the year nineteen hundred and twenty-five, by Arthur Carr, of Somerset County, in the State of Maryland, hereinafter called the mortgagor, Witnesseth:

Whereas the said mortgagor is indebted to C. Edwin Hayman, Lee L. Hayman and Madeline E. Dougherty, surviving partners of Charles H. Hayman, C. Edwin Hayman, Lee L. Hayman and Madeline E. Dougherty, partners trading as C. H. Hayman & Sons Co., hereinafter called the mortgagees, in the sum of two hundred and twenty-one dollars and ninety-three cents which said indebtedness is evidenced by the bill obligatory of the said mortgagor for said sum, dated evenly herewith, payable to the said mortgagees in four equal instalments of four, eight, twelve and sixteen months from date with interest from date, payable at the expiration of each and every four months from date, until the entire principal and interest shall have been paid, and whereas for the purpose of further securing the payment of said sum with interest as aforesaid, this mortgage is executed.

Now therefore this mortgage witnesseth that for and in consideration of the premises, the said Arthur Carr, mortgagor as aforesaid, grants and conveys to the said mortgagees, their heirs and assigns, all that lot or parcel of land in Saint Peters District, in Somerset County, Maryland, containing one acre, more or less, lying on the south side of the old county road leading from Princess Anne to Deals Island, bounded on the east by land owned or formerly owned by Horace or Hennie White, bounded on the west by land of George Bounds and on the south by land of Gus White, and being all the land owned by the said Arthur Carr in Somerset County, Maryland and which was purchased by him from John W. Phoebus, now deceased and whereon the said Arthur Carr now resides,

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagees, their heirs and assigns forever.

PRDVIDED th t if the said Mortgagor shall well and truly pay unto the said Mortgagess the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said bill obligatory, and shall perform all the covenants herein on his p rt to be performed, then this mortgage shall be void.

And it is agreed that until default be made in the premises, the said Mortgagor shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said mortgagor does hereby covenant to pay when legally demandable. But if de-

fault be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagees, their personal representatives or assigns, or H. Fillmore Lankford, their Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash, to satisfy and pay said debt, interest and all costs incureed 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 by advertisement in some newspaper printed in Somerset County, and such other notice as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorney's fee, 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 Mortgagees, their personal representatives and assigns under this mortgage, whether the same shall have matured or not; and the surplus (if any there be) shall be paid to the said Mortgagor or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted and that the said Mortgagor or any person in his behalf, shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagor covenants to pay to the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee, and one half the commission hereinbefore mentioned to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid, and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagor does further covenant to insure, and pending the existence of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least four hundred dollars, and to cause the policy to be effected thereonto be so framed or endorsed as in case of fire, to inure to the benefit of the said mortgagees, their personal representatives and assigns, to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagor shall fail to insure and to keep insured the improvements aforesaid for the benefit of the mortgagees and to deposit the policy or policies as aforesaid, the said mortgagees are hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness herey intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

Witness the hand and seal of said mortgagor.

TEST: Vernon E. White Arthur his X mark Carr (SEAL)

State of Maryland, Somerset County to wit:

I hereby certify, that on this 9th day of May, in the year nineteen hundred and twenty-five before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County Personally appeared Arthur Carr, the mortgagor named in the foregoing mortgage and each acknowledged the foregoing mortgage to be his act and deed; and at the same time and place also person-

ally appeared before me C. Edwin Hayman, one of the mortgagees in said mortgage, and made oath in due form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth, and that he is the agent of the other mortgagees in said mortgage, and that he is authorized to make this affidavit.

In testimony whereof I hereto subscribe my name and affix my notarial seal the day and year aforesaid.

Vernon E. White SEAL OF
Notary Public NOTARY

Received for Record 9 May 1925 and recorded in Liber W.J.S. No. 89 folio 140 one of the Land Records of Somerset County.

Per W. Jerome Sterling Clerk.

For value received, the undersigned C. Edwin Hayman, Lee L. Hayman and Madeline E. Dougherty, surviving partners of Charles H. Hayman, C. Edwin Hayman, Lee L. Hayman and Madeline E. Dougherty partners trading as C. H. Hayman & Sons Co., hereby assign the within and foregoing mortgage to the Peoples Bank of Somerset County, a body corporate, and guarantee the payment of the same.

Witness our hands and seals this 21st day of May, 1925.

Witness as to C. Edwin Hayman and Lee L. Hayman — C. Edwin Hayman Seal

Howard V. Disharoon — Lee L. Hayman Seal

Witness as to Madeline E. Dougherty — Madeline E. Dougherty Seal
Surviving partners of C. H. Hayman & Sons Co.

G. Mae Hayman

Filed for Record May 29, 1945 and recorded in Liber W.J.S. 89 folio 141.

Test: Benjamin L. Barnes Clerk.

For value received and without recourse, I hereby assign the within mortgage to C. H. Hayman & Sons Company.

Witness my hand and seal this 3rd day of January, 1940.

Witness: Edgar A. Jones — John W. Downing, Receiver for Peoples Bank of Somerset County. SEAL

For value received and for the purpose of foreclosure and collection, we C. Edwin Hayman and Lee L. Hayman, formerly partners trading as C. H. Hayman & Sons Company, hereby assign the within mortgage to Edgar A. Jones.

As witness our hands and seals this 31 day of July, 1945.

C. H. Hayman & Sons Company

Witness: Sally L. Ford — By: C. Edwin Hayman SEAL

Lee L. Hayman SEAL

Filed for Record Sept. 14, 1945 and recorded in Liber W.J.S. No. 89, folio 140

Test: Benjamin L. Barnes, Clerk.

And thereupon the said Edgar A. Jones, Assignee filed in Court here a bond in the words following to wit:

Know all men by these presents, that we, Edgar A. Jones, L. Shanley Ford and Charles R. Bounds, all of Somerset County and State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of Five Hundred 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, jointly and severally, firmly by these presents, sealed with our seals and dated this day of September 1945.

Whereas, by mortgage dated May 9, 1925 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 89, fol io 140, Arthur Carr conveyed unto C. Edwin Hayman, Lee L. Hayman and Madeline H. Dougherty, the surviving partners of Charles H. Hayman, C. Edwin Hayman, Lee L. Hayman and Madeline H. Dougherty, partners trading as C. H. Hayman & Sons Company, cer-

tain real estate in Somerset County, to secure the sum therein mentioned and

Whereas, the said mortgage was duly assigned to the said Edgar A. Jones for the purpose of foreclosure and collection, and

Whereas, the said Edgar A. Jones, as Assignee, by virtue of the power and authority contained in said mortgage, is authorized, upon default, to sell the property conveyed by said mortgage, and

Whereas, default has occured in the terms and conditions of said mortgage and the said Edgar A. Jones is about to exercise the power of sale in said mortgage contained.

Now therefore, the condition of the above obligation is such, that if the above bounden Edgar A. Jones, does and shall well and faithfully perform the trust reposed in him by said mortgage 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 shall be void; otherwise to be and remain in full force and virtue in law.

Edgar A. Jones (SEAL)

WITNESS: Sally L. Ford L. Shanley Ford (SEAL)

Charles R. Bounds (SEAL)

Which said bond was thus thereon endorsed, to wit:

The within Bond approved,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the tenth day of October in the year nineteen hundred and forty-five the said Assignee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit so aforesaid filed, are in the words following to wit:

Edgar A. Jones, Assignee, Ex-Parte under power in a mortgage from Arthur Carr to C. Edwin Hayman, Lee L. Hayman and Madeline H. Dougherty, partners trading as C. H. Hayman & Sons Company	No. 6058 Chancery In the Circuit Court for Somerset County, Maryland

To the Honorable, the Judge of said Court:

The report of sales of Edgar A. Jones, Assignee of a certain mortgage made and executed by Arthur Carr to C. Edwin Hayman, Lee L. Hayman and Madeline H. Dougherty, partners trading as C. H. Hayman & Sons Company, dated May 9, 1925, recorded among the Land Records of Somerset County in Liber W.J.S. No. 89, folio 140; under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage, or in the payment of the interest thereon or in some other covenant or condition of said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to Your Honor.

That after giving bond with security approved by the Clerk of this Court for the faithful performance of the trust so as aforesaid reposed in him by said mortgage, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Marylander & Herald, a weekly newspaper published in Somerset County, once a week for three successive weeks before the day of sale; he did, pursuant to said notice, attend at the Court House Door in Princess Anne, Maryland, on the 9th day of October, 1945, at 2:00 P.M. and then and there proceed to sell the property described in said mortgage, to wit: All that lot or parcel of land situate in St. Peters Election District, Somerset County, Maryland, containing one acre, more or less, lying on the South side of the Old County Road leading from Princess Anne to Deals Island, bounded on the East by the land owned or formerly owned by Horace or Hennie White, on the West by the lands of George Bounds, and on the South by the land of Gus White, known as the Old John W. Phoebus lot; and sold the same to George Bounds and Ada

Bounds at and for the sum of One Hundred Eighty (180.00) dollars; they being then and there the highest bidders therefor.

And the purchasers have complied with the terms of sale by paying cash and your Assignee has distributed the proceeds of said sale as follows:

TOTAL SALES		$180.00
To Carlos Bozman, Treasurer for 1944 and 1945 taxes	3.16	
To Clerk of Circuit Court for costs	28.75	
To Marylander & Herald-Order Nisi & Advertising	21.00	
To Edwin B. Muir, Auctioneer	4.00	
To Assignee, minimum fee	25.00	
To total mortgage debt;principal $55.30,accrued int. 42.79	98.09	
	$180.00	$180.00

Respectfully submitted,

Edgar A. Jones, Assignee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 10th day of October, in the year nineteen hundred forty-five before me, the subscriber, a Notary Public of the State of Maryland in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Assignee named in the foregoing report of sale and made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

Sally L. Ford SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

Edgar A. Jones, Assignee, Ex-Parte, under power in a mortgage from Arthur Carr to C. Edwin Hayman, Lee L. Hayman and Madeline H. Dougherty, partners trading as C. H. Hayman & Sons Company	)	No. 6058 Chancery In the Circuit Court for Somerset County, Maryland

ORDER NISI

Ordered this 10th day of October, in the year nineteen hundred and forty-five, that the sale of the property mentioned in these proceedings and distribution of proceeds thereof, made and reported by Edgar A. Jones, Assignee of the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 13th day of November, nineteen hundred and forty-five, PROVIDED a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 12th day of November, nineteen hundred forty-five.

The report states the amount of sales to be One Hundred Eighty ($180.00) Dollars.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland.

And now at this day to wit, on the fourteenth day of November, in the year nineteen hundred and forty-five comes again into Court here the said Assignee and on motion of the said Assignee the Court here passed the following order, to wit:

Edgar A. Jones, Assignee, Ex-Parte under power in a mortgage from Arthur Carr to C. Edwin Hayman, Lee L. Hayman and Madeline H. Dougherty, partners trading as C. H. Hayman & Sons Company	)	No. 6058 Chancery In the Circuit Court for Somerset County, Maryland

FINAL ORDER

Ordered by the Circuit Court for Somerset County in Equity, this 14th day of November, nineteen hundred forty-five, that the sale of the real estate mentioned in these proceedings, made and reported by Edgar A. Jones, assignee of the mortgage 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.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. Clerk.

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J. TRUMAN PARKS, infant, by Lillian R. Melson, his mother and next friend; LEONARD T. PARKS, JR., FRANCIS H. PARKS, and AGNES PARKS, his wife.	Be it remembered that heretofore, to wit, on the twenty-sixth day of April, in the year nineteen hundred and forty-five, a certain J. Truman Parks, infant, by Lillian R. Melson, his mother and next friend et al by Godfrey Child, their solicitor exhibited and filed in the Circuit Court here a bill of complaint against Lillian R. Melson and Samuel S. Melson, her husband; Lillian R. Melson, Administratrix of Lennie T. Parks, deceased; and Federal Farm Mortgage Corporation, a
-VS-	
LILLIAN R. MELSON and SAMUEL S. MELSON, her husband; LILLIAN R. MELSON, Administratrix of Lennie T. Parks, deceased; and FEDERAL FARM MORTGAGE CORPORATION, a body corporate	

body corporate , which said Bill of Complaint is in the words following, to wit:

J. TRUMAN PARKS, infant, by Lillian R. Melson, his mother and next friend; LENARD T. PARKS, JR., FRANCIS H. PARKS, and AGNES PARKS, his wife.	In the Circuit Court for Somerset County, Maryland.
-vs-	
LILLIAN R. MELSON AND SAMUEL S. MELSON, her husband; LILLIAN R. MELSON, Administratrix of Lennie T. Parks, deceased; and FEDERAL FARM MORTGAGE CORPORATION, a body corporate	In Equity No. 6014 Chancery

TO THE HONORABLE, THE JUDGES OF SAID COURT:

YOUR ORATORS, Complaining, say:

1. That Lennie T. Parks, also known as Leonard T. Parks, late of Worcester County, Maryland was in his lifetime and at the time of his death, seized and possessed in fee simple of a farm or tract of land, with the buildings and improvements thereon, and the rights and appurtenances belonging and pertaining thereto, situate, lying, and being in Somerset County, Maryland, which is particularly described as follows:

> All that farm or tract of land in Westover Election District, in Somerset County Maryland, on the Manokin River, back from the County Road leading from Princess Anne to Revell's Neck, containing three hundred (300) acres, more or less, adjoining the lands now or formerly owned by Charles Spruks and J. Edward Evans, being the same and all the land which was conveyed to the said Lennie T. Parks from L. Creston Beauchamp and H. Fillmore Lankford, assignees, by deed dated September 11, 1929, and of record among the land records of said Somerset County in Liber G.W.L. No. 99 at folios 239, et seq., certified copy of which is filed herewith and made a part hereof and marked "Plaintiffs' Exhibit A".

The said land is more particularly described in a mortgage to Federal Land Bank of Baltimore from the said Leonard T. Parks and Lillian R. Parks, his wife, dated May 9, 1935, and of record among the aforesaid land records in Liber J.M.T. no. 107 at folios 145, et. seq.

2. That being so seized and possessed, the said Lennie T. Parks departed this life on or about the 6th day of May, 1943, intestate, leaving surviving him as his heirs at law, Lillian R. Parks, an adult, his widow, who has since intermarried with Samuel S. Melson, and whose married name is now Lillian R. Melson, the said Lillian R. Melson and Samuel S. Melson, being two of the defendants in this suit; and the following children who are the plaintiffs: J. Truman Parks an unmarried infant; Leonard T. Parks, Jr., an unmarried adult, and Francis H. Parks, an adult who has intermarried with Agnes Parks.

3. That as a result of the death of Lennie T. Parks, intestate, the said farm, subject to the mortgages hereinafter mentioned, is now owned as tenants in common in fee simple by the widow and children of the said deceased in the following shares, to wit:

(a) Lillian R. Melson, one third;

(b) J. Truman Parks, infant, two-ninths

(c) Leonard T. Parks, Jr., two-ninths; and

(d) Francis H. Parks, two-ninths.

4. That Letters of Administration were granted to the defendant, Lillian R. Melson (under the name of Lillian R. Parks) by the Orphans' Court for Worcester County, Maryland, as is shown by a certificate of her qualification as Administratrix as aforesaid, filed herewith as a part hereof, and marked "Plaintiffs' ExhibitB", and at this time it is not known with certainty that the personal estate of the said deceased will be sufficient to pay all debts and funeral expenses of the said Lennie T. Parks.

5. That the farm or tract of land above-described is subject to a first mortgage executed by the said Leonard T. Parks and Lillian R. Parks, his wife, to Federal Land Bank of Baltimore dated May 9, 1935, and of record among the aforesaid land records in Liber J.M.T. No. 107, folio 145, et seq., said mortgage being in the original principal sum of four thousand two hundred dollars ($4,200.00) but now reduced to the approximate principal sum of three thousand eight hundred dollars ($3,800.00) and your orators believe and therefore allege that it will be to the benefit and advantage of the parties hereto to sell said farm, subject to the aforesaid mortgage.

6. That on the 9th day of May, 1935, the said Leonard T. Parks, also known as Lennie T. Parks, and Lillian R. Parks, his wife, executed and delivered to the Land Bank Commissioner, a mortgage on the above-described farm, the same being duly of record among the aforesaid land records in Liber J.M.T. No. 107, at folios 184, to secure the sum of Two Thousand Three Hundred Dollars ($2,300.00) that the mortgage and amortization note secured thereby were executed and delivered to the Land Bank Commissioner, an official of the United States, acting pursuant to the provisions of Part Three of the Emergency Farm Mortgage Act of 1933, as amended, (U.S.C. Title 12, Sections 1016-1019), said mortgage and amortization note secured being taken in the name of the Land Bank Commissioner, for and on behalf of the Federal Farm Mortgage Corporation, a body corporate, pursuant to the provisions of the Act of Congress of the United States of America, known as the "Federal Farm Mortgage Corporation, a body corporate, pursuant to the provisions of the Act of Congress of the United States of America, known as the "Federal Farm Mortgage Corporation Act", approved January 31, 1934, U.S.C. Title 12, Section 1016-G; that said mortgage constitutes a second lien on the above mentioned farm and is now in the approximate sum of one thousand eight hundred fifty dollars ($1,850).

7. That the real estate above mentioned and described is not susceptible of division without material loss and injury to the parties entitled to interests therein, as above stated, and that in order to make division of said interests it will be necessary that said real estate be sold, and the proceeds thereof, after the payment in full of the second mortgage above-described, be divided amongst the said parties according to their several interests.

TO THE END, THEREFORE,

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

2. That the proceeds of said sale may, after the payment in full of the second mortgage above described, be distributed amongst the parties to this proceeding according to their respective rights and interests.

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

AND, AS IN DUTY BOUND, ETC.

J. TRUMAN PARKS, Infant

by Lillian R. Melson
his mother and next friend--one of the plaintiffs.

Godfrey Child
Solicitor for Plaintiffs.

STATE OF MARYLAND, WORCESTER COUNTY, to wit:

I hereby certify that on this 25th day of April, A.D., 1946, before the subscriber, a Notary Public of the State of Maryland, in and for Worcester County, personally appeared Lillian R. Melson, mother and next friend of J. Truman Parks, Infant, one of the Plaintiffs mentioned in the foregoing bill of Complaint, and made oath in due form of law that the matters and facts set forth therein are true as therein stated, to the best of her knowledge, information, and belief.

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

Doris C. Hickman SEAL OF

Notary Public NOTARY

Exhibit "A" referred to in the aforegoing report is in the words following, to wit:

Deed	THIS DEED, Made this 11th day of September, nineteen hundred
Lennie T. Parks	and twenty nine by L. Creston Beauchamp and H. Fillmore Lankford,
From	of Somerset County, in the State of Maryland, Assignees as here-
L. Creston Beauchamp and H. Fillmore Lankford, Assignee.	inafter set forth, witnesseth:

Whereas by mortgage dated the 10th day of May, 1920, recorded among the land records of Somerset County, in the stateof Maryland, in Liber W.J.S. No. 76, folio 588 etc, Thomas Henderson, George L. Bounds, and Stanley A. Parks granted to Edward G. Bounds and John W. Morris the real estate hereinafter conveyed to secure the payment of the sum therein mentioned, and whereas by assignment dated the 31st day of March, 1921, recorded among said records in Liber W.J. S. No. 76, folio 588, the said Edward G. Bounds assigned all his interest in said mortgage to the Bank of Somerset, a body corporate, and whereas by assignment dated the 4th day of May, 1922, recorded among said records in Liber W.J.S. No. 76, folio 589 the said John W. Morris assigned all his interest in said mortgage to the Peoples Bank of Somerset County, a body corporate, as collateral security, and whereas by assignment dated the 1st day of May, 1929, recorded among said records in Liber W. J.S. No.76, folio 589, and after deafult had occured in the terms, conditions and covenants of said mortgage, the said Bank of Somerset, a body corporate, and the Peoples Bank of Somerset County, a body corporate and J. Earle Morris, Executor of the said John W. Morris, then deceased assigned said mortgage to the said L. Creston Beauchamp, and H. Fillmore Lankford, for the purpose of foreclosure, and whereas the said L. Creston Beauchamp and H. Fillmore Lankford, as assignees of said mortgage, and by virtue of the power and authority contained in said mortgage offered at public auction that part of the real estate mentioned in said mortgage which is hereinafter conveyed, on Tuesday the 28th day of May, 1929, after due public notice and after having filed a bond with approved security in the Circuit Court for Somerset County, and sold said property to Lennie T. Parks of Worcester County, Maryland, at and for the sum of ninety two hundred and fifty dollars, and whereas said sale has been duly reported to and finally ratified and confirmed by said Court, and whereas the purchase money for said property has been fully paid, the receipt of which is hereby akcnowledged.

Now therefore this deed witnesseth that for and in consideration of the premises the said L. Creston Beauchamp and H. Fillmore Lankford, assigneess as aforesaid by virtue of the power and authority contained in said mortgage and in pursuance of said power and authority, hereby grant and convey to the said Lennie J. Parks, his heirs and assigns, in fee simple, all the right, title, interest and estate of the said Thomas Henderson, George L. Bounds and Stanley A. Parks and of all persons claiming or to claim by, through or under them or and of them, in and to all that farm or tract of land in Westover Election District, in Somerset County, Maryland on the Manokin River, back from the county road leading from Princess Anne to Revell's Neck, containing three hundred acres, more or less, adjoining the lands of Charles Spruks and J.

Edward Evans, being the same and all the land which was conveyed to the said Thomas Henderson, George L. Bounds and Stanley A. Parks by Edward G. Bounds and John W. Morris by deed dated the 10th day of May 1920, recorded among said records in Liber W.J.S. No. 80, folio 419 etc., except so much thereof as was conveyed by the said Thomas Henderson and wife, George L. Bounds and wife and Stanley A. Parks to Charles Spruks and J. Edward Evans by deed dated the 21st day of April, 1923, recorded among said records in Liber W.J.S; No. 87, folio 122 etc, to which said deeds and all the references in said deeds contained special reference is hereby made for full and particular description of the land hereby conveyed.

Together with all the buildings and improvements thereon, and all the rights, privileges, advantages and appurtenances thereto belonging or appertaining.

To have and to hold said lands and premises, with the buildings and improvements thereon, and the rights, advantages, privileges and appurtenances thereto belonging or appertaining. unto and to the proper use and benefit of the said Lennie T. Parks, his heirs and assigns, in fee simple.

Witness the hands and seals of the said L. Creston Beauchamp and H. Filmore Lankford, assignees as aforesaid the day and year aforesaid.

WITNESS: Kathleen Ford H. Fillmore Lankford (SEAL)

L. Creston Beauchamp, (SEAL)
Assignees.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 11th day of September, nineteen hundred and twenty-nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County personally appeared L. Creston Beauchamp and H. Fillmore Lankford, the assignees mentioned in the foregoing deed, and did each acknowledge said deed to be their respective act and deed.

In testimony whereof I hereto subscribe my name and affix my notarial seal the day and year foresaid.

Kathleen Ford SEAL OF
Notary Public NOTARY

Received for Record Sept. 27th, 1929, and recorded in Liber G.W.L. No. 99, folio 239, one of the Land Records of Somerset County.

Per Geo. W. Lawson, Clerk.

""""""""""""""""""""""""""""

State of Maryland, Somerset County, to wit:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, do hereby certify that the aforegoing is truly and correctly copied from Liber G.W.L. No. 99, folio 239, one of the Land Records of Somerset County.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court this twenty sixth day of April, in the year nineteen hundred anf forty-fiv.e

Benjamin L. Barnes
Clerk of the Circuit Court for
Somerset County, Maryland.

Exhibit "B" referred to in the foretoing report is in the words following to wit:

MARYLAND, SCT:-- STATE OF MARYLAND.

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, GREETING:

SEAL OF COURT

KNOW YE, that whereas Lennie T. Parks late of Worcester County, deceased, died intestate as it is said leaving at his death, personal estate within the State of Maryland. Wherefore Administration of all the Goods, Chattels and Credits of the said Deceased is hereby granted and committed unto Lillian R. Parks

WITNESS, HONORABLE John H. Gilliss Chief Judge of the Orphans' Court of Worcester County, this 18th day of May, Anno Domini, 1943.

Test /s/ Frank E. Hudson
Register of Wills for Worcester County.

STATE OF MARYLAND, WORCESTER COUNTY, Sct.

I hereby certify that the within and foregoing Letter of Administration is truly copied from the Original, now on file and of record in the office of the Register of Wills for Worcester County, aforesaid.

In testimony whereof, I hereunto subscribe my name and affix the seal of the Orphans' Court for Worcester County, this 19th day of April Anno Domini 1945.

Frank E. Hudson
Register of Wills for Worcester County,

On April 26, 1945 an authority to institute suit on behalf of J. Truman Parks, infant was filed in the words following to wit:

TO GODFREY CHILD, ATTORNEY AT LAW:

You are hereby authorized to institute suit on behalf of my infant son, J. TRUMAN PARKS, for the sale of any lands owned by my late husband, Lennie T. Parks, and situate in Somerset County, Maryland.

Lillian R. Melson
Mother and next friend of J. Truman Parks, infant.

Witness: Doris C. Hickman

And afterwards to wit, on the Twenty-six day of April in the year nineteen hundred and forty-five an answer of Lillian R. Melson and Samuel S. Melson, Her husbnad, and Lillian R. Melson (administratrix) was filed, which answer is in the words following to wit:

J. Truman Parks, infant, et al	)	In the Circuit Court for Somerset County, Maryland.
vs.	)	In Equity.
Lillian R. Melson and Samuel S. Melson, et al.	)	No. Chancery

To the Honorable, the Judges of said Court:

The ANSWER of Lillian R. Melson and Samuel S. Melson, her husband, and Lillian R. Melson (formerly Lillian R. Parks), Administratrix of Lennie T. Parks, deceased, to the bill of complaint of J. Truman Parks, infant, and others against these Defendants and others in this cause filed.

These Defendants, answereing, say that they admit the allegations contained in the said bill of complaint and consent to the passage of a decree, as prayed in the said bill of complaint, and the passage of such other orders and decrees as may be necessary to carry out the prayers contained in the said bill of complaint.

Godfrey Child
Solicitor for Lillian R. Melson and Samuel S. Melson, her husband, and Lillian R. Melson (formerly Lillian R. Parks), Administratrix of Lennie T. Parks, deceased.

And afterwards to wit, on the eleventh day of May in the year nineteen hundred and forty-five the answer of the Federal Farm Mortgage Corporation was filed, which answer is in the words following to wit:

J. Truman Parks, infant, by Lillian R. Melson, his mother and Next friend; Francis H. Prks, and Agnes Parks, his wife.	:	IN THE
Vs.	:	CIRCUIT COURT FOR
Lillian R. Melson and Samuel S. Melson, her husband; Lillian R. Melson, Administratrix of Lennie T. Parks, deceased; and Federal Farm Mortgage Corporation, a body corporate.	:	SOMERSET COUNTY, MARYLAND IN EQUITY NO. CHANCERY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Federal Farm Mortgage Corporation answering the Bill of Complaint filed in the above entitled case respectfully represents unto your Honors:

1. Answering the first paragraph of saidBill of Complaint, your Respondent admits that L. Creston Beauchamp and H. Fillmore Lankford, assignees, by deed dated September 11, 1929, and of record among the Land Records of Somerset County in Liber G.W.L. # 99, folio 239, etc., conveyed to Lennie T. Parks, a tract of land situate in Westover Election District, in Somerset County containing 300 acres, more or less, and that said tract of land is more particularly described in a mortgage to The Federal Land Bank of Baltimore from Leonard T. Parks, also known as Lennie T. Parks, and Lillian R. Parks, his wife, dated May 9, 1935 and of record among the aforesaid Land Records in Liber J.M.T. No. 107, folio 145, etc., according to a survey made by Samuel F. Miles, surveyor, on October 4, 1934, and containing according to said survey 287.39. acres.

2. Answering the second, third and fourth paragraphs of said Bill of Complaint, your Respondent does not have any knowledge of the matters and facts alleged therein and, therefore, nether admits nor denies said allegations.

3. Answering the fifth paragraph of said Bill of Complaint, your Respondent admits that the tract of land above described is subject to the aforesaid mortgage to The Federal Land Bank; which mortgage is a first lien thereon; that the balance due thereon as of May 1, 1945 was $3849.92, plus interest at the rate of $.421 for each day thereafter until paid and that it would be to the benefit and advantage of all parties to sell said tract of land subject to said mortgage.

4. Answereing the sixth paragraph of said Bill of Complaint your Respondent admits the allegations contained therein and avers that the balance due on said mortgage, which is a second lien on the above described tract of land, as of May 1, 1945 was $1828,74, plus interest at the rate of $.20 for each day thereafter until June 30, 1945, after which time the interest rate will be $.25 per day, unless the present "Reduced Interest Rate Act" which expires on June 30, 1945, is extnded by Congress.

5. Answereing the seventh paragraph of said Bill of Complaint, your Respondent neither admits nor denies the allegations contained therein.

6. Your Respondent assents to the passage of a decree for the sale of said tract of land reserving, however, its priority of lien in the distribution of the proceeds of the sale of the aforesaid tract of land.

Having answered said Bill of Complaint, your Respondent prays to be hence dismissed with its usual costs.

And, as in Duty Bound, etc.

Edgar A. Jones
Joseph Patti Jr.
Solicitors for Respondent

STATE OF MARYLAND,
CITY OF BALTIMORE, to wit:

I hereby certify that on this 10th day of May, in the year 1945, before me, the subscriber a Notary Public of the State of Maryland in and for the City of Baltimore, aforesaid, personally appeared Homer M. Respess, Vice President of the Federal Farm Mortgage Corporation, and made oath in due form of law that the matters and facts alleged in said Answer are true to the best of his knowledge and belief.

As witness, my hand and notarial seal the day and year last above mentioned.

Jeanette B. Jones — Seal of
Notary Public — Notary
My commission expires May 5, 1947

On the twentieth day of June in the year nineteen hundred and forty-five a petition was filed in the Court here which peitition is in the words following to wit:

J. Truman Parks, infant, by Lillian R. Melson, his mother and next friend, Leonard T. Parks, Jr., Francis H. Parks and Agnes Parks, his wife	)	In the Circuit Court for Somerset County, Maryland.
Vs.	)	
Lillian R. Melson and Samuel S. Melson, her husband, Lillian R. Melson, Administratrix of Lennie T. Parks, deceased, and Federal Farm Mortgage Corporation, a body corporate.	))	In Equity.

To the Honorable, the Judges of said Court:

The Petition of all of the Plaintiffs and Lillian R. Melson and Samuel S. Melson, her husband, and Lillian R. Melson, Administratrix of Lennie T. Parks, deceased, two of the Defendants, respectfully represent:

1. That the Plaintiffs filed a bill of complaint for the sale for the purpose of partitition of the land and premises mentioned in said bill of complaint.

2. That all the Defendants herein have answered.

3. That it is necessary that testimony be taken in the case and the consent of Federal Farm Mortgage Corporation, by its duly authorized solicitor, is attached hereto.

Wherefore, your Petitioners pray that they may be permitted to take testimony to substantiate the allegations contained in the bill of complaint before one of the standing examiners of this Court.

And as in duty bound, etc.

Godfrey Child
Solicitor for Petitioners.

The undersigned duly authorized solicitor of Federal Farm Mortgage Corporation, a body corporate, hereby consents that testimony in the above entitled case may be taken before one of the standing examiners of this Court and waives notice of the time and place of the taking of said testimony and advises the Court that it will have not testimony to offer in its behalf, having set forth in its answer to the bill of complaint all facts on behalf of this defendant necessary to be considered by the Court in passing its decree.

Edgar A. Jones
Solicitor for Federal Farm Mortgage Corporation, a body corporate, one of the Defendants.

Upon which petition the Court here passed the following order to wit:

Upon the aforegoing Petition and Consent, it is ORDERED this 20th day of June, in the year nineteen hundred and forty-five, that leave be and it is hereby granted to the parties in this cause to take testimony to substantiate the allegations contained in the bill of complaint and the answers thereto before one of the standing examiners of this Court.

Edmond H. Johnson
Judge.

On the seventh day of August in the year nineteen hundred and forty-five the Consent Agreement was filed in the words following to wit:

J. TrumannParks, infant, by Lillian R. Melson, his mother and next friend; Leonard T. Parks, Jr., Francis H. Parks and Agnes Parks, his wife	)	In the Circuit Court for Somerset County, Maryland
Vs.	)	In Equity
Lillian R. Melson and Samuel S. Melson, her husband; Lillian R. Melson, Administratrix of Lennie T. Parks, deceased; and Federal Farm Mortgage Corporation, a body Corporate	)	No. 6014 Chancery

TO HARRY C. DASHIELL, EXAMINER IN CHANCERY:

We, the undersigned Defendants in the aboe entitled case, consent to the taking of testimony before you at Princess Anne, Maryland on the 7th day of August, 1945, at 10:30 o' Clock A.M.

Lillian R. Melson

Samuel S. Melson

Lillian R. Melson, Administratrix
of Lennie T. Parks, deceased

Edgar A. Jones
Solicitor for Federal Farm Mortgage
Corporation.

And afterwards, to wit, on the seventh day of August in the year nineteen hundred and forty-five Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order made return thereof in the words following to wit:

J. Truman Parks, infant, by Lillian R. Melson, his mother and next friend; Leonard T. Parks, Jr., Francis H. Parks and Agnes Parks, his wife	IN the Circuit Court for Somerset County, Maryland
vs.	In Equity
Lillian R. Melson and Samuel S. Melson, her husband; Lillian R. Melson, Administratrix of Lennie T. Parks, deceased; and Federal Farm Mortgage Corporation a body corporate	No. 6014 Chancery

To the Honorable, the Judges of said Court:

I, Harry C. Dashiell, one of the standing examiners in Chancery of the Circuit Court for Somerset County, Maryland, having been notified that the parties in the above entitled cause desired to take testimony to substantiate the allegations contained in the bill of complaint in said cause filed, leave of this Honorable Court so to do having been first obtained, did accordingly attend at my office in Princess Anne, Somerset County, Maryland on the 7th day of August, 1945, at 10:30 o'clock A.M. and did then and there proceed to take the following depositions, after having duly notified Edgar A. Jones, Esquire, Attorney for Federal Farm Mortgage Corporation, one of the Defendants, who advised that he did not desire to present any testimony on behalf of said Defendant;

Lillian R. Melson, a witness of lawful age, produced on the part of the Plaintiff, having been by me first duly sworn, did depose and say:

Q-1. State yourname, age, residence and occupation.

A.1. Lillian R. Melson, age forty-nine, residence Second Street, Pocomoke City, Maryland, occupation housewife.

Q-2. Did you know Lennie T. Parks, late of Worcester County, Maryland, deceased?

A-2 Yes, I was his wife and since his death on May 6, 1943, I remarried with Samuel S. Melson

Q-3. Are you acquainted with the parties to this suit?

A-3. Yes. J. Truman Parks is my son. He was twenty-one years of age on June 13, 1945, although he was an infant when the bill of complaint was filed. He is unmarried. Leonard T. Parks, Jr. is my son, who is unmarried. Francis H. Parks is a son of my husband by a former wife and is married to Agnes Parks. My husband and I are two of the Defendants and I am also a Defendant as Administratrix of my deceased husband .

Q-4. State, if you know, when Lennie T. Parks died; if he was married, whether or not his wife survived him; and what children and descendants he left, whether or not they arenow living and their several names, ages and residences.

A-4. Lennie T. Parks, my former husband was killed in an automobile accident on or about May 6, 1943. He left no will. I was his widow and I have remarried to Samuel S. Melson. He had one son by a former wife; Francis H. Parks, who has married Agnes Parks, both of whom are over twenty-one years of age, and live at Blades, Delaware. He had two children by his marriage to me: J. Truman Parks, who is now twenty-one years of age, unmarried and Leonard T. Parks, also over twenty-one years of age and unmarried.

State, if you know, what real estate the said Lennie T. Parks owned at the time of his death, situate in Somerset County, in the State of Maryland.

A-5. My husband was seized and possessed at the time of his death with the following property situate, lying and being in Somerset County, Maryland:

> All that farm or tract of land in Westover Election District in Somerset County, Maryland, on the Manokin River back from the County road leading from Princess Anne to Revell's Neck, containing three hundred (300) acres, more or less, adjoining the lands now or formerly owned by Charles Spruks and J. Edward Evans, being the same and all the land which was conveyed to the said Lennie T. Parks from L. Creston Beauchamp and H. Filmore Lankford, Assignee, by deed dated September 11, 1929 and of record among the Land Records of said Somerset County in Liber G.W.L. No. 99 at folios 239 et seq., certified copy of which is filed with the bill of complaint and marked "Plaintiffs' Exhibit A".

The Federal Land Bank of Baltimore took a mortgage on this land from my husband and me on May 9, 1935 and before the mortgage was taken, the land was surveyed and is described by metes and bounds, courses and distances in this mortgage, which is recorded among the land records of Somerset County, Maryland in Liber J.M.T. No. 107 at folio 145, and according to said survey, contains two hundred, eighty-seven and thirty-nine one-hundredths (287.39) acres of land. This property is assessed for about Seventy-one hundred and forty dollars ($7140.00) and I am informed that it should be worth approximately Ten Thousand dollars ($10,000.00).

Q-6. I now show you the bill of complaint and paper marked "Plaintiffs' Exhibit A" and ask you if the bill of complaint and the said exhibit fully described all the real estate of which your husband Lennie T. Parks, died, seized and possessed and situate in Somerset County, Maryland.

A-6. Yes. That is the only land he owned in Somerset County, Maryland to my knowledge. It is described in the certified copy of deed marked "Plaintiffs' Exhibit A.".

EXAMINERS NOTE: The Plaintiffs now offer in evidence paper, to which the witness has just referred, marked "Plaintiffs' Exhibit A", which is received and is marked for identification "Examiner's Exhibit No. 1".

Q-7. Is or not the said property susceptible of division among the parties entitled to interest therein without material loss and injury to them?

A-7. The property cannot possible be divided without material loss or injury to myslef and my two children and Francis H. Parks, my husband's son by a former marriage.

Q-8. Would it or not be to the benefit and advantage to all the parties interested therein to sell the said property and divide the proceeds amongst them? State your reason for such opinion as you may have.

A-8. In my opinion it would be to the benefit and advantage of all the parties interested in said property to sell it and divide the proceeds amongst them because the buildings on the farm are going down and we have no money with which to repair them and the farm is now being rented and we do not know how long we will be able to continue renting it at an advantage.

Q-9. Is the property subject to any mortgages?

A-9. It is subject to two mortgages, one to Federal Land Bank of Baltimore dated May 9, 1935 and recorded among the Land Records of Somerset County in Liber J.M.T. no. 107 at folios 145, et. seq. originally in the principal sum of forty-two hundred dollars ($4200.00) but now reduced to the principal sum of thirty-seven hundred, fifty-six dollars and eighty six cents ($3756.86) as of June 16, 1945. This sum bears interest at the rate of Forty-one and seven tenths cents ($0.417) for each day after June 16, 1945. It is also subject to a second mortgage in favor of Land Bank Commissioner, also dated May 9, 1935 and of record among the said Land Records in Liber JMT No. 197 at folios 184, et seq., originally in the principal sum of twenty three hundred dollars ($2300.00) but reduced as to principal sum as of June 16, 1945 to Seventeen hundred, sixty three dollars and thirty-eight cents ($1763.38). This sum bears interest at Nineteen and six tenths cents ($0.196) a day from June 16, 1945 to June 30, 1945 and at the rate of Twenty-four and four-tenths cents ($0.244) per day after June 30, 1945.

Q-10. Has the second mortgage above mentioned to Land Bank Commissioner been assigned?

A-10. It has not been assigned but, as alleded in the bill of complaint, it is held by Federal Farm Mortgage Corporation.

Q-11. Do you think it would be to the benefit and advantage of the parties to sell the farm subject to the first mortgage?

A-11. Yes. The Federal Land Bank will allow the purchaser to assume this mortgage and pay the same in installments over a long term. This would mean that the purchaser would not have to put up as much money and would already have his farm financed for a large part of the purchase price and I believe it would help the sale.

TO EXAMINER'S INTERROGATORY

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

ANSWER TO EXAMINER'S INTERRAGOTARY

I know of nothing further.

Test: Harry C. Dashiell. Lillian R. Melson

Carroll A. Parks, a witness of lawful age, produced on the part of the Plaintiff, having been by me first duly sworn, did depose and say:

Q-1. State your name, age, residence and occupation.

A-1. Carroll A. Parks, age fifty nine years, residence Princess Anne, Maryland, R.F.D. occupation farmer.

Q-2. Are you acquainted with the parties to this suit?

A-2. Yes. The parties are the children of my deceased brother, Lennie T. Parks, and his widow and her second husband, and the Federal Farm Mortgage Corporation.

Q-3. Did you know Lennie T. Parks in his lifetime?

A-3. Yes. He was my brother. He was killed in an automobile accident on or about May 6, 1943. He left no will. He was survived by his widow, Lillian R. Parks, who has since remarried Samuel S. Melson and her name is now Lillian R. Melson. He was also survived by three sons, one son by a former marriage, Francis H. Parks, whose wife's name is Agnes Parks. These parties live at Blades, Deleware. He was survived by two sons by the last marriage. J. Truman Parks and Leonard T. Parks, Jr. These boys are both now twenty-one and live at Pocomoke City, Maryland but both are now in the United States Navy.

Q-4. Do you know what property was owned by your deceased brother, Lennie T. Parks, and situate in Somerset County, Maryland? If so describe its quantity, quality, situation and value.

A-4. I have examined the bill of complaint and the paper filed therewith marked "Plaintiffs' Exhibit A" and the bill of complaint and Palintiffs' Exhibit A describe the farm, which was the only land owned by my brother and situate in Somerset County, Maryland. This farm has a large quantity of marsh land and considerable tillable land, a total of between two hundred and eighty-five (285) and three hundred (300) acres. The buildings on the farm are rather poor but the land and marsh is of good quality and I would say the farm iw worth ten thousand dollars ($10,000.00).

Q-5. Is or not this farm susceptible of division among the parties owning interest therein without material loss and injury to them?

A-5. There is no way the farm can be divided between the parties.

Q-6. Would it or not be to the benefit and advantage of the parties interested therein to sell the said farm and divide the proceeds among them? State your reasons for such opinion as you may give.

A-6. In my opinion it would be to the benefit and advantage of the parties interested to sell this farm and divide the proceeds among them, becuase there is no one to carry on the farm and while it is now rented to a good advantage, it is quite possible that it will be impossible to rent it to a good advantage even next year. The buildings on the farm are going down and the market on real estate is good at the present time. In my opinion, therefore, a sale of the property at the present time is to the distinct advantage of all parties interested therein.

Q-7. It has been testified that there are two mortgages on the farm, a first mortgage with a principal sum of approximately thirty-seven hundred and sixty dollars ($3760.00). Do you think it would be to the benefit and advantage of the parties to sell this farm subject to this mortgage?

A-7. Yes, Because whoever buys it will probably want to finance it and would welcome the opportunity to assume the first mortgage, which has several years to run and I beleive the farm would bring more if sold then.

TO EXAMINER'S INTERROGATORY

That is all I know.

Test: Harry C. Dashiell Carroll A. Parks.

The Examiner then had filed with him exhibit marked by him "Examiner's Exhibit No.1".

No other witnesses being present and neither party desiring further time for the production of evidence, I then closed the examination.

Respectfully submitted under my hand and seal this 7th day of August, A.D. 1945.

Harry C. Dashiell,
Examiner in Chancery.

Harry C. Dashiell------$5.00
8/7/45 Paid

Harry C. Dashiell
Ex. In.

And thereafter to wit, on the twenty-second day of August in the year nineteen hundred and forty five, the Circuit Court here passed the following Decree in the premises to wit:

J. Truman Parks, infant, by Lillian R. Melson, his morther and next friend; Leonard T. Parks, Jr., Francis H. Parks and Agnes Parks, his wife	)	In the Circuit Court for Somerset County, Maryland.
vs.	)	In Equity
Lillian R. Melson and Samuel S. Melson, her husband; Lillian R. Melson, Administratrix of Lennie T. Parks, deceased; and Federal Farm Mortgage corporation, a body corporate	)	No. Chancery

DECREE

THIS CAUSE, Standing ready for hearing and being submitted the proceedings were read and considered.

It is, thereupon, this 22nd day of August, in the year nineteen hundred and forty-five, by the Circuit Court for Somerset County, Maryland, sitting in Equity, ADJUDGED, ORDERED AND DECREED that the property mentioned and described in these proceedings be sold subject to the first mortgage from Leonard T. Parks and wife to Federal Land Bank of Baltimore dated May 9, 1935 and of record among the Land Records of said Somerset County in Liber J.M.T. No. 107 at folios 145, et seq. and that Godfrey Child be and he is hereby appointed Trustee to make sale of the property mentioned and described in these proceedings and that the course and manner of his proceedings hsall 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 corporate surety, to be approved by this Court or the Clerk thereof, in the penalty of ten thousand dollars ($10,000.) conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises; he shall then proceed to make said sale, after having given at least three (3) weeks notice of the time, place, manner and terms of sale, by advertisement in some newspaper printed and published in Somerset County, Maryland and by such other advertisement as he may think proper, which terms shall be one third (1/3) cash on the day of sale and the balance in sixty (60) days, or all cash at the option of the purchaser or purchasers, interest to be charged on the deferred payment, if any, from the day of sale and to be secured to the satisfaction of the said Trustee, title papers, Revenue stamps and recording costs to be at the expense of the purchaser, and as soon as may be convenient after said sale, the Trustee shall return to this Court a full and particular report of his proceedings relative to such sale with an affidavit of the truth t ereof and of the fariness of said sale and upon ratification of said sale by this Court and upon payment in full of the purchase price and not before, the said Trustee shall by a good and sufficient deed, to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs and assigns, the property and estate to him, her or them sold, free, clear and discharged of any claim of the parties hereto, and of 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 costs of this suit and the costs of said sale 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.

W. Laird Henry, Jr.
Judge

And thereupon, the said Godfrey Child, Trustee, filed a Bond in the Court here in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Godfrey Child, of Worcester County, Maryland, as Principal, and New Amsterdam Casualty Company, a body corporate, as Surety, 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, 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 September, in the year nineteen hundred and forty five.

Whereas, the above bounden Godfrey Child, by virtue of a decree of the Circuit Court for Somerset County, Maryland, has been appointed Trustee to sell the real estate and property mentioned in the proceedings in the case of J. Truman Parks, infant, et alvs. Lillian R. Melson et al, now pending in said Court, the same being No. 6014 on the Chancery Docket thereof.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that, if the above bounden Godfrey Child 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.

Godfrey Child, Principal (SEAL)

SEAL

NEW AMSTERDAM CASUALTY COMPANY

BY Godfrey Child (SEAL)
Its Attorney-in-fact Surety.

Signed, sealed and
delivered in the presence of:

Doris C. Hickman

Which said bond was thus thereon endorsed, to wit:

The within bond approved,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the seventeenth day of October in the year nineteen hundred and forty-five, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed w ich said report and affidavit , so as aforesaid filed is in the words following to wit:

J. Truman Parks, infant, by Lillian R. Melson, his mother and next friend; Leonard T. Parks, Jr., Francis H. Parks, and Agnes Parks, his wife	)	In the Circuit Court for Somerset County, Maryland
Vs.	)	In Equity
Lillian R. Melson and Samuel S. Melson, her husband; Lillian R. Melson, Administratrix of Lennie T. Parks, deceased; and Federal Farm Mortgage Corporation, a body corporate	)	No. 6014 Chancery.

To the Honorable, the Judges of said Court:

THE REPORT of Godfrey Child, Trustee appointed by a decree of this Court passed in the above entitled cause and dated the 22nd day of August, in the year nineteen hundred and forty-five, to make sale of the real estate therein mentioned, respectfully shows:

That, after giving bond with security for the faithful performance of his trust, as required by said decree, and after having complied with all other prerequisites, as required by law, and by said decree, and after having given notice of the time, place, manner and terms of sale by advertisement inserted in Marylander and Herald, a weekly newspaper printed and published in Princess Anne, in said Somerset County, Maryland, for at least three successive weeks before the day of sale, and also by handbills extensively circulated and posted in the vicinity of said sale, he did, pursuant to said notice, attend in front of the Court House door in Princess Anne, Somerset County, Maryland on Tuesday, October 16, 1945 at two o'clock PM and then and there proceeded to offer for sale by public auction the land and premises mentioned and described in these proceedings in the following manner, that is to say:

Your Trustee offered at public sale to the highest bidder the property mentioned in said decree situated in Somerset County, Mary and and described as follows:

All that farm or tract of land, together with the buildings and improvements thereon and the rights and appurtenances thereto belonging or appertaining, situate in Westover Election District of Somerset County, Maryland on the Manokin River back from the County road leading from Princess Anne to Revell's Neck, containing three hundred (300) acres, more or less, adjoining the lands now or formerly owned by Charles Spruks and J. Edward Evans, being the same and all the lands which were conveyed to Lennie T. Parks from L. Creston Beauchamp and H. Fillmore Lankford, Assignees, by deed dated September 11, 1929 and of record among the Land Records of said Somerset County in Liber G.W.L. No.99 at folios 239 etseq., the same being described by metes and bounds, courses and distances, in a mortgage from Leonard T. Parks and wife, to Federal Land Bank of Baltimore dated May 9, 1935 and of record among the aforesaid Land Records in Liber J.M.T. No. 107 at folios 145, et seq. Reference is made to said deed and to the said mortgage for a more complete and accurate description.

This property was offered for sale subject to the first mortgage thereon to Federal Land Bank of Baltimore dated May 9, 1935 and of record among the Land Records of said Somerset County in Liber J.M.T. No. 107 at folios 145, et seq., on which the principal and interest as of the date of sale, as announced by your Trustee at said sale, was thirty eight hundred six dollars and ninety five cnets ($3806.95).

A further description of the land and premises sold by your Trustee is contained in the advertisement of sale, a copy of which is attached hereto and made a part hereof and said property was sold on the following terms: one-third cash on the day of sale and balance in sixty (60) days, or all cash at the option of the purchaser or purchasers, the deferred portion, if any, to bear interest at six per cent (6%) and to be secured to the satisfaction of the Trustee. Taxes to be paid for the year 1945. Possession upon ratification of sale and payment in full of the purchase price. Title papers and Revenue stamps at the expense of the purchaser or purchasers.

And your Trustee further reports that he sold the above described property subject to the aforesaid mortgage of thirty eight hundred, six dollars and ninety five cents ($3806.95) and upon the terms and conditions above set forth, to Thomas W. Dorsey and Woodrow W. Dorsey, copartners trading as Dorsey Brothers, at and for the sum of Eighty three hundred dollars ($8300.00) the said sum of eighty three hundred dollars ($8300.00) being in addition to the first mortgage above mentioned, they being at said sum the highest and best bidders therefor.

And the said Dorsey Brothers have passed to your Trustee their check for twenty-eight hundred dollars ($2800.00) and have agreed to pay the balance on or before the ratification of the sale.

Respectfully submitted,

Godfrey A. child
Trustee

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I hereby certify that on this 17th day of October, A.D. 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Worcester County, personally appeared Godfrey Child, Trustee named in the above report of sale and made oath in due form of law that the matters and things stated in the aforegoing report are true as therein stated to the best of his knowledge, information and belief and that the sale therein reported was fairly made.

In testimony whereof, I have hereunto subscribed my name and affixed my Notarial Seal.

Doris C. Hickman SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

J. Truman Parks, infant, by Lillian R. Melson, his mother and next friend; Leonard T. Parks, Jr., Francis R. Parks, and Agnes Parks, his wife.	In the Circuit Court for Somerset County, Maryland
Vs.	In Equity.
Lillian R. Melson and Samuel S. Melson, her husband; Lillian R. Melson, Administratrix of Lennie T. Parks, deceased; and Federal Farm Mortgage Corporation, a body corporate.	No. 6014 Chancery

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland that the sale of real estate mentioned in these proceedings made and reported by Godfrey Child, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 19th day of November, next; provided a copy of this order be inserted in some weekly newspaper printed and published in Somerset County, Maryland, once in each of three successive weeks before the 17th day of November, next.

The report states the amount of sale to be eighty three hundred dollars ($8300.00) subject to the first mortgage mentioned and described in said proceedings and in the report of sale.

Benjamin L. Barnes, Clerk.

And now at this day, to wit, on the twenty-first day of November in the year nineteen hundred and forty five came again into Court here the said complainants by their solicitor aforesaid, and on motion of the said complainants, by their solicitor aforesaid, the Court here passed the following order, to wit:

ORDERED by the Circuit Court for Somerset County, Maryland this 21st day of November, 1945 that the sale made and reported by Godfrey Child, Trustee in these proceedings, 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 Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the Auditor.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. Clerk.

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In the matter of the Voluntary adoption of	)	IN THE CIRUCIT COURT FOR
Dorothy Lorraine Bull	)	SOMERSET COUNTY, MARYLAND
by	)	IN EQUITY NO. 6174
Johnie Gardner, and Theressa J. H. Gardner, his wife	)	
	)	

Application having been made by Johnie Gardner and Theressa J. H. Gardner, his wife, residing in the City of Crisfield, County of Somerset and State of Maryland, for a decree allowing and confirming the adoption by them of Dorothy Lorraine Bull, an infant female child, born on October 9, 1945, at Nassawadox, Virgina, by their petition sworn to June 28th, 1946, and the said Johnie Gardner and Theressa J. H. Gardner, his wife, having presented to me an instrument containing substantially the consant of Ollie Lorraine Bull, the sole surviving parent and mother of the said infant, and there appearing to the satisfaction of the court from the examination and investigation caused by it to be made that the moral and temporal interests of the said infant will be promoted by the said adoption, for the reason that the mother of said child is unable to provide for her and wishes to have her placed in a good home where she will be cared for, and for that purpose voluntarily and unconditionally surrendered the said infant to the care and custody of the petitioners herein, and for the further reason that the father of said child was killed in an accident on the 6 day of September 1945, and the said petitioners are persons of sufficient means and are fit and proper persons to have the care and custody of the said infant and that no objection exists to the changing of the name of the said infant to the name designated in the petition, it is this 8th day of July, 1946, ORDERED, ADJUDGED AND DECREED, by the Circuit Court for Somerset County that the said adoption by Johnie Gardner and Theressa J. H. Gardner, his wife, of Dorothy Lorraine Bull born on october 9, 1945, be and the same, hereby is allowed and confirmed, and it is further

ORDERED, ADJUDGED AND DECREED, That the said child shall henceforth be regarded in all respects as the lawful child of the said Johnie Gardner and Theressa J. H. Gardner, his wife, and that the name of the said infant be changed from Dorothy Lorraine Bull to Dorothy Lorraine Gardner.

W. Laird Henry, Jr.
Judge.

For Adoption proceedings see No. 6174 Chancery.

Filed for Record July 8, 1946 and recorded in Chancery Record B.L.B. No. 34, folio 207,

Test: Benjamin L. Barnes, Clerk.

Exd.

J. Hanson Cropper	)	Be it remembered that heretofore, to wit, on the twenty-sixth
Vs.	)	day of February, in the year nineteen hundred and forty-five
Thomas Floyd Cropper and Mary E. Williams	)	a certain J. Hanson Cropper by George H. Myers, his solicitor
	)	exhibited and filed in the Circuit Court here a bill of complaint

against Thomas Floyd Cropper and Mary E. Williams, which said bill of complaint is in the words following, to wit:

J. Hanson Cropper	)	NO. 5986 Chancery
Vs.	)	Circuit Court for
Thomas Floyd Cropper and Mary E. Williams	)	Somerset County, Maryland.
	)	

To the Honorable, the Judge of said Court:

Your Orator complaining says:

FRIST, That a certain Robert J. Cropper, late of said Somerset County, departed this life intestate during the month of November, nineteen hundred and twenty seven, seized and possessed of real and personal estate and leaving surviving a widow, Virginia C. C opper and the following children as his sole heirs at law, namely, (1) Your Orator, J. Hanson Cropper, a son who is of full age and who resides in said Somerset County, (2) the Defendant, Thomas Floyd Cropper, a son who is of full age and who resides in said Somerset County, (3) a daughter, the Defendant, Mary E. Williams, who is of full age and resides in the State of Delaware.

SECOND, That letters of administration were granted upon the personal estate of the said Robert J. Cropper and all of said personal estate of the said Robert J. Cropper and all of said personal estate has been distributed and all debts of said deceased have been paid.

THIRD, That the said Robert J. Cropper at the time of his death was seized in fee simple of a certain farm containing eighty one acres, more or less, situate in Brinkleys Election District in said Somerset County, whereon he resided at the time of his death, said farm having been conveyed to the said Robert J. Cropper by deed from George E. White, dated December 12, 1896 and recorded among the land records of said Somerset County in Liber No. 20, folio 565 et seq. and being the first three lots or parcels of land mentioned and described in said deed.

FOURTH, That the said Virginia C. Cropper departed this life intestate on the twenty-fourth of October, nineteen hundred and thirty six, never having remarried and leaving as her sole heirs at law your orator the said J. Hansen Cropper and the said Defendants, Thomas Floyd Cropper and Mary E. Williams who now hold title to the aforesaid farm or tract of land, as tenants in common in equal shares.

FIFTH, 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 among the parties according to their several interests.

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 among your orator and the said Defendants according to their respective rights and interests.

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

May it please your Honor to grant unto your Orator the writ of subpena directed to the Defendant, Thomas Floyd Cropper, an adult residing in said Somerset County, commanding him to be and appear in this Court on some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein; also an order of publication giving notice to the Defendant, Mary E. Williams, an adult residing in the State of Delaware who is a non resident of this state, of the object and substance of this bill and warning her to appear in

in this court in person or by solicitor on or before a certain day to be named therein to show cause, if any she has, why a decree ought not to pass as prayed.

And as in duty bound,

Geo. H. Myers
Solicitor for Plaintiff

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenae was issued, to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT The State of Maryland

To Thomas Floyd Cropper of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY IN March next to answer the complaint of J. Hanson Cropper against you and another in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the First day of January Anno Domini 1945. ISSUED the Twenty sixth day of February Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

At which said first MONDAY in March, in the year nineteen hundred and forty-five and the day of the return of the above recited writs, came again into Court here the said complainant by his Solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

Summoned and copy left. 3/10/45

Murray E. Ward
Sheriff.

And thereafterwards to wit, on the sixth day of June in the year nineteen hundred and forty-five the answer of Mary E. Williams was filed.

J. Hanson Cropper	)	
Vs.	)	No. 5986 Chancery
Thomas Floyd Cropper and Mary E. Williams	)	Circuit Court for Somerset County, Maryland.
	)	

To the Honorable the Judge of Said Court:

The answer of Mary E. Williams to the bill of complaint against her in the above cause respectfully shows:

That she has read carefully the attached copy of said bill of complaint and that she admits the matters and facts therein alleged and consents to the passage of such decree as to this Honorable Court may seem right and proper in the premises.

And as in duty bound,

Mary E. Williams

State of Delaware, Sussex County, to wit:

I hereby certify that on this 5th day of June, nineteen hundred and forty-five, before me, the subscriber a Notary Public of the State of Delaware, in and for Sussex County, aforesaid personally appeared Mary E. Williams, who is personally known to me, who signed her name to the aforegoing answer in my presence and acknowledged said answer to be her act.

Witness my hand and Notarial Seal.

P. N. Hearn
Notary Public

SEAL OF NOTARY

And afterwards to wit, on the third day of July in the year nineteen hundred and forty five the following answer was filed.

J. Hanson Cropper	)	No. 5986 Chancery
Vs.	)	In the Circuit Court for
Thomas Floyd Cropper and Mary E. Williams	)	Somerset County, Maryland
	)	In Equity

To the Honrable, the Judge of said Court:

The answer of Thomas Floyd Cropper, one of the defendants, to the Bill of Complaint, against him in the above cause, respectfully represents:

That the said Thomas Floyd Cropper admits the matters and facts alleged in said Bill of Complaint and consents to the passage of such decree as to this Honrable Court may seem right and proper in the premises.

And, as in duty bound, etc.

Thos. Floyd Cropper
Defendant

Edgar A. Jones
Attorney for Defendant

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 3rd day of July in the year nineteen hundred forty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Thomas Floyd Cropper and signed his name to the aforegoing answer in my presence and acknowledged said answer to be his act and deed.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford — SEAL OF
Notary Public — NOTARY

AND afterwards to wit, the following affidavit was filed.

J. Hanson Cropper	)	No. 5986 Chancery
Vs.	)	Circuit Court for
Thomas Floyd Cropper et al	)	Somerset County, Maryland.
	)	

State of Maryland, Somerset County, to wit:

I hereby certify that on this 29th day of August, nineteen hundred and forty five, before me, the subscriber the Clerk of the Circuit Court for said Somerset County, personally appeared George H. Myers, attorney for plaintiff in the above suit, and made oath in due form of law that in his judgment the present value of t e real estate mentioned and described in said suit is about one thousand dollars.

Benjamin L. Barnes
Clerk of the Circuit Court.

And thereafter to wit, on the twenty ninth day of August in the year Nineteen hundred and forty-five the Circuit Court here passed the following Decree in the premises to wit:

J. Hanson Cropper	)	NO. 5986 CHANCERY
Vs.	)	CIRCUIT COURT FOR SOMERSET
Thomas Floyd Cropper and Mary E. Williams	)	COUNTY, MARYLAND
	)	

THE ABOVE CAUSE STANDING READY FOR HEARING and having been submitted the proceedings therein were by the Court read and considered:

IT IS THEREUPON, this 29th day of August in the year nineteen hundred and forty five by the Circuit Court Somerset County ADJUDGED, ORDERED AND DECREED, That the property in the proceedings mentioned be sold, and that George H. Myers, be and he is hereby appointed Trustee to make sale, and

that the course and manner of 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 corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of three thousand ($3000.00) dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one-third cash on day of sale, one third within six months from said date and the balance within one year from said date, credit portions if any to bear interest from day of sale and to be secured by the bond of the purchaser with surety to the satisfaction of the said Trustee, or all cash at the option of the purchaser. and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed of the truth thereof and of the fairness of said sale and on obtaining the Court's ratification good and sufficient deed, to be executed, acknowledged and recorded, according to law, convey to the purchaser or purchasers, his, her or their heirs or assigns 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 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 the Court, after deducting 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.

W. Laird Henry, Jr.
Judge

And thereupon, the said George H. Myers, Trustee, filed a Bond in the Court here in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, George H. Myers, of Somerset County, Maryland, as principal and Hartford Accident and Indemnity Company, a body corporate under the laws of the State of Connecticut, as surety, are held and firmly bound unto the State of Maryland, in the full and just sum of three thousand dollars, to be paid to the said State or its certain Attorney, to which payment well and truly be made, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents sealed with our seals and dated this twelfth day of September, nineteen hundred and forty five.

WHEREAS, the above bounden George H. Myers, by virtue of a decree of the Circuit Court for Somerset County in Equity has been appointed trustee to sell the property mentioned in the proceedings in the suit of J. Hanson Cropper vs. Thomas Floyd Cropper et al, now pending in said Court, the same being No. 5986 on the Chancery Docket thereof.

NOW THE CONDITION OF THE OBLIGATION IS SUCH, That if the above bounden George H. Myers, 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 to be void; otherwise to be and remain in full force and virtue in law.

Geo. H. Myers (SEAL)

Witness:

HARTFORD ACCIDENT AND INDEMNITY COMPANY

Louise T. Horner

BY GEO. H. MYERS
Attorney-in-Fact

Which said bond was thus thereon endorsed to wit:

The within bond approved,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty-fifth day of September in the year nineteen hundred and forty five the said complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

J. Hanson Cropper	)	No. 5986 Chancery
Vs.	)	In the Circuit Court
Thomas Floyd Cropper and Mary E. Williams	)	For
	)	Somerset County, Maryland

To the Honorable the Judge of said Court:

The petition of the defendant, Thomas Floyd Cropper, in the above entitled case, respectfully shows:

1. That on the 29th day of August, 1945, it was adjudged, ordered and decreed that the property in the proceedings mentioned, be sold and that George H. Myers was appointed Trustee to make said sale.

2. That since the above decree and before the sale of the real estate mentioned in said proceedings, the said George H. Myers died.

Your petitioner therefore prays the Court to pass an order appointing a substitute Trustee to make said sale.

And, as in duty bound, etc.

Edgar A. Jones
Attorney for Petitioner

Upon which said petition the Court here passed the following order to wit:

O R D E R

The foregoing petition having been duly read and considered, it is thereupon this twenty-fifth day of September, in the year nineteen hundred forty-five, by the Circuit Court for Somerset County in Equity, adjudged, ordered and decree, that the said Edgar A. Jones, be and he is hereby appointed Trustee to make sale of the property mentioned in these proceedings, 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 corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of three thousand ($3000) dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County, as he shall think proper, of the time, place, manner and terms of sale, which shall be one-third cash on day of sale, one third within six months from said date and the balance within one year from said date, credit portions, if any, to bear interest from day of sale and to be secured by the bond of the purchaser with surety to the satisfaction of the said Trustee, or all cash at the option of the purchaser, and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report ofhis proceedings relative to such sale, with an affidavit annexed 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, 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 or assigns, 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 either of them. And the said Trustee shall bring into this Court, the money arising from said sale, to be distrubted under the direction of the Court, after deducting 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.

Edmond H. Johnson
Judge

And thereupon, the said Substitute Trustee, filed in Court here a bond in the words following to wit:

Know All Men By These Presents: That we, Edgar A. Jones, of Somerset County and State of Maryland, and National Surety Corporation, a body corporate of the State of New York, are held and firmly bound unto the State of Maryland in the full and just sum of Three Thousand Dollars, 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 administrators, successors and assigns, jointly and severally, firmly by these present: sealed with our seals and dated this 15th day of October, 1945.

Whereas, the above bounden, Edgar A. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed Trustee to sell the property mentioned in these proceedings in the case of J. Hanson Cropper vs Thomas Floyd Cropper and Mary E. Williams, being No. 5986 Chancery, in the Circuit Court for Somerset County.

Now the condition of the above obligation is such that if the above bounden, Edgar A. Jones, do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Edgar A. Jones (SEAL)

TEST: Benjamin L. Barnes

NATIONAL SURETY CORPORATION
SEAL
BY Edgar A. Jones
Attorney in Fact

Which said Bond was thus thereon endorsed, to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty-fourth day of October in the year nineteen hundred and forty-five, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following to wit:

J. Hanson Cropper	)	No. 5986 Chancery
Vs.	)	In the Circuit Court
Thomas Floyd Cropper and Mary E. Williams	)	for
	)	Somerset County, Maryland.

To the Honorable, the Judge of the Circuit Court of Somerset County

The report of Edgar A. Jones, Trustee appointed by a decree of this Court passed in the above entitled casue, dated the 25th day of September, 1945, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of his trust and after having complied with all the other pre-requisites 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 Marylander and Herald, a weekly newspaper published in Somerset County, Maryland for at least three successive weeks before the day of sale, he did, pursuant to said notice, attent in front of the Court House Door in Princess Anne, Somerset County, Maryland, on the 23rd day of October, in the year nineteen hundred forty five, at or about the hour of 2:00 o'clock P.M. and then and there proceeded to sell said property in manner following that is to say:

The Trustee offered at public sale to the highest bidder, the property mentioned in said decree: FIRST: All that lot or tract of land whereon Robert J. Cropper resided in his lifetime, situate in Brinkley's Election District, in said Somerset County, and lying and binding

on the south side of the County Road leading from Marumsoco To Shelltown and on the west side of the County Road leading from Rehobeth to Shelltown, containing 40 acres, more or less, and being the first parcel of land described in a deed to said Robert J. Cropper from George E. White and wife, recorded among the Land Records of Somerset County in Liber No. 20, folio 565.

SECOND: All that lot or parcel of woodland containing 8 acres, more or less, lying and binding on the north side of the said County Road leading from Marumsco to Shelltown, in said Brinkley's Election District, adjoining the land formerly owned by Sidney Long and others, and being the second parcel of land described in the aforesaid deed to Robert J. Cropper, except so much thereof as was sold and conveyed by the said Robert J. Cropper to George H. McCready, Jane Lane and Noah Stewart.

THIRD: All that lot or parcel of woodland, containing 28 acres, more or less, situate in Brinkley's Election District, aforesaid, bounded on the north by the said County Road leading from Marumsco to Shelltown, on the west by the land formerly owned by William Coulbourne on the south by the land of Oliver Morrell and on the east by a line of marked trees, being the third parcel of land mentioned and described in the aforesaid deed to said Robert J. Cropper by deed from George E. White and wife.

And the said Trustee sold the above described property to J. Hanson Cropper at and for the sum of Twenty nine Hundred ($2900.00) dollars, he being at that sum the highest bidder therefore, and the terms of sale have been complied with to the satisfaction of your Trustee.

Respectfully submitted,

Edgar A. Jones
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of October, in the year nineteen hundred forty-five before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report 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 the day and year above written.

Sally L. Ford SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

J. Hanson Cropper	)	No. 5986 Chancery
Vs.	)	In the Circuit Court for
Thomas Floyd Cropper and Mary E. Williams	)	Somerset County, Maryland.
	)	

ORDER NISI

Ordered by the Circuit Court of Somerset County, that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 26th day of November, nineteen hundred forty-five.

PROVIDED a copy of this order be inserted in some weekly newspaper in Somerset County, once in each of three successive weeks before the 24th day of November, next.

The report states the amount of sale to be Twenty nine hundred ($2900.00) dollars.

Benjamin L. Barnes
Clerk.

And thereafter to wit, on the twenty eighth day of November in the year nineteen hundred and forty-five came again into Court here the said Complainant by his solicitor aforesaid, and on motion of the said Complainant by his solicitor aforesaid, the Court here passed the following order to wit:

FINAL ORDER

Ordered by the Circuit Court of Somerset County, this 28th day of November, nineteen hundred forty-five, 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 the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the said Auditor.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. Clerk.

"""

J. Hanson Cropper Vs. Thomas Floyd Cropper and Mary E. Williams	) Be it remembered that heretofore, to wit, on the twentysixth) day of February, in the year nineteen hundred and forty-five) a certain J. Hanson Cropper by George H. Myers, his solicitor) exhibited and filed in the Circuit Court here a bill of com-

plaint against Thomas Floyd Cropper and Mary E. Williams, which said bill of complaint is in the words following, to wit:

J. Hanson Cropper Vs. Thomas Floyd Cropper and Mary E. Williams	))))	No. 5987 Chancery Circuit Court for Somerset County, Maryland.

To the Honorable, the Judge of said Court:

Your Orator complaining says:

FIRST, That a certain Robert J. Cropper, late of said Somerset County, departed this life intestate during the month of November, nineteen hundred and twenty-seven, seized and possessed of real and personal estate and leaving surviving a widow, Virginia C. Cropper and the following children as his sole heirs at law, namely, (1) your Orator, J. Hanson Cropper, a son who is of full age and who resides in said Somerset County, (2) the Defendant, Thomas Floyd Cropper, a son who is of full age and who resides in said Somerset County, (3) a daughter the Defendant, Mary E. Williams, who is of full age and resides in the State of Delaware.

SECOND, That letters of administration were granted upon the personal estate of the said Robert J. Cropper and all of said personal estate has been distributed and all debts of said deceased have been paid.

THIRD: That the said Robert J. Cropper at the time of his death was seized in fee simple of a certain lot or parcel of marsh land containi g about thirty six acres, located on the Pocomoke River, near Shelltown, in Brinkleys Election District, in said Somerset County, together with the defendant, Thomas Floyd Cropper, as tenants in common, an undivided one half interest therein having been conveyed to the said Robert J. Cropper as the fourth item in a deed to the said Cropper from George E. White, dated December 12th, 1896, recorded among the land records of said Somerset County in Liber No. 20, folio 565 and the remaining undivided one half interest having been conveyed to the said Robert J. Cropper and Thomas F. Cropper by deed from William T. White, dated August 10th, 1903, recorded as aforesaid in Liber No. 48, folio 177, said last named undivided half interest having been conveyed to the said William T. White as the fourth item in a deed from George E. White, dated December 12th, 1896, and recorded as aforesaid in Liber No. 20, folio 302.

Fourth, That the said Virginia C. Cropper departed this life intestate on the twenty fourth of October, nineteen hundred and thirty six, never having remarried and leaving as her sole heirs at law your Orator the said J. Hanson Cropper and the said Defendants, Thomas Floyd Cropper and Mary E. Williams who now hold title to the aforesaid farm or tract of land, as tenants in common, that is to say, the said Thomas F. Cropper holds an undivided one half interest therein and the said J. Hanson Cropper and Mary E. Williams each an undivided one-fourth interest therein.

Fifth, That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that in order to make division of said interests it will be necessary that said real estate by sold and the proceeds thereof divided among the parties according to their several interests.

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 among your Orator and the said Defendants according to their respective rights and interests.

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

May it please your Honor to grant unto your Orator the writ of subpena directed to the the Defendant, Thomas Floyd Cropper, an adult residing in said Somerset County, commanding him to be and appear in this Court on some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein; also an order of publication giving notice to the Defendant, Mary E. Williams, an adult residing in the State of Delaware 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 she has, why a decree ought not to pass as prayed.

And as in duty bound,

Geo. H. Myers
Solicitor for Plaintiff.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenae was issued, to wit:

MARYLAND, SOMERSET COUNTY to wit:

SEAL OF COURT The State of Maryland

To Thomas Floyd Cropper of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY IN March next to answer the complaint of J. Hanson Cropper against you & another in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the First day of January Anno Domini 1945. ISSUED the Twenty sixth day of February Anno Domini 1945.

Per order

Benjamin L. Barnes, Clerk.

At which said first MONDAY in March, in the year nineteen hundred and forty five and the day of the return of the above recited writs, came again into Court here the said complainant by his Solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

Summoned and copy left 3/10/45

Murray E. Ward
Sheriff.

And thereafterwards to wit, on the sixth day of June in the year nineteen hundred and forty five the answer of Mary E. Williams was filed.

J. Hanson Cropper	)	No. 5987 Chancery
Vs.	)	Circuit Court for
Thomas Floyd Cropper and Mary E. Williams	)	Somerset County, Maryland.
	)	

To the Honorable the Judge of said Court:

The answer of Mary E. Williams to the bill of complaint against her in the above cause respectfully shows:

That she has read carefully the attached copy of said bill of complaint and that she admits the matters and facts therein alleged and consents to the passage of such decree as to this Honorable Court may seem right and proper in the premises.

And as in duty bound.

Mary E. Williams

State of Delaware, Sussex County, to wit:

I hereby certify that on this 5th day of June, nineteen hundred and forty five, before me, the subscriber a Notary Public of the State of Delaware in and for Sussex County, aforesaid, personally appeared Mary E. Williams, who is personally known to me, who signed her name to the aforegoing answer in my presence and acknowledged said answer to be her act.

Witness my hand and Notarial Seal.

P. H. Hearn SEAL OF
Notary Public NOTARY

And afterwards to wit, on the third day of July in the year nineteen hundred and forty five the following answer was filed.

J. Hanson Cropper	)	No. 5987 Chancery
Vs.	)	In the Circuit Court
Thomas Floyd Cropper and Mary E. Williams	)	for
	)	Somerset County, in Equity

To the Honorable, the Judge of said Court:

The answer of Thomas Floyd Cropper, one of the defendants, to the Bill of Complaint, against him in the above cause, respectfully represents:

That the said Thomas Floyd Cropper admits the matters and facts alleged in said Bill of Complaint and consents to the passage of such decree as to this Honorable Court may seem right and proper in the premises.

And, as in duty bound, etc.

Thos. Floyd Cropper
Defendant.

Edgar A. Jones
Attorney for Defendant

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 3rd day of July, in the year nineteen hundred and forty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Thomas Floyd Cropper and signed his name to the aforegoing answer in my presence and acknowledged said answer to be his act and deed.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford SEAL OF
Notary Public NOTARY

AND afterwards, to wit, the following affidavit was filed.

J. Hanson Cropper	)	No. 5987 Chancery
vs.	)	Circuit Court for
Thomas Floyd Cropper et al	)	Somerset County, Maryland
	)	

State of Maryland, Somerset County, to wit:

I hereby certify that on this 29th day of August, nineteen hundred and forty-five, before me, the subscriber the Clerk of the Circuit Court for said Somerset County, personally appeared George H. Myers, Attorney for plaintiff in the above suit, and made oath in due form of law that in his judgment the present value of the real estate mentioned and described in said suit is about three thousand dollars.

Benjamin L. Barnes
Clerk of the Circuit Court

And thereafter to wit, on the twenty ninth day of August in the year nineteen hundred and forty-five the Circuit Court here passed the following Decree in the premises to wit:

J. Hanson Cropper	)	No. 5987 Chancery
Vs.	)	CIRCUIT COURT FOR SOMERSET
Thomas Floyd Cropper and Mary E. Williams	)	COUNTY, MARYLAND
	)	

THE ABOVE CAUSE STANDING READY FOR HERARING and having been submitted, the proceedings therein were by the Court read and considered:

IT IS THEREUPON, this 29th day of August in the year nineteen hundred and forty-five by the Circuit Court for Somerset County ADJUDGED, ORDERED AND DECREED, That the property in the proceedings mentioned be sold, and that George H. Myers be, and he is hereby appointed Trustee to make 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 a nd a corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of one thousand ($1000) dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one third cash on day of sale, one third within six months from said date and the balance within one year from said date, credit portions if any to bear interest from day of sale and to be secured by the bond of the purchaser with surety to the satisfaction of the said Trustee or all cash at the option of the purchaser. and soon as may be convenient after such sale or sales, the said Trustee shall return to Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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, 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 or assigns 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 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 the Court, after deducting 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.

W. Laird Henry, Jr.
Judge

And thereupon, the said George H. Myers, Trustee, filed a Bond in the Court here in the words following to wit;

KNOW ALL MEN BY THESE PRESENTS: That we George H. Myers, of Somerset County, Maryland, as principal and Hartford Accident and Indemnity Company, a body corporate under the laws of the State of Connecticut, as surety, are held and firmly bound unto the State of Maryland in the full and just sum of one thousand dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, we bind ourselves and each of us, our and each of our heirs executors and administrators, jointly and severally, firmly by these presents; sealed with our seals and dated this twelfth day of September, nineteen hundred and forty five.

WHEREAS, the above bounden George H. Myers, by virtue of a decree of the Circuit Court for Somerset County in Equity has been appointed trustee to sell the property mentioned in the proceedings in the suit of J. Hanson Cropper vs. Thomas Floyd Cropper et al, now pending in said Court, the same being No. 5987 on the Chancery Docket thereof.

NOW THE CONDITION OF THE OBLIGATION IS SUCH, That if the above bounden George H. Myers 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 to be void; otherwise to be and remain in full force and virtue in law.

Geo. H. Myers (SEAL)

HARTFORD ACCIDENT AND INDEMNITY COMPANY

Louise T. Horner

BY GEO. H. MYERS
ATTORNEY IN FACT SEAL

Which said bond was thus thereon endorsed to wit:

The within bond approved,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty-fifth day of September in the year nineteen hundred and forty five the said complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

J. Hanson Cropper	)	No. 5987 Chancery
Vs.	)	In the Circuit Court for
Thomas Floyd Cropper and Mary E. Williams	)	Somerset County, Maryland.
	)	

To the Honorable the Judge of said Court:

The petition of the defendant, Thomas Floyd Cropper, in the above entitled case, respectfully shows:

1. That on the 29th day of August, 1945, it was adjudged, ordered and decreed that the property in the proceedings mentioned, be sold and that George H. Myers was appointed Trustee to make said sale.

2. That since the above decree and before the sale of the real estate mentioned in said proceedings, the said George H. Myers, died.

Your Petitioner therefore prays the Court to pass an order appointing a substitute Trustee to make said sale.

And as in duty bound, etc.

Edgar A. Jones
Attorney for Petitioner

Upon which said Petition the Court here passed the following order to wit:

ORDER

The foregoing petition having been duly read and considered, it is thereupon this twenty fifth day of September in the year nineteen hundred forty five, by the Circuit Court for Somerset County in Equity, adjudged, ordered and decreed that the said Edgar A. Jones, be, and he is hereby appointed Trustee to make sale of the property mentioned in these proceedings, and that the course and manner of his proceedings, shall be as follows: He shall first file with the Clerk of theis Court a Bond to the State of Maryland, executed by himself and a corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of one thousand ($1000) dollars, conditioned for the faithful performance of the Trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises, he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one-third cash on day of sale, one third within six months from said date and the balance within one year from said date, credit portions, if any, to bear interest from date of sale and to be secured by the bond of the purchaser with surety to the satisfaction of the said Trustee, or all cash at the option of the purchaser and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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, 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 or assigns, 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 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 the Court, after deducting 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.

Edmond H. Johnson
Judge.

And thereupon the said Substitute Trustee, filed in Court here a bond in the words following to wit:

Know All Men By These Presents: That we, Edgar A. Jones, of Somerset County and State of Maryland, and National Surety Corporation, a body corporate of the State of New York, are held and firmly bound unto the State of Maryland in the full and just sum of one thousand dollars, 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 administrators, successors and assigns, jointly and severally, firmly by these presents; sealed with our seals and dated this 15th day of October, 1945.

Whereas, the above bounden, Edgar A. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been applinted Trustee to sell the property mentioned in these proceedings in the case of J. Hanson Cropper vs Thomas Floyd Cropper and Mary E. Williams being No. 5987 Chancery, in the Circuit Court for Somerset County.

Now the condition of the above obligation is such that if the above bounden Edgar A. Jones, do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Edgar A. Jones (SEAL)

NATIONAL SURETY CORPORATION

Test: Benjamin L. Barnes

BY Edgar A. Jones
Attorney in Fact

Which said Bond was thus thereon endorsed, to wit:

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty-fourth day of October in the year nineteen hundred and forty five, the said Trustee exhibited and filed in the Circuit Court here a report of sale with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following to wit:

J. Hanson Cropper	)	No. 5987 Chancery
Vs.	)	In the Circuit Court
Thomas Floyd Cropper and Mary E. Williams	)	for
	)	Somerset County, Maryland.

To the Honorable, the Judge of the Circuit Court of Somerset County:

The report of Edgar A. Jones, Trustee appointed by a decree of this Court passed in the above entitled cause, dated the 25th day of September, 1945, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of his trust and after having complied with all the other pre-requisites 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 Marylander & Herald, a weekly newspaper published in Somerset County, Maryland for at least three successive weeks before the day of sale, he did, pursuant to said notice, attend in front of the Court House Door in Princess Anne, Somerset County, Maryland, on the 23rd day of October, in the year nineteen hundred forty five, at or about the hour of 2:00 o'clock P.M. and then and there proceeded to sell said property in manner following that is to say:

The Trustee offered at public sale to the highest bidder, the property mentioned in said decree: All that tract of marsh land situate in Brinkley's Election District, located on the Pocomoke River, adjoining the land of Edward H. Smith, wash Duncan and the Cropper farm, containing thirty-six acres, more or less, and being the fourth parcel of land described in a deed from George E. White and wife to Robert J. Cropper, recorded among the land records of Somerset County in Liber No. 20, folio 565.

And the said Trustee sold the above described property to Thomas Floyd Cropper at and for the sum of Two thousand ($2000.00) dollars, he being at that sum the highest bidder therefor and the terms of sale have been complied with to the satisfaction of your Trustee.

Respectfully submitted,

Edgar A. Jones
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of October, in the year nineteen hundred forty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report 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 the day and year above written.

Sally L. Ford SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

J. Hanson Cropper	)	No. 5987 Chancery
vs.	)	In the Circuit Court for
Thomas Floyd Cropper and Mary E. Williams	)	Somerset County, Maryland
	)	

ORDER NISI

Ordered by the Circuit Court for Somerset County, that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 26th day of November, nineteen hundred forty five.

PROVIDED a copy of this order be inserted in some weekly newspaper in Somerset County, once in each of three successive weeks before the 24th day of November next.

The report states the amount of sale to be Two Thousand ($2000.00) dollars.

Benjamin L. Barnes
Clerk

And now at this day to wit, on the twenty-eighth day of November in the year nineteen hundred and forty five came again into Court here the said Complainant by his solicitor aforesaid, and on motion of the said Complainant by his solicitor aforesaid, the Court here passed the following order to wit:

FINAL ORDER

Ordered by the Circuit Court of Somerset County, this 28th day of November, nineteen hundred forty five, 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 the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the said Auditor.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes Clerk

"""""""""""""""""""""""""""""""""""""

J. Hanson Cropper	)	Be it remembered that heretofore, to wit, on the twenty-sixth
Vs.	)	day of February in the year nineteen hundred and forty-five, a
Thomas Floyd Cropper and Mary E. Williams	)	certain J. Hanson Cropper by George H. Myers, his solicitor
	)	exhibited and filed in the Circuit Court here a bill of com-

plaint against Thomas Floyd Cropper and Mary E. Williams which said Bill of Complaint is in the words following, to wit:

J. Hanson Cropper	)	
Vs.	)	No. 5988 Chancery
Thomas Floyd Cropper and Mary E. Williams	)	Circuit Court for
	)	Somerset County, Maryland.

To the Honorable, the Judge of said Court:

Your Orator complaining says:

FIRST: That a certain Robert J. Cropper, late of said Somerset County, departed this life intestate during the month of November, nineteen hundred and twenty seven, seized and possessed of real and personal estate and leaving surviving a widow, Virginia C. Cropper and the following children as his sole heirs at law, namely, (1) your Orator, J. Hanson Cropper, a son who is of full age and who resides in said Somerset County, (2) the Defendant, Thomas Floyd

Cropper, a son who is of full age and who resides in said Somerset County, (3) a daughter, the Defendant, Mary E. Williams, who is of full age and resides in the State of Delaware.

SECOND, That letters of administration were granted upon the personal estate of the said Robert J. Cropper and all of said personal estate has been distributed and all debts of said deceased have been paid.

THIRD: That the said Robert J. Cropper at the time of his death was seized in fee simple together with the Defendant Thomas Floyd Cropper as tenants in common, of a certain farm situate in Brinkleys Election District in said Somerset County whereon the said Thomas Floyd Cropper recently resided, which said farm was conveyed to the said Robert J. Cropper and Thomas Floyd Cropper together with other property, by deed from William T. White and wife, dated August 10th, 1903 and recorded among the land records of said Somerset County in Liber No. 48 folio 177 and represents the first three parcels of land described in a deed to the said William T. White from George E. White dated December 12th, 1896, and recorded as aforesaid in Liber No. 20, folio 302, except so much thereof as was thereafter conveyed to Edward W. Young, George H. McCready, Jane Lane, Noah J. Stewart and James H. Larramore.

FOURTH, That the said Virginia C. Cropper departed this life intestate on the 24th day of October, 1936, never having remarried, leaving as her sole heirs at law your Orator, the said J. Hanson Cropper, and the said Defendants, Thomas Floyd Cropper and Mary E. Williams, who now hold title to the aforesaid tract or parcel of land as tenants in common, that is to say, the said Thomas Floyd Cropper holds an undivided tow third interest and the said J. Hanson Cropper and Mary E. Williams each an undivided one sixth interest therein.

FIFTH, That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that in order to make division of said interests it will be necessary that said real estate be sold and the proceeds thereof divided among the parties according to their several interests.

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 among your Orator and the said Defendants according to their respective rights and interests.

(3) That your Orator may have such other and further relief as his case may required.

May it please your Honor to grant unto your Orator the writ of subpena directed to the Defendant, Thomas Floyd Cropper, an adult residing in said Somerset County, commanding him to be and appear in this Court on some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein; also an order of publication giving notice to the Defendant, Mary E. Williams, an adult residing in the State of Delaware 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 she has, why a decree ought not to pass as prayed.

And as in duty bound,

George H. Myers
Solicitor for Plaintiff.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenae was issued, to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Thomas Floyd Cropper of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in March next to answer the complaint of J. Hanson Cropper against you & another.in

the said Court exhibited, Hereof fail not at your peril.

WITNESS, The Honorable W. Laird Bnery Jr. Chief Judge of the First Judicial Circuit of Maryland, the First day of January Anno Domini 1945. ISSUED the Twenty sixth day of February Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk

At which said first MONDAY in March, in the year nineteen hundred and forty five and the day of the return of the above recited writ, came again into Court here the said complainant by his Solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

Summoned and copy left. 3/10/45.

Murray E. Ward
Sheriff.

And thereafterwards to wit, on the sixth day of June in the year nineteen hundred and forty-five the answer of Mary E. Williams was filed.

J. Hanson Cropper	)	No. 5988 Chancery
Vs.	)	Circuit Court for
Thomas Floyd Cropper and Mary E. Williams	)	Somerset County, Maryland.
	)	

To the Honorable the Judge of said Court:

The answer of Mary E. Williams to the bill of complaint against her in the above cause respectfully shows:

That she has read carefully the attached copy of said bill of complaint and that she admits the matters and facts therein alleged and consents to the passage of such decree as to this Honorable Court may seem right and proper in the premises.

And as in duty bound,

Mary E. Williams

State of Delaware, Sussex County, to wit:

I hereby certify that on this 5th day of June, nineteen hundred and forty -five, before me, the subscriber a Notary Public of the State of Delaware, in and for Sussex County, aforesaid, personally appeared Mary E. Williams, who is personally known to me, who signed her name to the aforegoing answer in my presence and acknowledged said answer to be her act.

Witness my hand and Notarial Seal.

P. H. Hearn SEAL OF
Notary Public NOTARY

And afterwards to wit, on the third day of July in the year nineteen hundred and forty five the following answer was filed.

J. Hanson Cropper	)	No. 5988 Chancery
Vs.	)	In the Circuit Court for
Thomas Floyd Cropper and Mary E. Williams	)	Somerset County, Maryland
	)	In Equity.

To the Honorable, the Judge of said Court:

The answer of Thomas Floyd Cropper, one of the defendants, to the Bill of Complaint, against him in the above cause, respectfully represents:

That the said Thomas Floyd Cropper admits the matters and facts alleged in said Bill of Complaint and consents to the passage of such decree as to this Honorable Court may seem right and proper in the presises.

And as in duty bound, etc.

Thos. Floyd Cropper
Defendant.

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 3rd day of July, in the year nineteen hundred forty-five before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Thomas Floyd Cropper and signed his name to the aforegoing answer in my presenece and acknowledged said answer to be his act and deed.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford SEAL OF
Notary Public NOTARY

AND afterwards to wit, the following affidavit was filed.

J. Hanson Cropper	)	
Vs.	)	No. 5988 Chancery
Thomas Floyd Cropper et al	)	Circuit Court For
	)	Somerset County, Maryland

State of Maryland, Somerset County, to wit:

I hereby certify that on this 29th day of August, nineteen hundred and forty-five, before me, the subscriber the Clerk of the Circuit Court for said Somerset County, personally appeared George H. Myers, attorney for plaintiff in the above suit, and made oath in due form of law that in his judgment the present value of the real estate mentioned and described in said suit is about twenty eight hundred dollars.

Benjamin L. Barnes
Clerk of the Circuit Court.

And thereafter to wit, on the twenty ninth day of August in the year Nineteen hundred and forty five the Circuit Court here passed the following Decree in the premises to wit:

J. Hanson Cropper	)	
Vs.	)	NO. 5988 Chancery
Thomas Floyd Cropper and Mary E. Williams	)	CIRCUIT COURT FOR SOMERSET
	)	COUNTY, MARYLAND

THE ABOVE CAUSE STANDING READY FOR HEARING and having been submitted the proceedings therein were by the Court read and considered:

IT IS THEREUPON this 29th day of August in the year nineteen hundred and forty-five by the Circuit Court for Somerset County, ADJUDGED, ORDERED AND DECREED, That the property in the proceedings mentioned be sold, and that George H. Myers be and he is hereby appointed Trustee to make 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 corporate surety or sureties to be approved by this Court, or by the Clerk thereof in the penalty of three thousand ($3000) dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one third cash on day of sale, one third within six months from said date and the balance within one year from said date, credit portions if any to bear interest from day of sale and to be secured by the bond of the purchaser with surety to the satisfaction of the said Trustee, or all cash at the option of the purchaser. and soon as may be conveneient after such sale or sales the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an aff davit annexed of the truth thereof, and of the fairness of

of said sale; and on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money, 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 or assigns 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 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 the Court, after deducting 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.

W. Laird Henry, Jr.

And thereupon the said George H. Myers, Trustee, filed a Bond in the Court here in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, George H. Myers, of Somerset County, Maryland, as principal, and Hartford Accident and Indemnity Company, a body corporate under the laws of the State of Connecticut, as surety, are held and firmly bound unto the State of Maryland in the full and just sum of three thousand dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents sealed with our selas and dated this twelfth day of September, nineteen hundred and forty five.

WHEREAS, the above dounden George H. Myers, by virtue of a decree of the Circuit Court for Somerset County in Equity has been appointed trustee to sell the property mentioned in the proceedings in the suit of J. Hanson Cropper vs. Thomas Floyd Cropper et al, now pending in said Court, the same being No. 5988 on the Chancery Docket thereof.

NOW THE CONDITION OF THE OBLIGATION IS SUCH, That if the above bounden George H. Myers 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 be void; otherwise to be and remain in full force and virtue in law.

Geo. H. Myers (SEAL)

WITNESS:

LOUISE T. HORNER

HARTFORD ACCIDENT AND INDEMNITY COMPANY

BY GEO. H. MYERS
ATTORNEY IN FACT

Which said bond was thus thereon endorsed to wit:

The within bond approved,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty fifth day of September in the year nineteen hundred and forty five the said complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

J. Hanson Cropper	)	No. 5988 Chancery
Vs.	)	In the Circuit Court
Thomas Floyd Cropper and Mary E. Williams	)	For
	)	Somerset County, Maryland.

To the Honorable, the Judge of said Court:

The petition of the defendant, Thomas Floyd Cropper, in the above entitled case, respectfully shows:

1. That on the 29th day of August, 1945, it was adjudged, ordered and decreed that the property in the proceedings mentioned, be sold and that George H. Myers was appointed Trustee to make said sale.

2. That since the above decree and before the sale of the real estate mentioned in said proceedings, the said George H. Myers died.

Your Petitioner therefore prays the Court to pass an order appointing a substitute Trustee to make said sale.

And as in duty bound, etc.

Edgar A. Jones
Attorney for Petitioner

Upon which said petition the Court here passed the following order to wit:

ORDER

The foregoing petition having been duly read and considered, it is thereupon this twenty fifth day of September, in the year nineteen hundred forty five, by the Circuit Court for Somerset County in Equity, adjudged, ordered and decreed, that the said Edgar A. Jones be and he is hereby appointed Trustee to make sale of the property mentioned in these proceedings, 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 corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of three thousand ($3000) dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one third cash on day of sale, one third within six months from said date and the balance within one year from said date, credit portions if any to bear interest from day of sale and to be secured by the bond of the purchaser with surety to the satisfaction of the said Trustee, or all cash at the option of the purchaser, and soon as may be convenient after such sale or sales, the said Trustee shall return to this court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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, 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 or assigns, 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 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 the Court, after deducting 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.

Edmond M. Johnson
Judge.

And thereupon, the said Substitute Trustee, filed in Court here a bond in the words following, to wit:

Know all Men By These Presents: That we, Edgar A. Jones, of Somerset County and State of Maryland, and National Surety Corporation, a body corporate of the State of New York, are held and firmly bound unto the State of Maryland in the full and just sum of Three Thousand Dollars, 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 administrators, successors and assigns, jointly and severally, firmly by these presents; sealed with our seals and dated this 15th day of October, 1945.

Whereas, the above bounden, Edgar A. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed Trustee to sell the property mentioned in these proceedings in the case of J. Hanson Cropper vs Thomas Floyd Cropper and Mary E. Williams, being No. 5988 Chancery, in the Circuit Court for Somerset County.

Now the condition of the above obligation is such that if the above bounden Edgar A. Jones do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Edgar A. Jones (SEAL)

Test: Benjamin L. Barnes

NATIONAL SURETY CORPORATION

BY Edgar A. Jones
Attorney In Fact.

Which said Bond was thus thereon endorsed, to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty fourth day of October in the year nineteen hundred and forty five, the said Trustee exhibited and filed in the Circuit Court here a report of Sale with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following, to wit:

J. Hanson Cropper	)	No. 5988 Chancery
Vs.	)	In the Circuit Court
Thomas Floyd Cropper and Mary E. Williams	)	for
	)	Somerset County, Maryland.

To the Honorable, the Judge of the Circuit Court of Somerset County:

The report of Edgar A. Nones, Trustee appointed by a decree of this Court passed in the above entitled cause, dated the 25th day of September, 1945, to make sale of certain real estate therein mentioned,respectively shows:

That after giving bond with security for the faithful performance of his trust and after having complied with all the other pre-requisites 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 Marylander & Herald, a weekly newspaper published in Somerset County, Maryland for at least three successive weeks before the day of sale, he did, pursuant to said notice, attend in front of the Court House Door in Princess Anne, Somerset County, Maryland, on the 23rd day of October in the year nineteen hundred forty five, at or about the hour of 2:00 o'clock PM and then and there proceeded to sell said property in manner following that is to say:

The Trustee offered at public sale to the highest bidder, the property mentioned in said decree.

FIRST: All that farm or tract of land lying on both sides of the County Road leading from Rehobeth to Williams Point, in Brinkley's District, Somerset County, Maryland, containing 35 ½ acres more or less, also located on Shelltown Lane, adjoining the land of Edward Young, Wash Duncan and the homeplace of Robert J. Cropper and being the first and second parcels of land described in a deed to William T. White from George White and wife, recorded among the Land Records of Somerset County in Liber No. 20, folio 302, except so much thereof as was sold and conveyed by Robert J. Cropper to Edward W. Young, James S. Larmore and Lloyd McDaniel.

SECOND: All that lot or parcel of woodland containing 38.1 acres, more or less in said Brinkley's District, bounded on the north by the County Road leading from Marumsoco to Shelltown on the east by the cleared land of the Robert J. Cropper home place on the south by the land of Oliver Morrell and on the West by a line of marked trees recently located and surveyed, being the third parcel described in said deed from the said George E. White to William T. White.

And the said Trustee sold the above described property to Thomas Floyd Cropper at and for the sum of Twenty two hundred ($2200.00) dollars, he being at that sum the highest bidder therefor, and the terms of sale have been complied with to the satisfaction of your Trustee.

Respectfully submitted,

Edgar A. Jones
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of October, in the year nineteen hundred forty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Trustee, named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report 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 the day and year above written.

Sally L. Ford SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

J. Hanson Cropper	)	No. 5988 Chancery
Vs.	)	In the Circuit Court for
Thomas Floyd Cropper and Mary E. Williams	)	Somerset County, Maryland
	)	

ORDER NISI

Ordered by the Circuit Court for Somerset County, that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 26th day of November, nineteen hundred and forty five.

PROVIDED a copy of this order be inserted in some weekly newspaper in Somerset County, once in each of three successive weeks before the 24th day of November, next.

The report states the amount of sale to be Twenty two hundred ($2200.00) dollars.

Benjamin L. Barnes, Clerk.

And now at this day to wit, on the twenty eighth day of November in the year nineteen hundred and forty five came again into Court here the said Complainant by his solicitor aforesaid, and on motion of the said Complainant by his solicitor aforesaid, the Court here passed the following orfer to wit:

FINAL ORDER

Ordered by the Circuit Court of Somerset County, this 28th day of November, nineteen hundred forty five, 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 insaid cause and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for the said Auditor.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes Clerk.

" " " "

Theresa Graham Vs. June Graham, I. Raynor Graham, Jr. Elillian Graham, Jerry Graham, Jackie Graham, Margaret Rosemary Graham, and Robert L. Webster	Be it remembered that heretofore, to wit, on the twenty-ninth day of June, in the year nineteen hundred and forty-five, a certain Theresa Graham, by L. Creston Beauchamp, his solicitor exhibited and filed in the Circuit Court here a bill of complaint against June Graham, I. Raynor Graham, Jr., Elillian Graham, Jerry Graham, Jackie Graham, Margaret Rosemary Graham, and Robert L. Webster, which said bill of Complaint is in the words following, to wit:

Theresa Graham Vs. June Graham, I. Raynor Graham, Jr., Elillian Graham, Jerry Graham, Jackie Graham, Margaret Rosemary Graham, and Robert L. Webster	No. 6028 Chancery In the Circuit Court for Somerset County, Maryland.

To the Honorable, the Judge of said Court.

The bill of complaint of Theresa Graham, of Somerset County, Maryland, respectfully represents:

1. That heretofore, I. Raynor Graham, late of Somerset County, Maryland, deceased, was in his life time and at the time of his death, seized and possessed of certain real estate in Deals Island Election District, as follows: (1) one and forty-nine one hundredths acres, more or less, on Deep Point, which was conveyed to I. Raynor Graham and James M. Graham, and to the survivor, by Annie K. Tockterman and others by deed dated June 27, 1940, recorded among the land records of said Somerset County, in Liber No. 124, folio 497. (2) lot on the southwest side of the county road leading from the state road to the jette, at the Upper Thoroughfare, and being described as lots no. one and two on the plat and certificate filed with the deed from William J. Mister and others to David Baker, recorded among the said land records in Liber No. 123, folio 145; and being the same land which was conveyed to I. Raynor Graham by David Baker, by deed dated February 21, 1944, recorded among said land records in Liber No. 127, folio 172; (3) all that lot or strip of land binding on the sea wall of Deals Island Harbor, near the bridge, located on the northeast side of the line A-B, on the plat filed with the deed from I. Raynor Graham to the County Commissioners, recorded in Liber No. 127, folio 136; and being the land conveyed to I. Raynor Graham by the County Commissioners of Somerset County, Maryland, by deed dated April 10, 1944, recorded in Liber No. 127, folio 133; (4) one half interest in lot near the Upper Thoroughfare, which was conveyed to I. Raynor Graham and Robert L. Webster by William J. Mister and others, by deed dated July 31, 1942, recorded in Liber No. 123, folio 119 and which is laid down and described as lot no. 3 on the plat and certificate, filed with and as a part of said deed.

2. That, being so seized and possessed the said I. Raynor Graham departed this life intestate on or about the 12 day of January, 1945, leaving a widow, the said Theresa Graham, of Somerset County, surviving him and leaving the following as his only children and descendants who are all under the age of 21 years, and all of whom live on Deals Island, Somerset County, Maryland, namely, a duaghter June Graham, a son I. Raynor Graham Jr., a son Jackie Graham, a daughter Elillian Graham, a son, Jerry Graham and a daughter Margaret Rosemary Graham, and the title to all the real estate left by the said I. Raynor Graham, deceased, which at his death devolved upon the said widow and children above named.

3. That the said real estate is not susceptible of petition without material loss and injury to the parties entitled to interest therein, and that in order to make division of said interest, it will be necessary for said real estate to be sold and the proceeds thereof divided among the parties titled, and according to their respective interest therein, but your Oratrix

is unable to obtain adequate relief or make sale of said real estate without aid of this Honorable Court.

4. That the said Robert L. Webster is made a party to this suit because he is a joint owner with the late I. Raynor Graham of the lot of land near the Upper Thorough as described in (4) of paragraph 2.

To the end therefore:

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

B. That the proceeds of said sale may be distributed among the parties entitled to interest therein, according to their respective interest.

C. That your Oratrix may have such other and further relief as her case may require.

May it please your Honor to grant unto your Oratrix the writ of the State of Maryland, of subpoena directed to the said children, a daughter June Graham, a son I. Raynor Graham, Jr. a son Jackie Graham, a daughter Elillian Graham, a son Jerry Graham, and a daughter Margaret Rosemary Graham, infants, residing in Somerset County, Maryland and to Robert L. Webster, adult residing in Somerset County, Maryland, commanding them to be and appear in this Court at some certain day, to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiff

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenae were issued to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT To June Graham, infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First MONDAY in July next to answer the complaint of Theresa Graham against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Seventh day of May Anno Domini 1945. ISSUED the Twenty ninth day of June Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT To I. Raynor Graham, Jr., infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First MONDAY in July next to answer the complaint of Theresa Graham against you & others in the said Court exhibited. Hereof fail not at your peril.

Witness, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Seventh day of May Anno Domini 1945. ISSUED the Twenty Ninth day of June Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, To Wit:

SEAL OF COURT To Jackie Graham, infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in July next to answer the complaint of Theresa Graham against you & others in the said Court exhibited. Herof fail not at your peril.

WITNESS, The Honorable W. Laird Henry, Jr. Chief Judge of the First Judicial Circuit of Maryland the Seventh day of May Anno Domini 1945. ISSUED the Twenty ninth day of June Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, To Wit:

SEAL OF COURT To Elillian Graham, infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in July next to answer the complaint of Theresa Graham against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Seventh day of May Anno Domini 1945. ISSUED the Twenty-ninth day of June Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, To Wit:

SEAL OF COURT To Jerry Graham, infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in July next to answer the complaint of Theresa Graham against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr. Chief Judge of the First Judicial Circuit of Maryland the Seventh day of May Anno Domini 1945. ISSUED the Twenty ninth day of June Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT To Margaret Rosemary Graham, infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First MONDAY in July next to answer the complaint of Theresa Graham against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland the Seventh day of May Anno Domini 1945. ISSUED the Twenty ninth day of June Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Robert L. Webster of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED That, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First MONDAY in July next to answer the complaint of Theresa Graham against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr. Chief Judge of the First Judicial Circuit of Maryland the Seventh day of May Anno Domini 1945. ISSUED the Twenty ninth day of June Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

At which said first MONDAY in July, in the year nineteen hundred and forty-five and the day of the return of the above recited writs, came again into Court here the said complainant by her solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned by service on June Graham infant and copy left with said infant and copy left with Theresa Graham Mother, this 30th day of June 1945.

Murray E. Ward, Sheriff
. Woodland Jackson, Deputy.

To the second of said writs: Summoned by service on I. Raynor Graham, infant and copy left with said infant and copy left with Theresa Graham, Mother this 30th day of June 1945.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

To the third of said writs: Summoned by service on Jackie Graham infant and copy left with said infant and copy left with Theresa Graham, mother this 30th day of June, 1945.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

To the Fourth of said writs: Summoned by service on Elillian Graham infant and copy left with said infant and copy left with Theresa Graham, mother this 30th day of June 1945.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy.

To the Fifth of said writs: Summoned by service on Jerry Graham infant and copy left with with said infant and copy left with Theresa Graham, mother this 30th day of June 1945.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

To the Sixth of said writs: Summoned by service on Margaret Rosemary Graham infant, copy left with said infant, and copy left with Theresa Graham, Mother, this 30th day of June 1945.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

To the Seventh of said writs: Summoned and copy left with Robert Webster. June 30, 1945.

Murray E, Ward, Sheriff
Woodland Jackson, Deputy

And thereafter to wit, on the eighteenth day of July in the year nineteen hundred and forty-five, the said complainant by her solicitor aforesaid filed in Court here a petition in the words following, to wit:

Theresa Graham	)	No. 6028 Chancery
Vs.	)	In the Circuit Court for Somerset County, Maryland.
June Graham and others	)	
_____	)	

To the Honorable, the Judge of said Court.

The petition of your plaintiff in the above cause respectfully represents:

That June Graham, I. Raynor Graham, Jr., Elliliam Graham, Jerry Graham, Jackie Graham, and Margaret Rosemary Graham, six of the defendants in the above cause, have been duly summoned but being infants they can not answer and defend this suit for themselves, and have no guardian within the jurisdiction of this Court to answer and defend for them.

The plaintiff, therefore, prays your Honor to appoint a guardian ad litem to appear and answer for the said infants.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiff

Upon which said petition the Court here passed the following order to wit:

Upon the aforegoing petition, it is, this 18th day of July, 1945, ordered and adjudged by the Circuit Court for Somerset County, Maryland, in Equity, that Elizabeth Whaley be and she is hereby appointed guardian ad litem, to appear and answer for June Graham, I. Raynor Graham, Jr., Elliliam Graham, Jerry Graham, Jackie Graham and Margaret Rosemary Graham, the infant defendants in the above cause.

Levin C. Bailey
Judge

And thereupon the said Elizabeth Whaley as guardian specially appointed, filed in Court here the following answer, to wit:

Theresa Graham)	No. 6028 Chancery
Vs.)	In the Circuit Court for Somerset County, Maryland.
June Graham and others).	
)	

To the Honorable, the Judge of said Court.

The answer of June Graham, I. Raynor Graham, Jr., Elliliam Graham, Jerry Graham, Jackie Graham, and Margaret Rosemary Graham, by Elizabeth Whaley, guardian ad litem, appointed by the Circuit Court for Somerset County, Maryland, in Equity, to the bill of complaint by Theresa Graham against them and another, in said Court exhibited; these defendants have answer to the said bill of complaint, by their said guardian, answer and say that being ignorant of the matters charged in said bill and being infants of tender years, they can not admit any of the allegiations of the said bill but submit their rights to the protection of this Honorable Court.

And as in duty bound, etc.

Elizabeth B. Whaley
Guardian ad litem.

And thereafter to wit on the eighteenth day of July in the year nineteen hundred and forty-five the following Non-Military Affidavit was filed.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 18th day of July, 1945, before me, the subscriber, a Notary Public of the State of Maryland, and Somerset County, aforesaid, personally appeared R. Mark White who made oath in due form of law and is well aquainted with Robert L. Webster of Deals Island, Somerset County, Maryland, and he knows that the said Robert L. Webster is not engaged in or employed by the military service of the United States.

In testimony I hereunto subscribe my name and affix my Notarial Seal the day and year aforesaid.

Vivian Catlin — SEAL OF
Notary Public — NOTARY

And thereafter, to wit, on the eighteenth day of July in the year nineteen hundred and forty-five the said Complainant by his Solicitor aforesaid filed in Court here a petition in the words following to wit:

Theresa Graham)
vs.)
June Graham and others)
_____)

No. 6028 Chancery

In the Circuit Court for Somerset County, Maryland.

To the Honorable, the Judge of said Court.

The petition of the plaintiff respectfully represents that Robert L. Webster, one of the defendants herein, has been duly summoned but has not appeared or filed any answer to the bill of complaint; and that the defendants, June Graham, I. Raynor Graham, Jr. Elliliam Graham Jerry Graham, Jackie Graham, and Margaret Rosemary Graham, the infant defendants mentioned in said bill have been summoned and have filed their answer to the bill of complaint by guardain ad litem.

The plaintiff, therefore, prays the Court to pass a decree proconfesso against the said adult, non-answering defendant, Robert L. Webster; and also to pass an order giving leave to take testimony in said cause.

And as in duty bound, etc.

L. Creston Beauchamp,
Solicitor for Plaintiff

Upon which said petition the Court here passed the following order, to wit:

It appearing in the above cause that Robert L. Webster, adult resident defendant in the bill of complaint has been duly summoned to appear and has failed to appear or answer; and that the defendants, June Graham, I. Raynor Graham, Jr., Elliliam Graham, Jerry Graham, Jackie Graham, and Margaret Rosemary Graham, are infants and have been duly summoned and have filed their answer by guardian ad litem:

It is, thereupon, this 18th day of July, 1945, upon the aforegoing petition, adjudged, ordered and decreed by the Circuit Court for Somerset County, in Equity, that the bill of complaint in the above cause, be and the same is hereby taken pro-confesso against the said Robert L. Webster, adult resident defendant.

And it is further ordered that the plaintiff have leave to take testimony before one of the standing examiners of this Court.

Levin C. Bailey
Judge.

And afterwards to wit, on the twenty-second day of August in the year nineteen hundred and forty five Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Theresa Graham)
Vs.)
June Graham and others)
_____)

NO. 6028 Chancery

In the Circuit Court for Somerset County, Maryland.

In this cause, an order having been passed for testimony to be taken to support the allegiations of this bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of this Court, do hereby certify that on this 27th day of July, 1945, I took the following testimony:

Theresa Graham, a witness of lawful age, produced on the part of the plaintiff, being sworn, deposes and says:

1. Q. State your name, age, residence and occupation?
   A. Theresa Graham, 33 years, Deals Island, Maryland, housewife.

2. Q. Did you know I. Raynor Graham and state if he is living or dead, and, if dead, when did he die, and did he or not leave a will?

   A. I. Raynor Graham was my husband. He died on January 12, 1945, and did not leave any will.

3. Q. State who are his heirs?
A. I am his widow and the children are June Graham, a daughter, a son, I. Raynor Graham, Jr; a son, Jackie Graham; a daughter, Elliliam Graham; and a daughter Margaret Rosemary Graham; and a son, Jerry Graham, all of whom are under the age of 21 years and live with me on Deals Island.

4. Q. Please state what, if any, real estate your husband left at his death, your ideal of the value of it and whether or not it can be divided equally between you and the children or whether it will have to be sold and the proceeds thereof divided between you?

A. He left four pieces of land; (1) one and forty nine one hundredths acres, on Deep Point, which he got from Mrs. Tockterman and others; (2) lot on the southwest side of the county road leading from the state road to the jetty, at the Upper Thoroughfare, which he bought from Mr. David Baker; (3) a little strip of land on the sea wall at Deals Island Harbor, near the bridge, which he got from the County Commissioners; (4) one half interest in a lot near the Upper Thoroughfare which he and Mr. Robert L. Webster bought from Mr. William J. Mister. The first of these lots are not very valuable but the other three are where the oyster house is, and I would say would be worth six or seven thousand dollars. Their is no way that this property can be divided between those entitled, but the property will have to be sold and the money divided.

5. Q. Has there ever been administration on your husband's estate?
A. Yes, and the time for the filing of claims has passed, and there is enough money in the administrator's account to pay all of the claims against the estate.

Court question and answer, nothing further.

Test: Harry C. Dashiell , Ex. Theresa Graham

Robert L. Webster, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1. Q. State your name, age and occupation and residence?
A. Robert L. Webster, 66 years, seafood dealer, Deals Island, Maryland.

2. Q. Did you know I. Raynor Graham, of Deals Island, Maryland, in his life time, and state, if you can, what property he owned at his death and the value of it?

A. I knew I. Raynor Graham, who died on January 12, 1945; We were partners in business for a couple of years and at the time of his death his place of business was right next to mine, both of us being in the seafood business. He owned four pieces of land, one of which, on Deep Point, contained about one and one half acres and wasn't much but a piece of marsh, with practically no value; the other three are small lots of land on which his seafood house is located and in my opinion is worth around seven thousand dollars. One of these lots he and I, together, purchased from William J. Mister and the title is still in our names. I had given my interest in this property to Raynor Graham during his life time, but he never received any deed for it, and I make no claim to the property now. There is no way that this property can be divided equally between his wife and children, but it will have to be sold and the money divided.

3. Q. Please state who are the heirs at law of I. Raynor Graham?
A. His widow, Theresa Graham, and six children, all under the age of twenty one years, June, Raynor, Jr., Jackie, Elliliam, Jerry, and Margaret Rosemary.

Court question and answer, nothing further.

Test: Harry C. Dashiell, Ex. Robert L. Webster

There being no further witness present to be examined, and at the suggestion of the plaintiff, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct and has been paid by the plaintiff.

Harry C. Dashiell (SEAL)
Examiner in Chancery

Bill of Costs
Harry C. Dashiell, Examiner $4.00

And thereafter to wit, on the twenty-second day of August in the year nineteen hundred and forty-five, the Circuit Court here, passed the following Decree in the premises to wit:

Theresa Graham)
Vs.) No. 6028 Chancery
June Graham and others.) In the Circuit Court for Somerset County, Maryland.
_____)

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

It is, thereupon, this 22d day of August, 1945, by the Circuit Court for Somerset County Maryland, in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings be sold; that L. Creston Beauchamp be and he is hereby appointed trustee to make the sale, the course and manner of his said proceedings to be as follows: He shall first file in the office of the Clerk of the Circuit Court for said Somerset County a corporate bond to the State of Maryland in the sum of seven thousand dollars, conditioned upon the faithful performance

of trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having given at least three weeks previous notice thereof by advertisement inserted in some newspaper printed in said Somerset County, and by such other notice as he may think proper of the time, place manner and terms of sale, which terms shall be one half cash on the day of sale and the balance payable in four months from the day of sale, with interest from the day of sale, or, all cash at the option of the purchaser.

And as soon as may be convenient after any such sale, the trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale annexed. And on the ratification of such sale by this Court and on the payment of the entire purchase money, and not before, the trustee, by good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser of said property, to his or heir heirs, the property to him or her sold, free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, through or under them. And the said trustee shall bring into this Court the money arising from said sale, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commissions to the trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

W. Laird Henry, Jr.
Judge.

And thereupon, the said L. Creston Beauchamp, Trustee, filed a Bond in the Court here in the words following to wit:

Know all men by these presents that we, L. Creston Beauchamp, of Somerset County, Maryland principal, and the Maryland Casualty Company, a Maryland Corporation, surety, are held and firmly bound to the State of Maryland, in the sum of seven thousand dollars, to be paid to the said State of Maryland, 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 eirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 5th day of October 1945.

Whereas, the above bounden L. Creston Beauchamp, by virtue of the power and authority contained in a decree passed by the Circuit Court for Somerset County, Maryland, in Equity, dated August 22, 1945, in which Theresa Graham is plaintiff, and June Graham and others are defendants, the same being No. 6028 on the Chancery Docket of said Court, was authorized to sell all the real estate mentioned in said decree.

Now the condition of the above obligations is such, that if the above bounden L. Creston Beauchamp do and shall well and faithfully abide by and fulfill any order or decree which shall or may be passed by the said Circuit Court of Somerset County, in Equity, and shall 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 obligations shall be void, otherwise to be and remain in full force and virtue in law.

L. Creston Beauchamp (SEAL)
Principal

Test: Benjamin L. Barnes

MARYLAND CASUALTY COMPANY

BY L. C. Beauchamp
Agent in fact.

Which said Bond was thus theron endorsed, to wit:

The within Bond approved

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the seventeenth day of October in the year nineteen hundred and forty five, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following to wit:

Theresa Graham	)	No. 6028 Chancery
Vs.	)	In the Circuit Court for
June Graham and others	)	Somerset County, Maryland.
	)	

To the Honorable, the Judge of said Court:

The report of L. Creston Beauchamp, trustee in the above entitled cause, appointed by a decree of this Court, dated August 22, 1945, to make sale of the real estate therein mentioned respectfully shows:

That by virtue of the power and authority contained in said decree, after having given bond with approved security, as required by law, conditioned by the faithful performance of the trust reposed in him by said decree, and after having given at least twenty one days notice of the time, place, manner and terms of sale by advertisement in the Marylander & Herald, a weekly newspaper published in said County, and by hand bill posted at the Court House door in said County, he did, in pursuance of said notice, appear at the Court House door, in Princess Anne, Maryland, on Tuesday, October 16, 1945 at or about the hour of 2o'clock P.M. and then and there proceeded to sell at public auction the following described property conveyed by said decree; he first offered all that lot or parcel of land situate, lying and being in Deals Island Election District, Somerset County, Maryland, located on Deep Point and containing one and forty five hundredths acres, more or less, which was conveyed to I. Raynor Graham and James M. Graham, and to the survivor, by Annie T. Tockerman and others, by deed dated June 27, 1942, recorded among the land records of said Somerset County in Liber No. 124, folio 497, and sold the same to Richard C. Webster, he being the highest bidder therefor, at and for the sum of one hundred and twenty five dollars which he has paid in cash.

He then offered all that lot of land in said Deals Island Election District, Somerset County, with the improvements thereon, on the southwest side of the county road leading from the state road at the bridge to the Jetty at the Upper Thoroughfare, near the Robert L. Webster Packing Company on which the late I. Raynor Graham conducted a seafood packing business at the time of his death and being comprised by the lots conveyed by the following deeds: (A) I. Raynor Graham from David Baker, by deed dated February 21, 1944, recorded among the land records of Somerset County in Liber No. 127, folio 172; and (B) I. Raynor Graham from the County Commissioners of Somerset County, dated April 10, 1944, recorded among the said land records in Liber No. 127, folio 133; and (C) I. Raynor Graham and Robert L. Webster from William J. Mister and others, dated July 31, 1942, and recorded among said land records in Liber No. 123, folio 119; which said lot is improved by a new and up to date oyster and crab packing plant ready for operation, and sold the same to Robert L. Webster, he being the highest bidder therefor at and for the sum of sixty two hundred dollars, which the said Robert L. Webster has paid in cash.

And the Trustee prays the reatification of his proceedings in the premises.

Respectfully submitted,

L. Creston Beauchamp
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify that on this 17th day of October, 1945, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp, the trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledge and belief

and that the sale therein reported was fairly made.

Benjamin L. Barnes,
Clerk of Court.

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Theresa Graham)	No. 6028 Chancery
Vs.)	In the Circuit Court for Somerset County,
June Graham and others)	Maryland
)	

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 17th day of October, 1945, that the report of L. Creston Beauchamp, trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 20th day of November, 1945, provided copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 17th day of November, 1945.

The report states the amount of sale to be sixty three hundred and twenty five dollars.

Benjamin L. Barnes
Clerk of Court.

And now at this day to wit, on the twenty eighth day of November, in the year nineteen hundred and forty five, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

Theresa Graham)	No. 6028 Chancery
Vs.)	In the Circuit Court for
June Graham and others)	Somerset County, Maryland.
)	

It having been proved to the Court that a copy of the preceeding order nisi has been published according to its provisions, and no exceptions having been filed and no cause to the contrary having been showm it is this 28th day of November 1945, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the within report of L. Creston Beauchamp, trustee, and the sale by him reported, be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. Clerk

""

State of Maryland, Somerset County, to wit:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in January, being the seventh day of the same month, in the year of Our Lord, one thousand nine hundred and forty-six.

Were present,

Hon. W. Laird Henry Jr., Chief Judge
Hon. Levin C. Bailey, Assoc. Judge
Hon. Edmond H. Johnson, Assoc. Judge

Murray E. Ward, Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following to wit:

In the Matter of the tax sale of real estate in Mount Vernon Election District, Somerset County, Maryland, assessed to Dennis W. Gale for 1923, 1924 and 1925, made and reported by Harry T. Phoebus, County Treasurer and Collector of State and county taxes for said county. R. Mark White , purchaser.	Be it remembered that heretofore to wit, on the eighteenth day of February in the year nineteen hundred and twenty nine, a certain Harry T. Phoebus, Collector of State and County Taxes for the Fifth Collection District of Somerset County for the years 1923, 1924 and

1925, by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit thereunto annexed, which said report and affidavit as aforesaid filed, are in the words following, to wit:

In the matter of the tax sale of real estate in Mount Vernon Election District, Somerset County, Maryland, assessed to Dennis W. Gale for 1923, 1924 and 1925, made and reported by Harry T. Phoebus, County Treasurer and Collector of State and county taxes for said county. R. Mark White , Purchaser.	No. 4129 Chancery. In the Circuit Court for Somerset County, Maryland.

To the Honorable, the Judges of said Court:

The report of Harry T. Phoebus, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on the 29th of June, 1923, the County Commissioners of said Somerset County made the annual levy of state and county taxes upon the taxable property in said county, and that sixty days after said levy R. Mark White, then County Treasurer and Collector of state and county taxes for said Somerset County, in the performance of his duties as clerk to the county commissioners of said county, made a true copy of the assessment list for said county in books supplied by said commissioners for such purpose as required by law, showing the aggregate assessment of such person, set of persons or corporate institution, as the same appeared on the assessment books of said county, with the names of the owners alphabetically arranged according to election districts and showing the amount of state and county taxes due and owing by every such person, set of persons or corporate institution;

That by said levy the said county commissioners did levy upon the property assessed to Dennis W. Gale, in Mount Vernon Election District said county and state, the sum of twenty-four cents, state taxes, and one dollars and thirty one cents, county taxes, and that said taxes were due and in arrears on January 1st, 1924;

That in the month of August, 1923, the said R. Mark White, then County Treasurer and Collector as aforesaid, did give notice of said annual levy by advertisement inserted once a week for four successive weeks in two newspapers published in said Somerset County, that is to say, the "Marylander & Herald, published in Princess Anne, and the Crisfield and Collector as aforesaid, prepared the taxbills of each taxpayer and forwarded the same by mail or delivered t the same to the person or persons or corporate institution, to whom the property included in

such tax bills was assessed, so far as the residence or post office address was known or ascertained by him, on or before the first day of October next succeeding said levy, and that such advertisement contained a clear statement of the discount to be allowed and the interest to be charged on all tax bills;

That the said taxes assessed to the said Dennis W. Gale in said Mount Vernon district not having been paid on or before January 1st, 1924, the said R. Mark White, County Treasurer and Collector as aforesaid, did within thirty days after said date, mail to the said Dennis W. Gale at Princess Anne, said county and state, the same being the last known post office address of said delinquent taxpayer an acco nt of his assessment and the taxes and interest due thereon, with a notice to the said delinquent thereto attached, that unless payment be made in full on or before November fifteenth next after the delivery of said notice the same would be collected by process of law;

That on the 30th of June, 1924, the said county commissioners made the annual levy of state and county taxes upon the taxable property in said county, and that sixty days after said levy the said R. Mark White, then county treasurer and collector as aforesaid, in the performance of his duties as clerk to said county commissioners, made a true copy of the assessment list for said county in books supplied by said commissioners for such purpose as required by law, showing the aggregate assessment of every person set of persons or corporate institution, as the same appeared on the assessment books of said county, with the mames of the owners arranged according to election districts, and alphabetically for every district, and showing the amount of state and county taxes due and owing by every such person, set of persons or corporate institution;

That by said levy the said commissioners did levy upon the property assessed to Dennis W. Gale in Mount Vernon district, said county and state, the sum of twenty four cents, state taxes, one dollars and thirty six cents, county taxes, and that said taxes were due and in arrears on January 1st, 1925;

That in the month of August, 1925, the said R. Mark White, then County Treasurer and Collector as aforesaid, did give notice of said annual levy by advertisement inserted once a week for four successive weeks in two newspapers published in said Somerset County, that is to say, the Marylander & Herald, published in Princess Anne, and the Crisfield Times, published in Crisfield; and the said R. Mark White, County Treasurer and Collector aforesaid , prepared the tax bills of each taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions to whom the property included in such bills was assessed, so far as the residence or post office address was known or ascertained by him, on or before the 1st of October next succeeding said levy, and that such advertisements contained a clear statement of the discount to be allowed and the interest to be charged on all tax bills.

That the said taxes assessed to the said Dennis W. Gale, in said Mount Vernon Election District, not having been paid on or before January 1st, 1925, the said R. Mark White, then County Treasurer and Collector aforesaid, did within thirty days after said date mail to the said Dennis W. Gale, at Princess Anne, said county and state, the same being the last known post office address of said delinquent taxpayer, an account of his assessment and the taxes and interest due thereon, with a notice to the said delinquent thereto attached that unless payment be made in full on or before November 15th next after the delivery of said notice the same would collected by process of law;

That on the 30th of June, 1925, the said county commissioners made the annual levy of state and county taxes upon the taxable property in said county, and that sixty days after said levy Harry E. Muir, then County Treasurer and Collector of state and county taxes for said Somerset County, in the performance of his duties as clerk to the county commissioners of

said county made a true copy of the assessment list for said county in books supplied by said county commissioners for such purpose, as required by law, showing the aggregate assessment of such person, set of persons or corporate institution, as the same appeared on the assessment books of said county, with the names of the owners alphabetically arranged according to election districts and showing the amount of state and county taxes due and owing by every such person, set of persons or corporate institution;

That by said levy the said commissioners did levy upon the property assessed to Dennis W. Gale, in said Mount Vernon district, the sum of twenty two cents, state taxes, and one dollar and forty five cents, county taxes, and that said taxes were due and in arrears on January 1st, 1926;

That in the month of August, 1925, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, did give notice of said annual levy by advertisement inserted once a week for four successive weeks in two newspapers published in said Somerset County, that is to say, the Marylander & Herald, published in Princess Anne, and the Crisfield Times published in Crisfield, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid , prepared the taxbills of every taxpayer and forwarded the same by mail or delivered the same the p rson, set of persons or corporate institutions, or to the agent of the person, persons or corporate institution, to whom the property included in such bills was assesssd, so far as the residence or post office address was known to or ascertained by him, on or before the first day of October next succeeding said levy, and that such advertisements and tax bills contained a clear statement of the discount to be allowed and the interest to be charged on all tax bills;

That the said taxes assessed to the said Dennis W. Gale in said Mount Vernon district, not having been paid on or before January 1st, 1926, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, did, within thirty days after said date, mail to the said Dennis W. Gale at Princess Anne, said county and state, the same being the last known post office address of said delinquent taxpayer, an account of his addessment and the taxes and interest due thereon, with a notice to the said delinquent thereto at tached that unless payment be made in full on or before November 15th next after the delivery of said notice the same would be collected by process of law;

That said state and county taxes for the years 1923, 1924 and 1925 being still due and owing and in arrears constituted a lien upon the real estate of the said Dennis W. Gale, in said Mount Vernon district, and I, Harry T. Phoebus, having been duly elected to succeed the said Harry E. Muir as County Treasurer and Collector of state and county taxes for said Somerset County, having found it necessary to enforce the payment of said taxes for said years by a sale of said real estate, said real estate not being capable of division in my judgment, did advertise the whole of said real estate in the Eastern Shore Republican, a newspaper published in said Somerset County, once a week for four successive weeks before the day of sale and also by notice set up at the Court House door, giving notice of the time, place and terms of sale the years for which the taxes were due, and to whom the property was assessed, and that I, the said Harry T. Phoebus, County Treasurer and Collector as aforesaid, in pursuance of said notice, did, on Saturday, February 2d, 1929, at or about the hour of two o'clock, P.M., at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot of land being the real estate assessed to Dennis W. Gale, in said district, described as follows:

All that lot, containing 8 acres, more or less, in Mt. Vernon district, Somerset County, Maryland, adjoining the lands of John Gale and John Spence, and assessed to Dennis W. Gale for 1923, 1924 and 1925, and sold the same to H. Mark White, of said Somerset County, he being the highest bidder therefore, at and for the sum of ninety-five dollars and sixty seven cents, now

fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And I, the said Harry T. Phoebus, County Treasurer and Collector of state and county taxes for said Somerset County, do hereby report said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

Harry T. Phoebus
County Treasurer and Collector of State
and County taxes for Somerset County.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 18th day of February, 1929, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Harry T. Phoebus, County Treasurer and Collector of State and County taxes for Somerset County Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein stated, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

In testimony whereof, I hereunto subscribe my name and affix my Notarial Seal the day and year aforesaid.

Gertrude Holland SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following to wit:

EXHIBIT A

TREASURER'S SALE FOR 1925 TAXES

By virtue of the power and authority vested in me as County Treasurer for Somerset County by the provisions of Chapter 10 of the Acts of Maryland, of 1910, I hereby give notice that on Saturday, February 2d, 1929, at or about the hour of two o'clock P.M., at the Court House door, in Princess Anne, Maryland, I will sell at public auction, for cash, all the hereinafter described lots of land to pay and satisfy the state and county taxes levied against said land for the year or years mentioned therein, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with the interest and costs thereon and costs of sale.

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No. 50, All that lot containing 8 acres, more or less, in Mt. Vernon district, Somerset County, Maryland, adjoining the lands of John Gale and John Spence, and assessed to Dennis W. Gale for the years 1923, 1924 and 1925.

HARRY T. PHOEBUS,
County Treasurer, Somerset County.

Upon which said report, the Circuit Court here passed the following order, to wit:

In the matterof the tax sale of real estate in Mt. Vernon Election District Somerset County, Maryland, assessed to Dennis W. Gale for the years 1923, 1924, and 1925, made and reported by Harry T. Phoebus, County Treasurer and Collector of state and county taxes for said Somerset County.	)	No. 4129 Chancery In the Circuit Court for Somerset County, Maryland.
R. Mark White Purchaser.	)	

The annexed and foregoing report of sale of the proceedings of R. Mark White and Harry E. Muir, former County Treasurers and Collectors of State and county taxes for Somerset County Maryland, and of Harry T. Phoebus, the present county Treasurer and Collector of said taxes, relating to the sale on February 2d, 1929, of land in Mt. Vernon district, Somerset County, Maryland, containing 8 acres, more or less, adjoining the lands of John Gale and John Spence,

and assessed to Dennis W. Gale for the years 1923, 1924 and 1925, made to R. Mark White at and for the sum of ninety five dollars and sixty seven cents, now fully paid,having been presented to the Court and examined and appearing to be regular and that the provisions of law in relation thereto have been complied with;

It is thereupon ordered this 18th day of February, 1929, by the Circuit Court for Somerset County, Maryland, in Equity, that notice be given in the Eastern Shore Republican, a newspaper published in said Somerset County, once a week for three successive weeks before the 23d of March, 1929, warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before the 1st of May, 1929, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $95.67.

Robt. F. Duer
Judge

And now at this day to wit, on the eleventh day of January, in the year nineteen hundred and forty six, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order to wit:

Tax sale of land in Mt. Vernon district, assessed to Dennis W. Gale, by Harry T. Phoebus, County Treasurer and Collector.	)))	No. 4129 Chancery. Somerset County, Maryland.

It having been proved to the Court in the above entitled cause that notice has been given by publication of the order nisi heretofore passed in this cause in the Eastern Shore Republican a weeklynewspaper published in said Somerset County, according to the terms of said order nisi, and no objection having been filed and no cause to the contrary having been shown, it is hereby ordered this 11th day of January, nineteen hundred and forty six, by the Circuit Court for Somerset County, Maryland, in Equity, that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

Levin C. Bailey
Judge

On the eleventh day of January in the year nineteen hundred and forty six, and before the final ratification above the following affidavit was filed.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 10th day of January, nineteen hundred and forty six, before me, the subscriber, a Notary Public of the State of Maryland, Somerset County, aforesaid, personally appeared Preston J. Bell, of said county and state, who made oath in due form of law that he remembers the time in February, 1929, when the property owned by Dennis W. Gale, in Mt. Vernon Election District, said Somerset County, adjoining the lands of John Gale and John Spence, and containing eight acres, more or less, was sold at the Court House Door in Princess Anne, Maryland, by Harry T. Phoebus, the then County Treasurer, and that said property was purchased at said sale by R. Mark White, of said county and state, who was acting for him the said Preston J. Bell; that he remembers the Order Nisi was published immediately after the said sale in the Eastern Shore Republican, a newspaper then published in said Somerset County, and that said Order Nisi was published three successive weeks in said paper; that the said Eastern Shore Republican is not in existence any longer and that he has been unable to find any papers carrying the publishing of this order Nisi from the owners of the said Eastern Shore Republican, at the time the Order Nisi was published.

In testimony whereof, I hereunto subscribe my name and affix my Notarial Seal the day and year aforesaid.

Vivian Catlin
Notary Public

SEAL OF
NOTARY

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. Clerk.

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Zadith V. R. Pitt Vs. William D. Pitt, Jr. Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt	Be it remembered that heretofore, to wit, on the seventh day of July, in the year nineteen hundred and forty-five, a certain Zadith V. R. Pitt, by George H. Myers, his solicitor exhibited and filed in the Circuit Court here a bill of complaint against William D. Pitt, Jr.

Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, which said bill of complaint is in the words following, to wit:

Zadith V. R. Pitt Vs. William D. Pitt, Jr. Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt	No. 6034 Chancery Circuit Court for Somerset County Maryland.

To the Honorable, the Judge of said Court:

Your Oratrix complaining says:

FIRST; That a certain Elizabeth E. Barnette being seized and possessed of farm or tract of land containing about two hundred acres, more or less, located on the north side of the State Raod leading from Princess Anne to Deal Island, in West Princess Anne District, in Somerset County, Maryland, departed this life on or about the 29th day of April, 1928, leaving a last will and testament duly admitted to probate by the Orphans Court for said Somerset County, certified copy of which said will is herewith filed as part hereof, marked "Plaintiff's Exhibit A".

SECOND, That by and under the terms of the said will of the said Elizabeth E. Barnette said real estate being all of the real estate of which Elizabeth died seized and possessed, was devised to your Oratirx and a certain Annie M. Reese to be divided by them in equal parts in such manner as they might agree as soon as possible after the death of the said Elizabeth one half thereof to be held by your Oratirx for and during her natural life and from and after her death to her child or children or the descendants of any deceased child or children and in the event that your Oratrix should die without any heir of the body then to her heirs at law.

THIRD, That the said Elizabeth E. Barnette did not leave personal estate of sufficient value to pay her just debts and funeral expenses and that under authority of a decree of this Court passed in Chancery Cause No. 4054, George H. Myers, as Trustee under said decree laid off and sold sixty five acres of said farm to pay the debts of the said Elizabeth E. Barnette.

FOURTH, That thereafter, to wit, on the first day of September, 1931, your Oratrix and the said Annie M. Reese agreed upon a division of the remaining portion of said farm and executed an agreement in writing as of that date, certified copy of which said agreement recorded among the land records of said Somerset County in Liber No. 104,folio 32, is herewith filed as part hereof, marked "Exhibit B"; that under the terms and provisions of said agreement your Oratrix received as her portion of said farm to be held by her during her lifetime as aforesaid under the provisions of said will and after her death to her child or children or the descendants of any deceased child or children, the following described tract of land.

Beginning for the same at the end of the Seventh line of the portion awarded to the said Annie M. Reese under the terms of said agreement, and running thence by and with the Eighth,

Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth lines of the said Annie M. Reese's portion, South 78 degrees 30 minutes East 15 perches, thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.6 perches, thence South 85 degrees East 18½ perches to a marked maple near the end of a ditch thence b and with said ditch South 85 degrees East 57 3/4 perches to a stone, thence South 2 degrees 15 minutes West 32 perches to a point in the field, thence South 85 degrees East 35 perches, thence South 5 degrees 30 minutes West 32 perches to the State Road leading from Princess Anne to Deals Island, thence, with the North side of said state road, north 85 degrees West 167½ perches to the land of James Phoebus and thence, by and with the land of James Phoebus in a Northerly direction to the place of beginning.

FIFTH, That your Oratrix has no deceased children or descendants and that her only living children are the defendant, William D. Pitt, Jr. who is now residing at or is stationed at Norfolk, Virginia, and the defendants, Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt who reside with your Oratrix in Baltimore City, Maryland, all of which said children are under age and unmarried and that the only children or descendants of your Oratrix in being are her forementioned four children; that the said William D. Pitt, Jr. is at present a non resident of the State of Maryland.

SIXTH, That the aforesaid tract or parcel of land which was awarded to and taken by your Oratrix under the aforesaid agreement marked "Exhibit B" and in execution of the provisions of said will of the said Elizabeth E. Barnette consists entirely of woodland, most of which is too young to cut or market, that it produces no income whatever and cannot produce any income except by cutting and marketing trees, wood and timber therefrom; that your Oratrix as life tenant cannot cut and market said timber and that she therefore received no income from said property whatever but on the other hand has been advancing money from her own personal funds to pay the State and County taxes on said property; that it will be advantageous to your Oratrix and to the other parties concerned to sell the said land and invest the proceeds of said sale under the direction of this Court so as to inure in like manner to the use and benefit of your Oratrix and her children and descendants as provided in said will of the said Elizabeth E. Barnette.

To the end therefore,

(1) That a decree may be passed for the sale of the said real estate devised as aforesaid to your Oratrix for life, in the will of the said Elizabeth E. Barnette and awarded to her in the division evidenced by the agreement filed as Exhibit B.

(2) That the proceeds from said sale may be invested under the direction of this Court and the income therefrom paid to your Oratrix during her natural life.

(3) That your Oratrix may have such other and further relief as her case may require.

May it please your Honor to grant unto your Oratrix a writ of subpoena directed to the defendant Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, all infants residing in Baltimore City, Maryland, commanding them and each of them to be and appear in this Court in person or by solicitor on some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein; also an order of publication giving notice to the defendant, William D. Pitt, Jr., a minor who is a non resident of the State of Maryland of the object and substance of this suit and warning him 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 he has, why a decree ought not to pass as prayed.

And as in duty bound,

Geo. H. Myers

Exhibit "A" referred to the foregoing bill is in the words following, to wit:

I, Elizabeth E. Barnette, of Somerset County, and State of Maryland, do make this my last will and testament in the manner and form following, hereby revoking all other wills and codicils by me heretofore made.

FIRST:- I give and devise unto my niece, Annie M. Reese, wife of William T. Reese, and my great niece, Zadith Violet Reese Pitt, daughter of William T. Reese, the farm on which I now reside, situated in West Princess Anne Election District in Somerset County, Maryland, on the County Road leading from Princess Anne to Monie Church, and containing about two hundred acres, more or less, to be divided between the said Annie M. Reese and Zadith Violet Reese Pitt in equal parts in such manner as they may agree as soon as possible after my death; one half thereof to be held by the said Annie M. Reese for and during her natural life only, and from and after her death to such child or children as may survive her, or the descendants of any deceased child or children to take per stirpes and not per capita; the other half to the said Zadith Violet Reese Pitt for and during her natural life and from and after her death unto her child or children or the descendants of any deceased child or children, and in the event that she should die without any heir of the body then to her heirs at law.

SECOND: I give and bequeath to the said Annie M. Reese two beds and bed steads, pillows and bolsters, one wardrobe, one trunk, one clothes press, one wash stand, one looking glass, two chests, one bureau, two stands, one mahogany egg shaped stand, one rocker, one walnut table, one dining table, one red cupboard, two sewing machines, my wedding ring, one lamp, six cane seated charis, one work basket, one lamp with handle, one air tight stove, one cook stove, all the carpeting in the home except the parlor carpet.

THIRD:- I also give and bequeath to the said Annie M. Reese the sum of One Hundred Dollars ($100).

FOURTH:- I give and bequeath to Mildred Reese, daughter of William T. Reese, the sum of One Hundred Dollars, Fifty Dollars of which is to be paid to her by my executors hereinafter named in gold; also one rocking chair, one stand, one sewing basket, one hand organ, one trunk, and one clock.

FIFTH:- I give and bequeath unto Ralp Reese, son of William T. Reese, the sum of one hundred dollars, fifty dollars of whic is to be paid to him by my executors hereinafter named in gold; also one wagon, one plow, one harrow, one drawing knife, one rocking chair, a new set of harness, and a small chest.

SIXTH:- I give and bequeath unto the said Zadith Violet Reese Pitt one iron bed-stead, one spring, one feather bed, bolsters and pillows, one bureau, one washstand, one looking glass, one walnut chest, one hall rack, one mahogany table with leaves, one walnut stand with door, one carpet now on the parlor floor, one rocker, with cane seat and back, one book case, one sewing machine; one half of the dishes in my house and one half of the pictures, the said dishes and pictures to be divided between Annie M. Reese and her daughter, the said Zadith Violet Reese Pitt, as they may agree, and also the quilts and linens. Also, one walnut table with leaves one round backed chair, one round topped stand, walnut, and one hundred dollars in gold to be paid her by my executors hereinafter named.

SEVENTH: I give and bequeath unto the said Annie M. Reese all of the rest and residue of my personal property, of every description and wheresoever located.

EIGHTH: I hereby constitute and appoint George H. Myers, Attorney at Law of Princess Anne, Md., and my great neice, Zadith Violet Reese Pitt, to be the executors of this my last will and testament.

In testimony whereof I have hereunto subscribed my name and affixed my seal this fifth day of July, Nineteen Hundred and Twenty Three.

Elizabeth E. Barnette (SEAL)

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

Joshua W. Miles

Nellie D. Jones

SOMERSET COUNTY, to wit: May 2, 1928

THEN CAME Samuel H. Sudler and in the presence of Almighty God, solemnly promised and declared that the foregoing instrument of writing is the true and whole last Will and Testament of Elizabeth E. Barnette, late of Somerset County , deceased, that hath come to his hands or possession, and that he doth not know of any other and that the same was delivered to him by the testatrix.

Before, Florence E. Dryden,
Register of Wills for Som. County.

SOMERSET COUNTY, TO WIT:

One May 3, 1928 came Nellie D. Jones and on May 5, 1928 came Joshua W. Miles the subscribing witnesses to the foregoing last will and Testament of Elizabeth E. Barnette, late of Somerset County, deceased, and they in the presence of Almighty God, solemnly promised and declared that they did see the Testatrix therein named, sign and seal this Will; that they heard her publish, pronounce and declare the same to be her last will and Testament. That at the time of her so doing, she was, to the best of their apprehension of sound and disposing mind, memory and understanding, capable of executing a valid deed or contract; and that they subscribed their names as witnesses to this Will in the presence, and at the request of the Testatrix, and in the presence of the other subscribing witness thereto.

Before Florence E. Dryden,
Resgister of Wills for Som. County.

STATE OF MARYLAND, SCT.

In the Orphans' Court for Somerset County:

The Court having carefully examined the above last Will and Testament of Elizabeth E. Barnette, late of Somerset County, deceased, and also the evidence adduced as to its validity orders and decrees this eighth day of May, 1928, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Elizabeth E. Barnette deceased.

John B. Vetra

Elmer Horner Judges of the Orphans' Court for Somerset County.

John E. Whitelock Test: Florence E. Dryden, Reg.W.S.Co.

Filed for record May 8, 1928 and recorded in Liber L.R. No. 32 folio 528-39-40

Test: Florence E. Dryden, Reg.W.S.Co.

STATE OF MARYLAND

SOMERSET COUNTY, SS.

I, Florence E. Dryden Register of Wills and by law keeper of the Seal of the Records and of the Original Papers of the Orphans' Court of Somerset County, Do Hereby Certify that the foregoing is a true and full copy of the last Will and Testament of Elizabeth E. Barnette, late of said county, deceased, taken from Liber L.R. No. 32 folio 538-39-40 the same being one of the Records kept in the office of the Register of Wills for Somerset County.

In Testimony Whereof I hereunto subscribe my name and affix the Seal of said Court, this eighteenth day of June in the year of our Lord, ninetten hundred and forty five.

Florence E. Dryden
Register of Wills for Somerset County.

Exhibit "B" referred to in the aforegoing Bill is in the words following, to wit:

AGREEMENT BETWEEN)
Annie M. Reese)
and)
Zadith V. R. Pitt)
_____)

This Agreement made this 1st day of September, in the year 1931, by and between Annie M. Reese of Somerset County and State of Maryland of the one part and Zadith V. R. Pitt of Baltimore City and State of Maryland, of the second part.

Whereas a certain Elizabeth E. Barnette by her last will and testament, dated July 5, 1923 and recorded among the Testamentary Records of said Somerset County in Liber L.R. No. 32, folio 538, devised here Real Estate as follows:

"FIRST:-I give and devise unto my niece, Annie M. Reese, wife of William T. Reese, and my great niece, Zadith Villet Reese Pitt, daughter of William T. Reese, the farm on which I now reside situated in West Princess Anne Election District in Somerset County, Maryland, on the County Road leading from Princess Anne to Monie Church, and containing about two hundred acres more or less, to be divided between the said Annie M. Reese and Zadith Violet Reese Pitt in equal parts in such manner as they may agree as soon as possible after my death; one half thereof to be held by the said Annie M. Reese for and during her natural life only, and from and after her death to such child or children as may survive her, or the descendants of any deceased child or children to take per stirpes and not per capita; the other half to the said Zadith Violet Reese Pitt for and during her natural life and from and after her death unto her child or children or the descendants of any deceased child or children, and in the event that she should die without heir of the body then to her heirs at law.

And whereas a part of the Real Estate mentioned in said last will and testament has been sold and conveyed by George H. Myers, Trustee, to the said Annie M. Reese and Zadith V. R. Pitt by deed dated November 11, 1929 and recorded among the Land Records of said Somerset County in Liber G.W.L. No. 99, folio 371.

And whereas the said Annie M. Reese and Zadith V. R. Pitt desire to exercise the power and authority vested in them by the aforesaid will to make division of the remainder of the Real Estate of the said Elizabeth E. Barnette as provided in said last will and testament.

Now, therefore, these presents are executed.

Witnesseth, that for and in consideration of the sum of $1.00 by each of the parties hereto unto the other in hand paid, and in pursuance of the power and authority vested in them by the said last will and testament of Elizabeth E. Barnette the said Annie M. Reese and Zadith V. R. Pitt do hereby divide the aforesaid Real Estate and do mutually agree to hold as their respective parts of said Real Estate, for their respective lives, the following described parcels of land:

Parcel to be held by said Annie M. Reese, Beginning for the same at the end of the first line of the parcel of land conveyed by George H. Myers, Trustee, to Annie M. Reese and Zadith V. R. Pitt by deed dated November 11, 1929 and recorded among the Land Records of Somerset County in Liber G.W.L. No. 99, folio 321, and running thence, by and with the first, second, third, fourth and fifth lines of said deed, North 72 degrees, 15 minutes West 28 perches, North 74 degrees 30 minutes West 41 perches, north 77 degrees West 16 perches, North 78 degrees 30 minutes West 15 perches to the West side of a right of way and thence North 45 minutes East to the North line of Elizabeth E. Barnette's farm, thence, by and with said farm and the Tusculum Farm and the land of George Dashiell, South 82 degrees 45 minutes West to a stone on the land of Thomas Windsor, thence, South 4 degrees West 87 perches, by and with the lands of Thomas Windsor the Monie Church and James Phoebus, thence South 78 degrees 30 minutes East 15 perches, thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.6 perches thence South 85 degrees East 18½ perches to a marked maple near the end of a ditch, thence by and with said ditch, South 85 degrees East 57 3 /4 perches to a stone, thence South 2 degrees 15 minutes west 32 perches to a point in the field, thence South

85 degrees East 35 perches, thence South 5 degrees 30 minutes West 32 perches to the State Road leading from Princess Anne to Deals Island, thence, with the North side of said State Road South 85 degrees East 10 perches to the land of Cohn and Bock, thence in a Northerly direction by and with said Cohn and Bock land to the place of beginning.

Parcel to be held by Zadith V. R. Pitt. Beginning for the same at the endof the seventh line of the above described parcel and running thence by and with the eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth lines of the above described parcel, South 78 degrees 30 minutes East 15 perches, thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.0 perches, thence South 85 degrees East 18½ perches to a marked maple near the end of a ditch, thence by and with said ditch South 85 degrees East 57 3/4 perches to a stone, thence South 2 degrees 15 minutes West 32 perches to a point in the field, thence South 85 degrees East 35 perches, thence South 5 degrees 30 minutes West 32 perches to the State Road leading from Princess Anne to Deals Island thence, with the North side of said State Road, North 85 degrees West 167½ perches to the land of James Phoebus and thence, by and with the land of James Phoebus in a Northerly direction to the place of beginning.

To have and to hold the aforesaid parcels of land unto the said Annie M. Reese and Zadith V. R. Pitt, respectively, for their respective lives as provided by the said last will and testament of the said Elizabeth E. Barnette.

Witness the hands and seals of the said parties of the first and second part.

TEST: Vernon E. White

Annie M. Reese (SEAL)

Zadith V. R. Pitt (SEAL)

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, That on this 1st day of September, 1931, before a Notary Public of the State of Maryland, in and for the County, aforesaid me, the subscriber, personally appeared Annie M. Reese and Zadith V. R. Pitt, the parties to this Agreement, and they each acknowledge the aforegoing Agreement to be their respective act.

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

Vernon E. White SEAL OF

Notary Public NOTARY

Received for Record Sept. 26, 1932 and recorded in Liber J.M.T. No. 194 folio 32 one of the land records of Somerset Co.

Per: J. Millard Tawes, Clerk.

STATE OF MARYLAND, Somerset County, to wit:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, hereby certify that the aforegoing is truly and correctly copied from Liber J.M.T. No. 194, folio 32 one of the Land Records of Somerset County.

In testimony whereof I hereunto subscribe my name and affix the seal of said court this fifteenth day of June, Nineteen Hundred and forty-five,

Benjamin L. Barnes, Clerk.

And thereafter to wit on the seventh day of July, nineteen hundred and forty five an Order for Summons was filed.

Zadith V. R. Pitt	)	
Vs.	)	No. Chancery
William D. Pitt, Jr. etal	)	Circuit Court for
	)	Somerset County, Maryland.

TO THE CLERK OF THE CIRCUIT COURT FOR SOMERSET COUNTY:

Mr. Clerk:

Please issue summons for William D. Pitt, Jr. directed to the Sheriff of Baltimore City and send copy to be left with the parent or guardian of the said infant defendant.

Geo. H. Myers

And thereupon, in pursuance of the prayer of the foregoing bill and of the aforegoing Order, the following subpoenae were issued, to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To William D. Pitt Jr. Infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Zadith V. R. Pitt against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 2nd day of July Anno Domini 1945. ISSUED the 7th day of July Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Eleanor Virginia Pitt of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First MONDAY in August next to answer the complaint of Zadith V. R. Pitt against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland, the 2nd day of July Anno Domini 1945. ISSUED the 7th day of July Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Marian Evelyn Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses, delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First MONDAY in August next to answer the complaint of Zadith V. R. Pitt against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland, the 2nd day of July Anno Domini 1945 ISSUED the 7th day of July Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Alma Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED That, all excuses and delays set apart you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First MONDAY in August next to answer the complaint of Zadith V. R. Pitt against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, The Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 2nd day of July Anno Domini 1945 ISSUED the 7th day of July Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

At which said First MONDAY in August, in the year nineteen hundred and forty-five and the day of the return of the above recited writs, came again into Court here the said complainant by his solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned by reading summons to William D. Pitt, Jr. Infant and a copy of the Process left with said Infant, also a copy of the Process left with William D. Pitt, Father of and party having care of Infant named in writ

Joseph C. Deegan, Sheriff

To the second of said writs: Non Est.

Joseph C. Deegan, Sheriff

To the Third of said writs: Summoned by reading summons to Marian Evelyn Pitt infant, and a copy of the Process left with said infant, also a copy of the process left with William D. Pitt, Father of and party having care of infant named in writ.

Joseph C. Deegan, Sheriff

To the Fourth of said writs: Non Est.

Joseph C. Deegan, Sheriff

And afterwards to wit, on the twenty-fifth day of August, nineteen hundred and forty-five, an Order to renew Summons was filed.

Zadith V. R. Pitt	)	No. 6034 Chancery
Vs.	)	Circuit Court for
William D. Pitt, Jr. etal	)	Somerset County, Maryland.
	)	

Mr. Clerk:

Please renew for the infant defendants, Alma Pitt, and Eleanor Virginia Pitt, residing at 210 Edgevale Road, Baltimore 10, Maryland, directed to the Sheriff of Baltimore City.

Geo. H. Myers
Attorney for Plaintiff

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Alma Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in September next to answer the complaint of Zadith V. R. Pitt against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Hnery Jr. Chief Judge of the First Judicial Circuit of Maryland the Second day of July Anno Domini 1945. ISSUED the Twenty Fifth day of August Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Eleanor Virginia Pitt, infant of Baltimore City, Greeting:

YOU ARE HERTBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery At Princess Anne Town, on the first MONDAY in September next to answer the complaint of Zadith V. R. Pitt against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Second day of July Anno Domini 1945. ISSUED the Twenty fifth day of August Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

At which said First MONDAY in September, in the year nineteen hundred and forty five and the day of the return of the above recited writs, came again into Court here the said complainant by his solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Non Est.

Joseph C. Deegan, Sheriff

To the second of said wirts: Non Est.

Joseph C. Deegan, Sheriff

And afterwards to wit, on the tenth day of September, nineteen hundred and forty five, an Order to renew Summons was filed.

zadith V. R. Pitt	)	No. 6034 Chancery
Vs.	)	Circuit Court for
William D. Pitt, Jr. etal	)	Somerset County, Maryland
	)	

Mr. Clerk:

Please renew for the infant defendants, Alma Pitt, and Eleanor Virginia Pitt, residing at 210 Edgevale Road, Baltimore 10, Maryland, directed to the Sheriff of Baltimore City.

Geo. H. Myers
Attorney for Plaintiff.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Alma Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED THAT, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Zadith V. R. Pitt against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Third day of September Anno Domini 1945. ISSUED the Tenth day of September Anno Domini 1945.

Per Order,

Benjamin L. Barnes Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Eleanor Virginia Pitt, infant of Baltimore City:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Zadith V. R. Pitt against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, The Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Third day of September Anno Domini 1945. ISSUED the Tenth day of September Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

At which said First MONDAY in October, in the year nineteen hundred and forty-five and the day of the return of the above recited writs, came again into Court here the said complainant by his solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned by reading summons to Alma Pitt, Infant, and a copy of the Process left with said infant; also copy of the Process left with William D. Pitt, Father of and Party having care of infant named in writ.

Joseph C. Deegan, Sheriff.

To the second of said writs: Summoned by reading summons to Eleanor Virginia Pitt, Infant, and a copy of the Process left with said Infant; also copy of the Process left with William D. Pitt Father of and party having care of Infant named in writ.

Joseph C. Deegan, Sheriff.

And thereafter to wit, on the seventeenth day of October in the year nineteen hundred and forty-five, the said Complainant by her solicitor aforesaid filed in Court here a petition in the words following, to wit:

Zadith V. R. Pitt)	
Vs.)	No. 6034 Chancery
William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt)	In the Circuit Court for Somerset County, Maryland.
_____ _____)	

To the Honorable, the Judge of said Court:

The petition of the plaintiff in the above cause, respectfully represents:

FIRST: That William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, defendants in the above cause, have all been duly summoned but being infants, they cannot answer and defend this suit for themselves and have no guardian within the jurisdiction of this Court to answer and defend for them.

The plaintiff therefore prays your Honor to appoint a Guardian ad litem to appear and answer for said infant defendants.

And as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainant

Upon which said petition the Court here passed the following order to wit:

Upon the foregoing petition, it is ordered this 17th day of October, in the year nineteen hundred forty five, by the Circuit Court for Somerset County, in Equity, that Grace Barnes be and she is hereby appointed guardian ad litem to appear and answer for William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, infant defendants in the above cause.

Levin C. Bailey
Judge.

And thereupon the said Grace Barnes as guardian specially appointed filed in Court here the following answer, to wit:

The answer of William D. Pitt, Jr., Eleanor Virginia Pitt, Marion Evelyn Pitt and Alma Pitt, infant defendants in the above cause, by Grace Barnes, guardian ad litem, duly appointed by the Circuit Court for Somerset County in Equity, to the bill of complaint of Zadith V. R. Pitt against them in said Court exhibited; these defendants for answer to the bill of complaint by their guardian ad litem, answer and say that being ignorant of the matters charged in said bill and being infants of tender years, they cannot admit any of the allegations of said bill but submit their rights to the protection of this Honorable Court.

And, as in duty bound, etc.

Grace J. Barnes
Guardian ad Litem.

And on the same day in the same year the Solicitor aforesaid filed in Court here a petition in the words follwoing, to wit:

Zadith V. R. Pitt) Vs.) William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt))	No. 6034 Chancery In the Circuit Court for Somerset County, Maryland.

To the Honorable, the Judge of Said Court:

The petition of the complainant respectfully represents:

That all of the defendants, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, in the above entitled cause, have, by their guardian ad litem, filed their answer to the bill of complaint and the complainant prays leave to take testimony before one of the standing examiners of this court.

And, as in duty bound, etc.

Edgar A. Jones
Complainant's Attorney

Upon which said petition the Court here passed the following order to wit:

Upon the foregoing petition this 17th day of October 1945 it is ordered that the complainant have leave to take testimony before one of the standing examiners of this Court.

Levin C. Bailey
Judge.

And thereafter to wit, on the twenty-seventh day of October in the year nineteen hundred and forty-five, the solicitor aforesaid filed in Court here a petition in the words following to wit:

Zadith V. R. Pitt) Vs.) William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt))	No. 6034 Chancery In the Circuit Court for Somerset County, Maryland.

To the Honorable, the Judges of the Circuit Court for Somerset County, in Equity:

The petition of the complainant, respectfully represents,

That one of the above defendants, William D. Pitt, Jr. is in the Military Service of the United States, and although duly summoned, is an infant and cannot answer and defend this suit for himself.

Your petitioner therefore prays the Court to appoint an Attorney to represent the said defendant, William D. Pitt, Jr. and protect his interest in the above entitled cause.

And as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainant.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 25th day of October, in the year nineteen hundred forty-five before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones and made oath in due form of law that the matters and things set forth in the foregoing petition are true to the best of his knowledge and belief.

As witness my hand and Notarial Seal the day and year first above written.

Sally L. Ford
Notary Public

Upon which said petition the Court here passed the following order to wit:

Upon the foregoing petition, it is ordered this 27th day of October, in the year 1945, by the Circuit Court for Somerset County, in Equity, that L. Creston Beauchamp, be and he is hereby appointed as Attorney to represent the defendant, William D. Pitt, Jr. and protect his interest in the above entitled cause.

Levin C. Bailey
Judge.

And afterwards to wit, on the same day and the same year the said Grace J. Barnes, as Guardian specially appointed, and L. Creston Beauchamp Attorney specially appointed to represent the defendant, William D. Pitt, Jr., filed in Court here the following answer to wit:

Zadith V. R. Pitt	)	
Vs.	)	No. 6034 Chancery
William D. Pitt Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt	)	In the Circuit Court for Somerset County, Maryland.
	)	

The answer of William D. Pitt, Jr., infant defendant, in the above cause by Grace Barnes, his Guardian ad Litem, and L. Creston Beauchamp, Attorney appointed to protect the interest, etc. of said infant, to the bill of complaint of Zadith V. R. Pitt in the above cause against him and others exhibited, respectfully shows:

That this defendant has no knowledge of the allegations set forth in said bill of complaint and therefore neither admits nor denies the same, but demands full proof thereof and being an infant, he cannot admit any of the matters and allegations in the bill alleged, but submits his rights thereunder to the protection of this Court.

Grace J. Barnes
Guardian Ad Litem

L. Creston Beauchamp
Attorney for Wm. D. Pitt, Jr.

And afterwards to wit, on the thirty-first day of October in the year nineteen hundred and forty five , Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the C Court here in the words following to wit:

Zadith V. R. Pitt	)	No. 6034 Chancery
Vs.	)	In the Circuit Court for Somerset County, Maryland.
William D. Pitt, Jr. Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt	)	
	)	

To the Honorable, the Judges of said Court:

I, Harry C. Dashiell, one of the standing examiners in Chancery, of the Circuit Court for Somerset County, Maryland, having been notified that the parties in the above entitled cause desire to take testimony to substantiate the allegations contained in thebill of complaint in said cause filed, leave of this Honorable Court so to do having first been obtained, did, accordingly attend at the office of Edgar A. Jones, in Princess Anne, Somerset County, Maryland on the 31st day of October 1945, at 2:30 o'clock P.M. and did then and there proceed to take the following depositions:

Zadith V. R. Pitt, a witness of lawful age, produced on the part of the plaintiff, having been by me first duly sworn, did depose and say:

Int. 1- Please state your name, age, residence and occupation?

Ans. Zadith V. R. Pitt, age 48 residence at 210 Edgevale Road, Baltimore, Maryland; occupation , housewife.

Int. 2- Do you know the parties to this suit and if so, please state their names, ages and places of residence?

Ans. Yes, I know all of the parties to this suit. They are my children. They are all under age of twenty one years and reside with me in Baltimore City. None of them is in the Military Service of the United States nor has been, except William Pitt Jr.

Int 3. In your bill of complaint you say that your great aunt, Elizabeth E. Barnette died seized of a tract of land containing about two hundred acres and under said will, the said land was devised to you and your mother, Mrs. Annie M. Reese, "to be divided by them in equal parts in such manner as they might agree as soon as possible after the death of the said Barnette; one half thereof to be held by you, for and during your natural life and from and after your death, to your child or children or the descendants of any deceased child or children; and in the event that you

should die without any heir of the body, then to their heirs at law".

Examiner's Note: The Plaintiff now offers in evidence, paper to which the witness has just refferred, marked Plaintiff's Exhibit "A", which is received and is marked for identification "Examiner's Exhibit No. 1".

Int. 4 Did you and Mrs. Reese divide the said farm between you as directed by the aforesaid will?

Ans. Mrs. Barnette did not leave sufficient personal property to pay her just debts and expenses and under authority of a decree of this Court, passed in Chancery No. 4050 the Trustee under said decree, laid off and sold sixty five acres of said farm to pay the debts of the said Elizabeth E. Barnette. Thereafter, to wit; on the first day of September 1931, my mother and I agreed upon a division of the remaining portion of said farm and executed an agreement in writing as of that date; certified copy of which said agreement if filed as "Exhibit B" in this case and under the tems and provisions of said agreement, I received as my portion of said farm, to be held by me during my life time as aforesaid under the provisions of said will and after my death to my child or children or the descendants of any deceased child or children, the following described tract of land.

Beginning for the same at the end of the end of the seventh line of the portion awarded to Annie M. Reese under the terms of said agreemtnt, and running thence by and with the Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and fifteenth lines of the said Annie M. Reese's portion, South 78 degrees 30 minutes East 15 perches, thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.6 perches, thence South 85 degrees East 18½ perches to a marked maple near the endof a ditch, thence by and with said ditch South 85 degrees East 57 3/4 perches to a stone thence South 2 degrees 15 minutes West 32 perches to a point in the field, thence South 85 degrees East 35 perches, thence South 5 degrees 30 minutes West 32 perches to the State Road leading from Princess Anne to Deals Island, thence, with the North side of said State Road, North 85 degrees West 167½ perches to the land of James Phoebus and thence, by and with the land of James Phoebus in a Northerly direction to the place of beginning.

Examiners Note: The Plaintiff now offers in evidence paper to which the witness has just referred marked plaintiff's Exhibit B" which is received and is marked for identification "Examiners Exhibit No. 2".

Int. 5. Have you any children?

Ans. Yes, four. The defendants, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt.

Int. 6. Is or not the said property susceptible or partition among the parties entitled to interest therein without material loss and injury to them?

Ans. The property cannot be divided without material loss and injury to the parties interested

Int. 7. Would it or not, be to the benefit and advantages of all the parties interest in said real estate, to sell same and invest the proceeds under direction of this court ?

Ans. In my opinion it would be to the benefit and advantage of all the parties interested in said property, as the land is timber land and in my opinion timber is at its peak value.

Int. 8. What, in your opinion, is the value of this property?

Ans. From what I can understand, this property is worth approximately two thousand dollars.

COURT QUESTION AND ANSWER- I know of nothing further.

Witness: Harry C. Dashiell Zadith R. Pitt (SEAL)
Ex.

Mrs. Annie M. Reese, a witness of lawful age, being produced on the part of the plaintiff having been by me first duly sworn, deposes and says:

Int. 1 Please state your name, age, residence and occupation?

Ans. Annie M. Reese, age 69 years, residence Baltimore City, occupation, housewife.

Int. 2 Are you acquainted with the parties to this suit?

Ans. Yes. The plaintiff is my daughter and the defendants are my grandchildren.

Int. 3 Did you know Elizabeth Barnette in her lifetime.

Ans. Yes, She was my aunt.

Int. 4 Do you know what property she owned and how she disposed of it at the time of her death?

Ans. She owned a farm of approximately two hundred acres in West Princess Anne Election district, Somerset County, Maryland, and under her will it was devised to my daughter Zadith Pitt and myself, to be divided between us in equal parts. The part to my

daughter was to be held by her during her lifetime and then after her death to her child or children or the decendants of any deceased child or children. Before this property could be divided, however, a certain part of it was sold off to pay creditors. After that, my daughter and I divided the property between ourselves as will appear by an agreement made September 1, 1931, duly recorded among the Land Records of Somerset County in Liber J.M.T. No. 194, folio 32.

Int.5 Is or not this farm now owned by your daughter and her children, susceptible of division among the parties owning interests therein without material loss and injury to them?

Ans. This farm cannot be divided among them without material loss or injury to them.

Int.6 Would it or not, be to the benefit and advantages of the parties interested therein, to sell said farm and invest the proceeds under the direction off this Court?

Ans. In my opinion it would be a great benefit and advantages to the parties to have the farm sold at this time, when timber is so high and the proceeds invested for their benefit. There is nothing but timber and wood on this piece of land.

Int.7 What in your opinion, is the value of the tract of land subject of this suit?

Ans. In my opinion the land is worth two thousand dollars.

COURT QUESTION AND ANSWER- Nothing further.

Witness: Harry C. Dashiell Ex. Annie M. Reese (SEAL)

There being no further witnesses produced to me to be examiner. I herewith at the request of the plaintiff's solicitor, return the above depositions to Court, closed under my hand and seal and certify that the annexed statement of costs is correct.

Given under my hand and seal this 31st day of November, 1945.

Harry C. Dashiell (SEAL)
Examiner in Chancery

Bill of Costs:

Harry C. Dashiell Examiner $4.00

And thereafter to wit, on the twenty first day of November in the year nineteen hundred and forty five, the Circuit Court here passed the following Decree in the premises to wit:

Zadith V. R. Pitt)	
Vs.)	No. 6034 Chancery
William D. Pitt, Jr., Eleanor)	Circuit Court for Somerset
Virginia Pitt, Marian Evelyn Pitt and Alma Pitt)	County, Maryland.
)	

The Above Cause Standing Ready for Hearing and having been submitted, the proceedings therein were by the Court read and considered:

It Is Thereupon this twenty first day of November in the year nineteen hundred and forty-five by the Circuit Court for Somerset County in Equity Adjudged, Ordered and Decreed, That the property in the proceedings mentioned be sold and that Edgar A. Jones be and he is hereby appointed Trustee to make sale, and that the course and manner of proceedings shall be as follows: he shall first file with the Clerk of this Court a Bond to the State of Maryland, executed by himslef and a corporate surety or sureties to be approved by this Court or by the Clerk thereof, in the penalty of two thousand ($2000) dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such weekly newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be as follows: one third cash on the day of sale and the balance of the purchase price to be paid within six months from the day of sale, or, all cash at the purchaser's option; credit portion, if any, to be secured by the bonds of the purchaser or purchasers to the staisfaction of the trustee and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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, the said Trustee shall, by a good and sufficient deed, to be executed, acknowledged and

and recorded, according to law, convey to the purchaser or purchasers, his, her it or their heirs, successors or assigns 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 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 the Court, after deducting 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.

W. Laird Henry, Jr.
Judge.

And thereupon, the said Edgar A. Jones, Trustee, filed a Bond in the Court here in the words following to wit:

Know All men by these presents, that we, Edgar A. Jones, of Somerset County and State of Maryland, and National Surety Corporation, a body corporate of the State of New York, are held and firmly bound unto the State of Maryland, in the full and just sum of Two Thousand ($2000.00) dollars, current money, to be paid to the said State of Maryland, or its certain attorney; to which payment well and truly to be made and done we bind ourselves, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this 13th day of December, 1945.

Whereas, the above bounden Edgar A. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed Trustee to sell the property mentioned in the proceedings in the case of Zadith V. R. Pitt vs William D. Pitt, Jr., et. als, being No. 6034 Chancery in said Court now pending.

Now the condition of the above obligation is such, that if the above bounden Edgar A. Jones, do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Edgar A. Jones (SEAL)

NATIONAL SURETY CORPORATION (SEAL)

BY Edgar A. Jones
Attorney in Fact.

Which said Bond was thus thereon endorsed to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twentieth day of December in the year nineteen hundred and forty five, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following to wit:

Zadith V. R. Pitt)	
Vs.)	No. 6034 Chancery
William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt)	In the Circuit Court for Somerset County, Maryland.
_____ _____)	

To the Honorable, the Judge of the Circuit Court for Somerset County, in Equity.

The report of Edgar A. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 21st day of November, 1945, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security, for the faithful performance of his Trust, and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement inserted in the

Marylander and Herald, a weeklynewspaper published in Somerset County, Maryland, for at least three successive weeks before the day of sale, he did, pursuant to said notice, attend in front of the Court House Door in Princess Anne, Somerset County, Maryland, on the 18th day of December, in the year nineteen hundred forty five, at or about the hour of 2:00 P.M. and then and there proceeded to sell said property in manner following that is to say:

Your Trustee offered at public sale, to the highest bidder, all that tract of land situate in West Princess Anne Election District, Somerset County, Maryland, on the North side of the State Road leading from Princess Anne to Venton, near the village of Venton, adjoining the lands of Annie M. Reese, et. al, beginning for the same at the end of the 7th line of the Annie M. Reese land, and running thence by and with the 8th, 9th, 10th, 11th, 12th, 13th, 14th and 15th lines of the said Annie M. Reese's portion, South 78 degrees 30 minuted East 15 perches, thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.6 perches, thence South 85 degrees East 18½ perches to a marked maple near the end of a dtich, thence by and with said ditch South 85 degrees East 57 3/4 perches to a stone, thence South 2 degrees 15 minutes West 32 perches to a point in the field, thence South 85 degrees East 35 perches, the South 5 degrees 30 minutes West32 perches to the State Road leading from Princess Anne to Deals Island, thence, with the North side of said State Road, North 85 degrees West 167½ perches to the land formerly owned by James Phoebus and thence by and with the said Phoebus land in a Northerly direction to the place of beginning containing 65 acres more or less; and sold same unto E. Mace Smith, Earl Smith and Roy W. Smith, as tenants in common, share and share alike, for the sum of Nineteen hundred twenty-five ($1925.00) they being at that sum, the highest bidders therefor, and the purchasers have paid the full purchase price.

Respectfully submitted,

Edgar A. Jones.
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 19th day of December, in the year nineteen hundred forty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Trustee, named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report 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 the day and year above written.

Sally L. Ford SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Zadith V. R. Pitt	)	
Vs.	)	No. 6034 Chancery
William D. Pitt, Jr. Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt	)	In the Circuit Court for
	)	Somerset County, Maryland.
	)	

ORDER NISI

Ordered by the Circuit Court for Somerset County, that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 22nd day of January, nineteen hundred and forty-six.

PROVIDED a copy of this order be inserted in some weekly newspaper in Somerset County, once in each of three successive weeks before the 21st day of January, next.

The report states the amount of sale to be Nineteen Hundred Twenty-five and no/100 ($1925.00) dollars.

Benjamin L. Barnes,
Clerk.

And now at this day to wit, on the twenty third day of January in the year nineteen hundred and forty-six, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

Ordered by the Circuit Court for Somerset County, this 23rd day of January, nineteen hundred forty six, 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 the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the said Auditor.

Levin C. Bailey
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK

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Annie M. Reese Vs. Zadith V. R. Pitt and William D. Pitt, her husband, Ralph Reese and Evelyn Reese, his wife, Mildred Reese Akridge, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt.	) Be it remembered that heretofore to wit, on the seventh day of July in the year nineteen hundred and forty five, a certain Annie M. Reese, by George H. Myers, her solicitor exhibited and filed in the Circuit Court here a bill of complaint against Zadith V. R. Pitt and William D. Pitt, her husband, Ralph Reese and Evelyn Reese,

his wife, Midlred Reese Akridge, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, which said Bill of Complaint is in the words following to wit:

Annie M. Reese Vs. Zadith V. R. Pitt and William D. Pitt, her husband, Ralph Reese and Evelyn Reese, his wife, Mildred Reese Akridge, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt.	No. 6035 Chancery Circuit Court for Somerset County, Maryland.

To the Honorable, the Judge of said Court:

Your Oratrix, complaining says:

FIRST, That a certain Elizabeth E. Barnette being seized and possessed of farm or tract of land containing about two hundred acres, more or less, located on the north side of the State Road leading from Princess Anne to Deal Island, in West Princess Anne District, in Somerset County, Maryland, departed this life on or about the 29th day of April, 1928, leaving a last will and testament duly admitted to probate by the Orphans Court for said Somerset County, certified copy of which said will is herewith filed as part hereof, marked "Plaintiff's Exhibit A".

SECOND, That by and under the terms of said will the said Elizabeth E. Barnette devised said real estate, being all of the real estate of which she died possessed, to your Oratrix and the defendant, Zadith V. R. Pitt, to be divided by them in equal parts in such manner as they might agree as soon as possible after her death; one half thereof to be held by your Oratrix for and during her natural life only and from and after her death to such child or children as may survive her or the descendants of any deceased child or children to take per

stirpes and not per capita.

THIRD, That the said Elizabeth E. Barnette did not leave personal estate of sufficient value to pay her just debts and funeral expenses and that under authority of a decree of this Court passed in Chancery Cause No. 4054, George H. Myers, as Trustee under said decree laid off and sold sixty five acres of said farm to pay the debts of the said Elizabeth E. Barnette.

FOURTH, That thereafter, to wit, on the first day of September, 1931 your Oratrix and the said Zadith V. R. Pitt agreed upon a division of the remaining portion of the said farm and executed an agreement in writing as of that date, certified copy of which recorded among the land records of said Somerset County in Liber No. 104, folio 32, is herewith filed as part hereof, marked "Exhibit B"; that under the terms and provisions of said agreement your Oratrix received as her portion of the remainder of said farm to be held by her furing her lifetime and from and after her death to go to such child or children as might survive her or the descendants of any deceased child or children under the provisions of said will, the following described tract of land, Beginning for the same at the end of the first line of the parcel of land conveyed by George H. Myers, Trustee, to Annie M. Reese and Zadith V. R. Pitt by deed dated November 11, 1929 and recorded among the Land Records of Somerset County in Liber G.W.L. No. 99, folio 321, and running thence, by and with the first, second, third, fourth and fifth lines of said deed, North 72 degrees, 15 minutes West 28 perches, North 74 degrees 30 minutes West 41 perches, North 77 degrees West 16 perches, North 78 degrees 30 minutes West 15 perches to the West side of a right of way and thence North 45 minutes East to the North line of Elizabeth E. Barnette's farm, thence, by and with said farm and the Tusculum Farm and the land of George Dashiell, South 82 degrees 45 minutes West to a stone on the land of George Dashiell, South 82 degrees 45 minutes West to a stone on the land of Thomas Windsor, thence South 4 degrees West 87 perches by and with the lands of Thomas Windsor, the Monie Church and James Phoebus, thence South 78 degrees 30 minutes East 15 perches, thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.6 perches thence South 85 degrees East 18½ perches to a marked maple near the end of a ditch, thence by and with said ditch, South 85 degrees East 57 3/4 perches to a stone, thence South 2 degrees 15 minutes West 32 perches to a point in the field, thence South 85 degrees East 35 perches thence South 5 degrees 30 minutes West 32 perches to the State Road leading from Princess Anne to Deals Island thence with the North side of said State Road South 85 degrees East 10 perches to the land of Cohn and Bock, thence in a Northerly direction, by and with said Cohn and Bock land to the place of beginning.

FIFTH, That your Oratrix has no deceased children and there are three living children the defendants, Ralph Reese intermarried with the defendant, Evelyn Reese, Mildred Reese Akridge, divorced, and the defendant, Zadith V. R. Pitt who intermarried with the defendant, William D. Pitt; that the said Ralph Reese and Mildred Reese Akridge have no children or descendants and that the only children of the said Zadith V. R. Pitt are the defendants, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, all of whom are minors under the age of twenty one years and none of whom have ever been married. That the only children or descendants therefor of your oratrix in being are the aforesaid Ralph Reese, Mildred Reese Akridge, Zadith V. R. Pitt, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt.

SIXTH, That the said Ralph Reese and Evelyn Reese are of full age and reside in Anne Arundle County in the State of Maryland and the said Mildred Reese Akridge if of full age and is now residing in the State of California or one of the Island of the Pacific Ocean, that the said Zadith V. R. Pitt, William D. Pitt, Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt reside in the City of Baltimore, in the State of Maryland, the said Zadith V. R. Pitt and William D. Pitt being of full age and the said Eleanor Virginia Pitt, Marian Evelyn Pitt and

Alma Pitt being minors under the age of twenty one years, that the said William D. Pitt, Jr. is a minor under the age of twenty one years residing in the City of Norfolk, State of Virginia; that the said Mildred Reese Akridge and the said William D. Pitt, Jr. are non residents of the State of Maryland.

SEVENTH, that the aforesaid tract or parcel of land which was awarded to and taken by your Oratrix under the aforesaid agreement marked "Exhibit B" and in execution of the provisions of said will of the said Elizabeth E. Barnette consists entirely of woodland, most of which is too young to cut or market, that it produces no income whatever and cannot produce any income except by cutting and marketing trees, wood and timber therefrom; that your Oratrix as life tenant cannot cut and market said timber and that she therefore receives no income from said property whatever but on the other hand has been advancing money from her own personal funds to pay the State and County taxes on said property; that it will be advantageous to your Oratrix and the other parties concerned to sell the said land and invest the proceeds of said sale under the direction of this Court so as to inure in like manner to the use and benefit of your Oratrix and her children and descendants as provided in said will of the said Elizabeth E. Barnette.

To the end therefore,

(1) That a decree may be passed for the sale of the said real estate devised as aforesaid to your Oratirx for life, in the will of the said Elizabeth E. Barnette and awarded to her in the division evidenced by the agreement filed as Exhibit B.

(2) That the proceeds from said sale may be invested under the direction of this Court and the income therefrom paid to your Oratrix during her natural life.

(3) That your Oratrix may have such other and further relief as her case may require.

May it please your Honor to grant unto your Oratrix a writ of subpoena directed to the defendants, Ralph Reese and Evelyn Reese, adults residing in Anne Arundle County, Zadith V R. Pitt and William D. Pitt, adults residing in Baltimore City and Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, infants residing in Baltimore City, commanding them and each of them to be and appear in this Court in person or by solicitor on some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein; also an order of publication giving notice to the Defendant, Mildred Reese Akridge an adult and William D. Pitt, Jr. a minor, both of whom are non residents of the State of Maryland, of the object and substance of this suit and warning them and each of them to be and appear in this Court in person or by solicitor on or before a certain day to be named therein to show cause, if any they have, why a decree ought not to pass as prayed.

And as in duty bound,

Geo. H. Myers.

Exhibit "A" referred to in the aforegoing bill is in the words following to wit:

I, Elizabeth E. Barnette, of Somerset County, and State of Maryland, do make this my last will and testament in the manner and form following, hereby revoking all other wills and codicils by me heretofore made.

FIRST: I give and devise unto my niece, Annie M. Reese wife of William T. Reese, and my great niece, Zadith Violet Reese Pitt, daughter of William T. Reese, the farm on which I now reside, situated in West Princess Anne Election District in Somerset County, Maryland, on the County Road leading from Princess Anne to Monie Church, and containing about two hundred acres more or less, to be divided between the said Annie M. Reese and Zadith Violet Reese Pitt in equal parts in such manner as they may agree as soon as possible after my death; one half thereof to be held by the said Annie M. Reese for and during her natural life only, and from and after her death to such child or children as may survive her, or the descendants of any

deceased child or children to take per stirpes and not per capita; the other half to the said Zadith Violet Reese Pitt for and during her natural life and from and after her death unto her child or children or the descendants of any deceased child or children, and in the event that she should die without any heir of the body then to her heirs at law.

SECOND: I give and bequeath to the said Annie M. Reese two beds and bed steads, pillows and bolsters, one wardrobe, one trunk, one clothes press, one wash stand, one looking glass, two chests, one bureau, two stands; one mahogany egg shaped stand, one reocker, one wlanut table, one dining table, one red cupboard, two sewing machines, my wedding ring, one lamp, six cane seated chairs, one work basket, one lamp with handle, one air tight stove, one cook stove, all the carpeting in the home except the parlor carpet.

THIRD: I also give and bequeath to the said Annie M. Reese the sum of One Hundred Dollars. ($100)

FOURTH: I give and bequeath to Mildred Reese, daughter of William T. Reese, the sum of One Hundred Dollars, fifty dollars of which is to be paid to her by my executors hereinafter named in gold, also one rocking chair, one stand, one sewing basket, one hand organ, one trunk, and one clock.

FIFTH: I give and bequeath unto Ralp Reese, son of William T. Reese, the sum of One Hundred Dollars, fifty dollars of which is to be paid to him by my executors hereinafter named in gold also one wagon, one plow, one harrow, one drawing knife, one roacking chair, a new set of harness, and a small chest.

SIXTH: I give and bequeath unto the said Zadith Violet Reese Pitt one iron bed-stead, one spring, one feather bed, bolsters and pillows, one bureau, one washstand, one looking glass, one walnut chest, one hall rack, one mahogany table with leaves, one walnut stand with door, one carpet now on the parlor floor, one rocker with cane seat and back, one book case, one sewing machine; one half of the dishes in my house and one half of the pictures, the said dishes and pictures to be divided between Annie M. Reese and her daughter, the said Zadith Violet Reese Pitt, as they may agree, and also the quilts and linens. Also, one walnut table with leaves, one round backed chair, one round topped stand, walnut, and one hundred dollars in gold to be paid her by my executors hereinafter named.

SEVENTH: I give and bequeath unto the said Annie M. Reese all of the rest and residue of my personal property, of every description and wheresoever located.

EIGHTH: I hereby constitute and appoint George H. Myers, Attorney at Law of Princess Anne Md., and my great niece, Zadith Violet Reese Pitt, to be the executors of this my last will and testament.

In testimony whereof I have hereunto subscribed my name and affixed my seal this fifth day of July, Nineteen Hundred and Twenty Three.

Elizabeth E. Barnette (SEAL)

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

Joshua W. Miles

Nellie D. Jones

SOMERSET COUNTY, to wit: May 2, 1928

Then Came Samuel H. Sudler and in the presence of Almighty God, solemnly promised and declared that the foregoing instrument of writing is the true and whole last Will and Testament of Elizabeth E. Barnette, late of Somerset County, deceased, that hath come to his hands or possession, and that he doth not know of any other and that the same was delivered to him by the testatrix.

Before, Florence E. Dryden
Register of Wills for Som. County.

SOMERSET COUNTY, TO WIT:

One May 3, 1928 came Nellie D. Jones and on May 5, 1928 came Joshua W. Miles the subscribing witnesses to the foregoing last will and Testament of Elizabeth E. Barnette, late of Somerset County, deceased, and they in the presence of Almighty God, solemnly promised and declared that they did see the Testatrix therein named, sign and seal this Will; that they heard her publish, pronounce and declare the same to be her last Will and Testament. That at the time of her so doing, she was, to the best of their apprehension of sound and disposing mind, memory and understanding, capable of executing a valid deed or contract; and that they subscribed their names as witnesses to this Will in the presence, and at the request of the Testatrix, and in the presence of the other subscribing witness thereto.

Before Florence E. Dryden,
Register of Wills for Som. County.

STATE OF MARYLAND,SCT.

In the Orphans' Court for Somerset County:

The Court having carefully examined the above last Will and Testament of Elizabeth E. Barnette, late of Somerset County, deceased, and also the evidence adduced as to its validity orders and decrees this eighth day of May, 1928, that the same be admitted in ths Court as the true and genuine last Will and Testament of the said Elizabeth E. Barnette deceased.

John B. Vetra
Elmer Horner
John E. Whitelock.

Judges of the Orphans' Court for Somerset County.

Test: Florence E. Dryden, Reg. W. S. Co.

Filed for Record May 8, 1928 and recorded in Liber L.R. No. 32 folio 528-39-40.

Test: Florence E. Dryden, Reg. W. S. Co.

STATE OF MARYLAND,
SOMERSET COUNTY, TO WIT:

I, Florence E. Dryden Register of Wills and by law keeper of the Seal and of the Records and of the Original Papers of the Orphans' Court of Somerset County, Do Hereby Certify that the foregoing is a true and full copy of the last Will and Testament of Elizabeth E. Barnette late of said county, deceased, taken from Liber L. R. No. 32 folio 538-39-40., the same being one of the Records kept in the office of the Register of Wills for Somerset County.

IN TESTIMONY WHEREOF I hereunto subscribe myname and affix the Seal of said Court, this eighteenth day of June in the year of our Lord, nineteen hundred and forty five.

Florence E. Dryden
Register of Wills for Somerset County.

Exhibit "B" referred to in the aforegoing bill is in the words following to wit:

AGREEMENT BETWEEN)
Annie M. Reese)
and)
Zadith V. R. Pitt)
_____)

This Agreement made this 1st day of September in the year 1931 by and between Annie M. Reese of Somerset County and State of Maryland of the one part and Zadith V. R. Pitt of Baltimore City and State of Maryland, of the second part.

Whereas a certain Elizabeth E. Barnette by her last will and testament, dated July 5, 1923 and recorded among the Testamentary Records of said Somerset County in Liber L.R. No. 32, folio 538, devised her real estate as follows:

"FIRST: I give and devise unto my niece, Annie M. Reese, wife of William T. Reese, and my great niece, Zadith Violet Reese Pitt, daughter of William T. Reese, the farm on which I now reside situated in West Princess Anne Election District in Somerset County, Maryland, on the county road leading from Princess Anne to Monie Church, and containing about two hundred acres, more or less, to be divided between the said Annie M. Reese and Zadith Violet Pitt in

equal parts in such manner as they may agree as soon as possible after my death; one half thereof to be held by the said Annie M. Reese for and during her natural life only, and from and after her death to such child or children as may survive her, or the descendants of any deceased child or children to take per stirpes and not per capita; the other half to the said Zadith Violet Reese Pitt for and during her natural life and from and after her death unto her child or children or the descendants of any deceased child or children, and in the event that she should die without heir of the body then to her heirs at law.

And whereas a part of the Real Estate mentioned in said last will and testament has been sold and conveyed by George H. Myers, Trustee, to the said Annie M. Reese and Zadith V. R. Pitt by deed dated November 11, 1929 and recorded among the Land Records of said Somerset Countyin Liber G.W. L. No.99, folio 371.

And whereas the said Annie M. Reese and Zadith V. R. Pitt desire to exercise the power and authority vested in them by the aforesaid will to make division of the remainder of the real estate of the said Elizabeth E. Barnette as provided in said last will and testament.

Now, therefore, these pressnts are executed.

Witnesseth, that for and in consideration of the sum of $1.00 by each of the parties hereto unto the other in hand paid, and in pursuance of the power and authority vested in them by the said last will and testament of Elizabeth E. Barnette the said Annie M. Reese and Zadith V. R. Pitt do hereby divide the aforesaid Real Estate and do mutually agree to hold as their respective parts of said Real Estate, for their respective lives,the following described parcels of land:

Parcel to be held by said Annie M. Reese, Beginning for the same at the end of the first line of the parcel of land conveyed by George H. Myers, Trustee, to Annie M. Reese and Zadith V. R. Pitt by deed dated November 11, 1929 and recorded among the Land Records of Somerset County in Liber G.W.L. No. 99, folio 321, and running thence, by and with the first, second, third, fourth, and fifth lines of said deed, North 72 degrees, 15 minutes West 28 perches, North 74 degrees 30 minutes West 41 perches, North 77 degrees West 16 perches, North 78 degrees 30 minutes West 15 perches to the West side of a right of way and thence North 45 minutes East to the North line of Elizabeth E. Barnette's farm, thence, by and with said farm and the Tusculum Farm and the land of George Dashiell, South 82 degrees 45 minutes West to a stone on the land of Thomas Windsor, thence South 4 degrees West 87 perches, by and with the lands of Thomas Windsor, the Monie Church and James Phoebus, thence South 78 degrees 30 minutes East 15 perches thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.6 perches thence South 85 degrees East 18½ perches to a marked maple near the end of a ditch, thence by and with said ditch,South 85 degrees East 57 3/4 perches to a stone, thence South 2 degrees 15 minutes West 32 perches to a point in the field, thence South 85 degrees East 35 perches, thence South 5 degrees 30 minutes West 32 perches to the State Road leading from Princess Anne to Deals Island, thence, with the North side of said State Road south 85 degrees East 10 perches to the land of Cohn & Bock, thence in a Northerly direction, by and with said Cohn and Bock land to the place of beginning.

Parcel to be held by Zadith V. R. Pitt. Beginning for the same at the end of the seventh line of the above described parcel and running thence by and with the eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth lines of the above described parcel, South 78 degrees 30 minutes East 15 perches, thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.6 perches, thence South 85 degrees East 18½ perches to a marked maple near the end of a ditch, thence by and with said ditch South 85 degrees East 57 3/4 perches to a stone, thence South 2 degrees 15 minutes West 32 perches to a point in the field, thence South 85 degrees East 35 perches, thence South 5 degrees 30 minutes West 32 perches to the State Road leading from Princess Anne to Deals Island, thence, with the North side of said State Road, North 85 degrees West 167½ perches to the land of James

Phoebus in a Northerly direction to the place of beginning.

To have and to hold the aforesaid parcels of land unto the said Annie M. Reese and Zadith V. R. Pitt, respectively, for their respective lives as provided by the said last will and testament of the said Elizabeth E. Barnette.

Witness the hands and seals of the said parties of the first and second part.

TEST: Vernon E. White

Annie M. Reese (SEAL)

Zadith V. R. Pitt (SEAL)

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, That on this 1st day of September, 1931, before a Notary Public of the State of Maryland, inand for the County, aforesaid, me, the subscriber, personally appeared Annie M. Reese and Zadith V. R. Pitt, the parties to this Agreement, and they each acknowledge the aforegoing Agreement to be their respective act.

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

Vernon E. White SEAL OF

Notary Public NOTARY

Received for Record Sept. 26, 1932 and recorded in Liber J.M.T. No. 194 folio 32 one of the Land Records of Somerset Co.

Per: J. Millard Tawes, Clerk.

State of Maryland, Somerset County, to wit:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, hereby certify that the aforegoing is truly and correctly copied from Liber J.M.T. No. 104, folio 32 one of the Land Records of Somerset County, Maryland.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court this fifteenth day of June, Nineteen hundred and forty five.

Benjamin L. Barnes
Clerk of the Circuit Court for
Somerset County.

And thereafter to wit, on the seventh day of July, nineteen hundred and forty five an Order for Summons was filed.

Annie M. Reese	)	No. Chancery
Vs.	)	Circuit Court for
William D. Pitt, Jr. et al.	)	Somerset County, Maryland
_____	)	

TO THE CLERK OF THE CIRCUIT COURT FOR SOMERSET COUNTY:

Mr. Clerk.

Please issue summons for William D. Pitt, Jr. directed to the Sheriff of Baltimore City, and send copy to be left with the parent or guardian of the said infant defendant.

Geo. H. Myers.

And thereupon, in pursuance of the prayer of the foregoing bill and of the aforegoing order, the following subpoenae were issued, to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Zadith V. R. Pitt and William D. Pitt of Baltimore City

YOU ARE HEREBY COMMANDED That, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 2nd day of July Anno Domini 1945. ISSUED the 7th day of July Anno Domini 1945.

Per Order Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Ralph Reese and Evelyn Reese of Anne Arundel Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 2nd day of July Anno Domini 1945. ISSUED the 7th day of July Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To William D. Pitt, Jr. of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 2nd day of July AnnoDomini 1945. ISSUED the 7th day of July Anno Domini 1945.

Per Order,

Benjamin L. Barnes, clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Eleanor Virginia Pitt, infant of Baltimore City Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 2nd day of July Anno Domini 1945. ISSUED the 7th day of July Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Marian Evelyn Pitt, infant of Baltimore City, greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 2nd day of July Anno Domini 1945. ISSUED the 7th day of July Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Alma Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that all execuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August nrxt to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS , the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 2nd day of July Anno Domini 1945. ISSUED the 7th day of July Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

At which said First MONDAY in August, in the year nineteen hundred and forty-five and the day of the return of the above recited writs, came again into Court here the said complainant by his solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said Writs: Summoned Ambo and a copy of the Process left with each defendant.

Joseph C. Deegan, Sheriff.

At which said First Monday In August, in the year nineteen hundred and forty five and theday of the return of the above recited writs, came again into Court here the said complainant by his solicitor, and the Sheriff of Anne Arundel County, Joseph H. Griscom, to whom the writ afore said was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the second of said writs: Summoned, copy of subpoena read to and left with each the within named defendants, Ralph and Evelyn Reese, this 12th day of July 1945.

Joesph H. Griscom, Sheriff.

At which said First Monday in August, in the year nineteen hundred and forty five and the day of the return of the above recited writs, came again into Court here the said complainant by her solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the third, fourth, fifth, and sixth writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the third of said writs: Summoned by reading summons to William D. Pitt Jr. infant and a copy of the Process left with said Infant, also a copy left with William D. Pitt father of and party having care of infant named in writ.

Joseph C. Deegan, Sheriff.

To the fourth of said writs: Non Est.

Joseph C. Deegan, Sheriff.

To the fifth of said writs: Non Est.

Joseph C. Deegan, Sheriff.

To the sixth of said writs: Non Est.

Joseph C. Deegan, Sheriff.

And afterwards to wit, on the twenty fourth day of August, nineteen hundred and forty five, an order to Renew Summons was filed.

Annie M. Reese	)	No. 6935 Chancery
Vs.	)	Circuit Court for
William D. Pitt, Jr. etal	)	Somerset County, Maryland.
	)	

Mr. Clerk:

Please renew for the infant defendants, Alma Pitt, Eleanor Virginia Pitt and Marian Evelyn Pitt, residing at 210 Edgevale Road, Baltimore 10, Maryland, directed to the Sheriff of Baltimore City.

George H. Myers
Attorney for Plaintiff

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Alma Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in September next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Second day of July Anno Domini 1945. ISSUED the Twenty Fifth day of August Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Eleanor Virginia Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in September next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Second day of July Anno Domini 1945. ISSUED the Twenty fifth day of August Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Marian Evelyn Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED THAT , all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in September next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Second day of July Anno Domini 1945. ISSUED the Twenty fifth day of August Anno Domini 1945.

Per Order,

Benjamin L. Barnes.

At which said first MONDAY in September, in the year nineteen hundred and forty-five and the day of the return of the above recited writs, came again into Court here the said complainant by her solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Non Est.

Joseph C. Deegan, Sheriff

To the second of said writs: Non Est.

Joseph C. Deegan, Sheriff

To the third of said writs: Summoned by reading summons to Marian Evelyn Pitt, infant, and a copy of the Process left with said infant; also copy left with William Pitt, father of and party having care of said infant named in writ.

Joseph C. Deegan, Sheriff

And afterwards to wit, on the twenty-ninth day of August, nineteen hundred and forty-five, the following answer was filed.

Annie M. Reese	)	No. Chancery
Vs.	)	Circuit Court for
Zadith V. R. Pitt and William D. Pitt, her husband, Ralph Reese and Evelyn Reese, his wife, Mildred Reese Akridge, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt.	)	Somerset County, Maryland.

To the Honorable, the Judge of said Court:

The answer of Mildred Reese Akridge to the bill of complaint against her and others in the above named cause exhibited, respectfully shows:

That she has read the attached copy of said bill and that she admits the matters and facts in the said bill of complaint alleged and consents to the passage of such decree as to this Honorable Court may seem right and proper in the premises.

Mildred Reese Akridge
Defendant.

With the Armed Forces of the United States)
At an undisclosed place outside of the ss.
continental limits of the United States)

I hereby certify that the aforegoing instrument was acknowledged this 13th day of August 1945, by Mildred Reese Akridge serving in the armed forces of the United States, before me, a commissioned officer in the active service of the Army of the United States.

Charles E. Shaver, 0-508146
Major, JAGD
Assistant Staff Judge Advocate,
Headquarters, United States Army Forces
Middle Pacific, APO 958, c/o PM
San Francisco, California
Home Address: 405 Humble Bldg, Houston Texas

And afterwards to wit, on the tenth day of September, nineteen hundred and forty-five, an order to Renew Summons was filed.

Annie M. Reese	)	No. 6035 Chancery
Vs.	)	Circuit Court for
William D. Pitt, Jr. et al	)	Somerset County, Maryland.
	)	

Mr. Clerk:

Please renew for the infant defendants, Alma Pitt and Eleanor Virginia Pitt, residing at 210 Edgevale Road, Baltimore 10, Maryland, directed to the Sheriff of Baltimore City.

Geo. H. Myers
Attorney for Plaintiff

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Alma Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Third day of September Anno Domini 1945. ISSUED the Tenth day of Spetember Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Eleanor Virginia Pitt, infant of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Annie M. Reese against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the Third day of September Anno Domini 1945. ISSUED the Tenth day of September Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

At which said first Monday in October, in the year nineteen hundred and forty five and the day of the return of the above recited writs, came again into Court here the said complainant by her solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned by reading summons to Alma Pitt, infant and a copy of the Process left with said infant; also copy of the process left with William D. Pitt father of and party having care of infant named in writ.

Joseph C. Deegan, Sheriff.

To the second of said writs: Summoned by reading summons to Eleanor Virginia Pitt, infant and a copy of the Process left with said infant; also copy of the process left with William D. Pitt, father of and party having care of infant named in writ.

Joseph C. Deegan, Sheriff.

And thereafter to wit, on the seventeenth day of October in the year nineteen hundred and forty five, the said Complainant by her solicitor aforesaid filed in Court here a petition in the words following to wit:

Annie M. Reese)	
Vs.)	No. 6035 Chancery
Zadith V. R. Pitt, William D. Pitt, Ralph Reese, Evelyn Reese, Mildred Reese Akridge, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt)	In the Circuit Court for Somerset County, Maryland In Equity.

To the Honorable, the Judge of the Circuit Court for Somerset County, in Equity.

The petition of the plaintiff in the above cause respectfully represents:

FIRST: That William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt defendants in the above cause, have all been duly summoned, but being infants they cannot answer and defend this suit for themselves and have no guardian within the jurisdiction of this Court to answer and defend for them.

The plaintiff therefore prays Your Honor to appoint a guardian ad litem to appear and answer for said infant defendants.

And as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainant.

Upon which said petition the Court here passed the following order to wit:

Upon the foregoing petition it is ordered this 17th day of October, in the year nineteen hundred forty five, by the Circuit Court for Somerset County, in Equity, that Grace Barnes be and she is hereby appointed guardian ad litem to appear and answer for William D. Pitt, Jr. Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, infant defendants in the above cause.

Levin C. Bailey
Judge.

And thereupon the said Grace Barnes as guardian specially appointed filed in Court here the following answer, to wit:

The answer of William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, infant defendants in the above cause, by Grace Barnes, guardian ad litem, duly appointed by the Circuit Court for Somerset County in Equity, to the bill of complaint of Zadith V. R. Pitt against them in said Court exhibited; these defendants for answer to the bill of complaint by their guardian ad litem, answer and say, that being ignorant of the matters charged in said bill and being infants of tender years, they cannot admit any of the allegations of said bill but submit their rights to the protection of this Honorable Court.

And as in duty bound, etc.

Grace J. Banres
Guardian Ad Litem

And on the same day in the same year the Solicitor aforesaid filed in Court here a petition in the words following to wit:

Annie M. Reese Vs. Zadith V. R. Pitt, William D. Pitt, Ralph Reese, Evelyn Reese, Mildred Reese Akridge, William D. Pitt, Jr. Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt	No. 6035 Chancery In the Circuit Court for Somerset County, Maryland In Equity.

To the Honorable, the Judge of said Court:

The petition of the complainant respectfully represents:

FIRST: That Zadith V. R. Pitt, William D. Pitt, Ralph Reese, and Evelyn Reese, are all adults over the age of twenty one years; have been duly summoned; that Mildred Reese Akridge has filed her answer to the bill of complaint; that William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt have been duly summoned and have answered said bill of complaint by their guardian ad litem, duly appointed by this Court. That the said adult defendants, Zadith V. R. Pitt, William D. Pitt, Ralph Reese and Evelyn Reese have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court.

The complainant therefore prays that the bill of complaint in this cause be taken pro confesso against the said Zadith V. R. Pitt, William D. Pitt, Ralph Reese and Evelyn Reese, non appearing and non answering adult defendants and the complainant have leave to take testimony before one of the standing examiners of this Court.

And as in duty bound,

Edgar A. Jones
Complainants Attorney

Upon which said petition the Court here passed the following order to wit:

It appearing in the above entitled cause, that Zadith V. R. Pitt, William D. Pitt, Ralph Reese, and Evelyn Reese, adult defendants in this cause have been duly summoned to appear to the bill of complaint but have failed to appear or answer said bill of complaint within the time presecribed by the rules of this Court; and that Mildred Reese Akridge, adult defendant has answered said bill and that William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, are all infants and have been duly summoned to appear to said bill of complaint and have answered said bill of complaint by their guardian ad litem especially appointed by this Court

It is thereupon this 17th day of October, in the year nineteen hundred and forty five, upon the aforegoing petition, ADJUDGED, ORDERED AND DECREED, by the Circuit Court for Somerset County in Equity, that the bill of complaint be and the same is hereby taken pro confesso against the said Zadith V. R. Pitt, William D. Pitt, Ra lph Reese and Evelyn Reese, non-appear-

ing and non answering adult defendants, and it is further ordered that the complainant have leave to take testimony before one of the standing examiners of this Court.

Levin C. Bailey
Judge.

And thereafter to wit, on the twenty seventh day of October in the year nineteen hundred and forty five, the solicitor aforesaid filed in Court here a petition in the words following to wit:

Annie M. Reese	)	
Vs.	)	No. 6035 Chancery
Zadith V. R. Pitt, William D. Pitt, Ralph Reese, Evelyn Reese, Mildred Reese Akridge, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt.	)	In the Circuit Court for Somerset County, Maryland In Equity.

To the Honorable, the Judges of the Circuit Court for Somerset County, in Equity.

The petition of the complainant, respectfully represents:

That one of the above defendants, William D. Pitt, Jr. is in the Military Service of the United States, and although duly summoned, is an infant and cannot answer and defend this suit for himslef.

Your petitioner therefore prays the Court to appoint an Attorney, to represent the said defendant, William D. Pitt, Jr., and protect his interest in the above entitled cause.

And, as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainant.

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 25th day of October, in the year nineteen hundred forty-five before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones and made oath in due form of law that the matters and things set forth in the foregoing petition are true to the best of his knowledge and belief.

As witness my hand and Notarial Seal the day and year first above written.

Sally L. Ford — SEAL OF
Notary Public — NOTARY

Upon which said petition the Court here passed the following order to wit:

Upon the foregoing petition, it is ordered this 27th day of October, in the year 1945, by the Circuit Court for Somerset County, in Equity, that L. Creston Beauchamp, be, and he is hereby appointed as Attorney to represent the defendant, William D. Pitt, Jr. and protect his interest in the above entitled cause.

Levin C. Bailey
Judge.

And afterwards to wit, on the same day and the same year the said Grace J. Barnes, as Guardian specially appointed, and L. Creston Beauchamp Attorney specially appointed to represent the defendant, William D. Pitt, Jr., filed in Court here the following answer to wit:

Annie M. Reese	)	
Vs.	)	No. 6035 Chancery
Zadith V. R. Pitt, William D. Pitt, Ralph Reese, Evelyn Reese, Mildred Reese Akridge, William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt, and Alma Pitt.	)	In the Circuit Court for Somerset County, Maryland In Equity

The answer of William D. Pitt, Jr., infant defendant, in the above cuase, by Grace Barnes, his Guardian ad Litem, and L. Creston Beauchamp, Attorney appointed to protect the interest ect of said infant, to the bill of complaint of Zadith V. R. Pitt in the above cause against him

and others exhibited, respectfully shows:

That this defendant has no knowledge of the allegations set forth in said bill of complaint and therefore neither admits nor denies the same, but demands full proof thereof and being an infant, he cannot admit any of the matters and allegations in the bill alleged, but submits his rights thereunder to the protection of this Court.

Grace J. Barnes
Guardian Ad Litem

L. Creston Beauchamp
Attorney for Wm. D. Pitt, Jr.

And afterwards to wit, on the thirty first day of October in the year nineteen hundred and forty five, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Annie M. Reese) Vs.) William D. Pitt, Jr. Eleanor) Virginia Pitt, Marian Evelyn) Pitt and Alma Pitt, Zadith V.R.Pitt,) Ralph Reese, Evelyn Reese, Mildred Reese) Akridge.)	No. 6035 Chancery In the Circuit Court for Somerset County, Maryland. In Equity.

To the Honorable, the Judges of said Court:

I , Harry C. Dashiell, one of the standing examiners in Chancery, of the Circuit Court for Somerset County, Maryland, having been notified that the parties in the above entitled cause desire to take testimony to substantiate the allegations contained in the bill of complaint in said cause filed, leave of this Honorable Court so to do having first been obtained did, accordingly attend at the office of Edgar A. Jones, in Princess Anne, Somerset County, Maryland, on the 31st day of Oct. 1945, at 2:30 o'clock P.M., and did then and there proceed to take the following depositions:

Annie M. Reese, a witness of lawful age, being produced on the part of the plaintiff, having been by me first duly sworn, did depose and say:

Int. 1 Please state your name, residence and occupation.

Ans. Annie M. Reese, age 69, residence 210 Edgevale Road, Baltimore City, Maryland, occupation housewife.

Int. 2 Do you know the parties to this suit? If so, please state their names, ages and places of residence.

Ans. Yes, I know all the parties to this suit as they are all my children or grandchildren I have no deceased children but a son, Ralph Reese, who intermarried with the defendant, Evelyn Reese; a daughter Mildred Reese Akridge, divorced, and another daughter Zadith V. R. Pitt, who intermarried with the said William D. Pitt. William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt are children of my daughter, Zadith. All of the parties to this suit are adults above the age of twenty one years except William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt, all of whom are minors under the age of 21 years. Ralph and Evelyn Reese reside in Anne Arundel County, Maryland; Mildred Reese Akridge is in the Armed Services of the United States, stationed outside of the continental limits of the United States. Zadith and William D. Pitt, as well as their children, all reside in Baltimore City, Maryland. None of the defendants is in the Military Service of the United States except Mildred Reese Adridge and William D. Pitt, Jr. and none of them has been in said service.

Int. 3 In your bill od complaint you say that your Aunt, Elizabeth E. Barnette, died seized of a tract of land containing about 200 acres, and under said will, the land was devised to you and your daughter, Mr. Zadith Pitt, "to be divided by them in equal parts in such manner as they might agree as soon as possible after the death of said Barnette; one half thereof to be held by you for and during your natural life and from and after your death to such child or children as may survive you or the descendants of any deceased child or children".

Examiner's Note: The Plaintiff now offers in evidence paper to which the witness has just referred marked "Plaintiff's Exhibit A" which is received and is marked for identification, "Examiner's Exhibit No. 1".

Int.4 Did you and Mrs. Pitt divide the said farm between you as directed by the aforesaid will?

Ans. Mrs. Barnette did not leave sufficient personal property to pay her just debts and expenses and under authority of a decree of this Court passed in Chancery No. 4050 the Trustee under said decree laid off and sold sixty five acres of said farm to pay the debts of the said Elizabeth E. Barnette. Thereafter, towit: On the first

day of September, 1931, my daughter and I agreed upon a division of the remaining portion of said farm, and executed an agreement in wirting as of that date; certified copy of which said agreement is filed as "Exhibit B" in this case and under the terms and provisions of said agreement, I received, as my portion of said farm, to be held by me during my lifetime as aforesaid, under the provisions of said will and after my death to my child or children or the descendants of any deceased child or children the following described tract of land.

Beginning for the same at the end of the first line of the parcel of land conveyed by George H. Myers, Trustee, to Annie M. Reese and Zadith V. R. Pitt by deed dated November 11, 1929 and recorded among the Land Records of Somerset County in Liber G.W.L. No. 99, folio 321 and running thence, by and with the first, second, third, fourth and fifth lines of said deed, North 72 degrees, 15 minutes West 28 perches, North 74 degrees 30 minutes West 41 perches, North 77 degrees West 16 perches, North 78 degrees 30 minutes West 15 perches to the West side of a right of way and thence North 45 minutes East to the North line of Elizabeth E. Barnette's farm, thence, by and with said farm and the Tusculum Farm and the land of George Dashiell South 82 degrees 45 minutes West to a stone on the land of Thomas Windsor, thence South 4 degrees West 87 perches, by and with the lands of Thomas Windsor, the Monie Church and James Phoebus, thence South 78 degrees 30 minutes East 15 perches, thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.6 perches, thence South 85 degrees East 18½ perches to a marked maple near the end of a ditch, thence by and with said ditch South 85 degrees East 57 3/4 perches to a stone, thence South 2 degrees 15 minutes West 32 perches to a point in the filed, thence South 85 degrees East 35 perches, thence South 5 degrees 30 minutes West 32 perches to the State Road leading from Princess Anne to Deals Island, thence with the North side of said State Raod South 85 degrees East 10 perches to the land of Cohn and Bock, thence in a northerly direction, by and with said Cohn and Bock land to the place of beginning.

Examiner's Note: The Plaintiff now offers in evidence paper to which the witness has just referred marked Plaintiff's Exhibit B" which is received and is marked for identification, "Examiner's Exhibit No. 2".

Int. 5 Have you any children or grandchildren?

Ans. Yes, I have three children and four grandchildren. My children are the defendants, Ralph Reese, Mildred Reese Akridge and Zadith V. R. Pitt and my grandchildren, the children of Zadith are William D. Pitt, Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt.

Int. 6. Is or not the property mentioned in the bill of complaint susceptible of partition among the parties entitled to interests therein without material loss and injury to them?

ans. The property cannot be divided without material loss and injury to the parties interested.

Int. 7 Would it or not be to the benefit and advantage of all the parties interested in said real estate, to sell same and invest the proceeds under direction of this Court?

Ans. In my opinion it would be to the decided benefit and advantage of all theparties interested in this property, as the land is timber land and timber at this time is very high.

Int. 8 What, in your opinion, is the value of this property?

ans. From what I can understand, this property is worth approximately two thousand dollars.

COURT QUESTION AND ANSWER: I know of nothing further.

Witness: Harry C. Dashiell Ex. Anne M. Reese SEAL

Zadith V. R. Pitt, a witness of lawful age, being produced on the part of the plaintiff, having been by me first duly sworn, deposes and says:

Int. 1 Please state your name, age, residence and occupation?

ans. Zadith V. R. Pitt, age years, residence Baltimore City and occupation is that of housewife.

Int. 2 Are you acquainted with the parties to this suit?

ans. Yes, the plaintiff is my mother, and the defendants are my brother, sister, my children and myself.

Int. 3 Did you know Elizabeth Barnette in her lifetime?

ans. Yes, she was my great aunt.

Int. 4 Do you know what property she owned and how she disposed of it at the time of her death?

ans. She owned a fram of approximately 200 acres, in West Princess Anne Election District Somerset County, Maryland, and under her will it was devised to my mother and myself, to be divided between us in equal parts. The part to my mother was to be held by her during her lifetime and then after her death to her surviving children or their descendants. Before this property could be divided, however, a certain part of it was sold off to pay creditors. After that, my mother and I divided the property between ourselves as will appear by an agreement made September 1, 1931, duly recorded among the Land Records of Somerset County in Liber J.M.T. No. 104, folio 32.

Int. 5 Is or not this farm now owned by your mother, her children and their descendants, susceptible of division among the parties owning interests therein, without material loss and injury to them?

ans. This farm cannot be divided among them without material loss or injury to them.

Int. 6 Would it or not, be to the benefit and advantage of the parties interested therein, to sell said farm and invest the proceeds under the direction of this Court?

ans. In my opinion it would be a great benefit and advantage to the parties to have the farm sold at this time, when timber is so high and the proceeds invested to their benefit. There is nothing but timber and wood on this piece of land of any value.

Int. 7 What, in your opinion, is the value of the tract of land, subject of this suit?

ans. In my opinion, the land is worth two thousand dollars.

COURT QUESTION AND ANSWER: Nothing further.

WITNESS: Harry C. Dashiell Ex. Zadith R. Pitt (SEAL)

There being no further witnesses produced to me to be examined, I herewith at the request of the plaintiff's solicitor, return the above depositions to Court, and certify that the annexed statement of costs is correct. Given under my hand and seal this 31st day of October, 1945.

Harry C. Dashiell (SEAL)
EXAMINER IN CHANCERY

Bill of Costs:

Harry C. Dashiell Examiner $4.00

And thereafter to wit, on the twenty first day of November in the year ninteen hundred and forty five, the Circuit Court here passed the following Decree in the premises to wit:

Annie M. Reese Vs. Zadith V.R. Pitt, William D. Pitt, Ralph Reese, Evelyn Reese, Mildred Reese Akridge, William D. Pitt, Jr. Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt.	No. 6035 Chancery Circuit Court for Somerset County, Maryland.

THE ABOVE CAUSE STANDING READY FOR HEARING and having been submitted, the proceedings therein were by the Court read and considered:

IT IS THEREUPON this twenty first day of November in the year nineteen hundred and forty five by the Circuit Court for Somerset County, in Equity ADJUDGED, ORDERED AND DECREED, That the property in the proceedings mentioned be sold, and that Edgar A. Jones be and he is hereby appointed Trustee to make 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 corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of two thousand ($2000) dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such weeklynewspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be as follows: one third cash on the day of sale and the balance of the purchase price to be paid within six months from the day of sale, or, all cash at the purchasers option; credit portion, if any, to be secured by the bonds of the purchaser or purchasers to the satisfaction of the trustee and as soon as may be convenient after such sale

or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed of the truththereof, 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, 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 it or their heirs, successors or assigns the property and estate to him, her or them sold, free clear and discharged from all claims of the partieshereto, and those claiming by, from or under them, or either f them. And the said Trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of the Court, after deducting 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 charged his trust.

W. Laird Henry, Jr.
Judge.

And thereupon, the said Edgar A. Jones, Trustee, filed a Bond in the Court here in the words following to wit:

Know all men by these presents, that we, Edgar A. Jones, of Somerset County and State of Maryland, and National Surety Corporation, a body corporate of the State of New York, are held and firmly bound unto the State of Maryland, in the full and just sum of Two Thousand ($2000.00) dollars, current money, to be paid to the said State of Maryland, or its certain attorney; to which payment well and truly to be made and done we bind ourselves our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents; sealed with our seals and dated this 13th day of December, 1945.

Whereas, the above bounden Edgar A. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed Trustee to sell the property mentioned in the proceedings in the case of Annie M. Reese vs William D. Pitt, et. al, being No. 6035 chancery, in said Court now pending.

Now the condition of the above obligation is such, that if the above bounden, Edgar A. Jones, do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Edgar A. Jones (SEAL)

NATIONAL SURETY CORPORATION (SEAL)

BY Edgar A. Jones
Attorney in Fact.

Which said bond was thus thereon endorsed to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twentieth day of December in the year nineteen hundred and forty five, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following to wit:

Annie M. Reese	)	
Vs.	)	No. 6035 Chancery
Zadith V. R. Pitt, William D. Pitt, Ralph Reese, Evelyn Reese, Mildred Reese Akridge, William D. Pitt Jr., Eleanor Virginia Pitt, Marian Evelyn Pitt and Alma Pitt.	)	In the Circuit Court for Somerset County, Maryland.
	)	

To the Honorable, the Judge of the Circuit Court for Somerset County, in Equity:

The report of Edgar A. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 21st day of November, 1945, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security for the fiathful performance of his 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 Marylander and Herald, a weekly newspaper published in Somerset County, Maryland, for at least three successive weeks before the day of sale, he did, pursuant to said notice, attend in front of the Court House Door in Princess Anne, Somerset County, Maryland, on the 18th day of December, in the year nineteen hundred forty five, at or about the hour of 2:00 P.M. and then and there lroceeded to sell said property in manner following that is to say:

Your Trustee offered at public sale, to the highest bidder, all that tract of woodland situate, lying and being in West Princess Anne Election District, Somerset County, Maryland on the North side of the State Road leading from Princess Anne to Venton, adjoining the lands conveyed by George H. Myers, Trustee to Annie M. Arrse and Zadith V. R. Pitt, by deed dated November 11, 1929 and recorded among the Land Records of Somerset County in Liber G.W.L. No 99, folio 231, and also adjoining the lands of Zadith V. R. Pitt, E. Mace Smith and others, beginning for the same at the end of the first line of the land conveyed by the said George H. Myers, Trustee aforesaid, and running thence, by and with the first, second, third, four and fifth lines of said deed, North 72 degrees 15 minutes West 28 perches, North 74 degrees 30 minutes West 41 perches, North 77 degrees West 16 perches, North 78 degrees 30 minutes West 15 perches to the West side of a right of way; and thence North 45 minutes East to the North line of what is known as the Elizabeth E. Barnett's farm, thence by and with said farm and the Tusculum Farm South 82 degrees 45 minutes West to a stone on the land owned or formerly owned by Thomas Windsor, thence South 4 degrees West 87 perches, by and with the lands of Thomas Windsor, the Monie Church and James Phoebus, thence South 78 degrees 30 minutes East 15 perches thence South 88 degrees East 42 perches to a stone in a ditch, thence with said ditch South 6 degrees 45 minutes East 17.6 perches, thence South 85 degrees East 18½ perches to a marked maple near the end of a ditch, thence by and with said ditch, South 85 degrees East 57 3/4 perches to a stone, thence South 2 degrees 15 minutes Wesy 32 perches to a point in the field thence South 85 degrees East 35 perches, thence South 5 degrees 30 minutes West 32 perches to the State Road leading from Princess Anne to Deals Island, thence with the North side of said State Road South 85 degrees East 10 perches to the land of Cohn and Bock, thence in a Northerly direction, by and with said Cohn and Bock land to the place of beginning, containing 70 acres, more or less; and sold same unto E. Mace Smith, Earl Smith and Roy W. Smith, as tenants in common, share and share alike, for the sum of Fifteen Hundred ($1500.00) dollars they being at that sum, the highest bidders therefor, and the purchasers have paid the full perchase price.

Respectfully submitted,

Edgar A. Jones
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 19th day of December, in the year nineteen hundred forty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Trustee, named in the above report of sale, and made oaht in due form of law that the matters and things stated in the aforegoing report 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 the day and year above written.

Sally L. Ford
Notary Public

SEAL OF NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Annie M. Reese	)	
Vs.	)	No. 6035 Chancery
Zadith V. A. Pitt, William D. Pitt, Ralph Reese, Evelyn Reese, Mildred Reese Akridge, William D. Pitt, Jr., Eleanor Virginia Pitt, Marion Evelyn Pitt and Alma Pitt.	)	In the Circuit Court for Somerset County, Maryland.
	)	

ORDER NISI

Ordered by the Circuit Court for Somerset County, that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 22nd day of January, nineteen hundred forty six.

PROVIDED a copy of this order be inserted in some weekly newspaper in Somerset County, once in each of three successive weeks before the 21st day of January, next.

The report states the amount of sale to be fifteen hundred ($1500.00) dollars.

Benjamin L. Barnes,
Clerk.

And now at this day to wit, on the twenty third day of January, nineteen hundred forty-six, came again into Court here the said Complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

Ordered by the Circuit Court for Somerset County, this 23rd day of January, nineteen hundred forty six, that the sale made and reported by the Trustee aforesaid, be and the same is hereby finally raitified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause, and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the said Auditor.

Levin C. Bailey
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes, Clerk.

""

John O. Smith and Alfred Smith Vs. Upshur Smith, George Smith Alias George Adams, Golden Handy, Regina Doane, Cecie Ballard, Adela Ballard, Mary Kirkwood, Catherine Smith, Isaac Carpenter.	)	Be it remembered that heretofore to wit, on the sixth day of March in the year nineteen hundred and forty five, a certain John O. Smith and Alfred Smith, by L. Creston Beauchamp, their solicitor exhibited and filed in the Circuit Court here a bill of complaint against Upshur Smith, George Smith, Alias George Adams, Golden Handy, Regina Doane, Cecie Ballard, Adela Ballard, Mary Kirkwood, Cathereine Smith, and

Isaac Carpenter, which said Bill of Complaint is in the words following to wit:

John O. Smith and Alfred Smith Vs. Upshur Smith, George Smith Alias George Adams, Golden Handy, Regina Doane, Cecie Ballard, Adela Ballard, Mary Kirkwood, Catherine Smith, Isaac Carpenter	))))))))	No. 6002 Chancery Circuit Court for Somerset County Maryland.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orators, complaining, said:

1. That Retta Annie Smith, late of Somerset County, Maryland, deceased, was, in her lifetime and at the time of her death, seized and possessed of certain real estate in Brinkley's Election District, Somerset County, Maryland, on the East side of the county road leading from Rehoboth to Shelltown, adjoining the lands of Gordon Dryden and others, containing four acres more or less, being all the land which was conveyed to her by George White and wife by deed dated January 23, 1902, recorded among the land records of Somerset County, Maryland, in Liber O.T.B. No. 32, folio 332, except one acre conveyed to Alfred Smith by deed duly recorded in above said land records, and the said Retta Annie Smith had an one third interest in that lot of land adjoining the above land which descended to her as the widow of Frank Smith, deceased.

2. That being so seized and possessed, the said Retta Annie Smith departed this life on February 23, 1944, leaving a last will and testament dated August 17, 1938, recorded among the testamentary records of said Somerset County, in Liber FED No. 33, by which she devised all her real estate to her children, George T. Smith, Oscar Smith, Moses Smith, Upshur Smith, Martha Smith Miles and Clara Finney, and to her grandson, George Smith, equally.

3. That the said Retta Annie Smith left surviving her as her heirs at law, all of whom are over the age of twenty one years, the following:

A son, Alfred Smith, of Somerset County, Maryland.

A daughter, Clara A. Finney, of Somerset County, Maryland.

A son, Oscar Smith, of Baltimore City, Maryland.

Ada Smith, widow of George T. Smith, deceased son of Retta Annie Smith, of Baltimore city, Maryland,

A son, Moses Smith, of Worcester County, Maryland.

A son, Upshur Smith, non-resident of Maryland, supposed to be residing in New Jersey.

George Smith alias George Adams, son and only heir of Lucy Smith, a deceased daughter of Retta Annie Smith.

Elijah Miles, son and heir of Martha Smith Miles, deceased, of Somerset County, Maryland

Golden Handy, Regina Doane, Adela Ballard and Cecie Ballard, surviving husband and children of Henrietta Handy, deceased daughter of Martha Smith Miles, all of Somerset County, Maryland.

Mary Kirkwood, of Somerset County, Maryland, only child and heir of Mollie Miles, deceased daughter of Martha Smith Miles, deceased.

Catherine Miles,Smith, of the state of New Jersey, daughter of Cora Miles, deceased daughter of Martha Smith Miles, deceased.

Isaac Carpenter, of Somerset County, Maryland, son of Ida Miles, deceased daughter of Martha Smith Miles, deceased.

4. That the parties, plaintiffs and defendants hereto, are the heirs at law of Frank Smith, who died intestate before his wife Retta Annie Smith, leaving five acres of land in Brinkley's Election District which he purchased from William Hinman and wife by deed dated November 29, 1883, recorded among the land records of said Somerset County, Maryland, in Liber B.F.L. No. 6, folio 580, and which descended to the said Retta Annie Smith and the parties named herein as the widow and heirs at law of said Frank Smith.

5. That by deed dated February 19, 1945, recorded among said land records in Liber BLB the said Clara A. Finney, with John Finney, her husband, Oscar Smith, with Elsie Smith, his wife, and Ada Smith, conveyed all their interest in said property to your orator, John O. Smith And by deed dated February 19, 1945, the said Moses Smith and Elijah Miles conveyed all of their interest in said real estate to the said John O. Smith.

6. That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as abo ve stated, and in order to make divisions of said interests, it will be necessary that said real estate be sold and the proceeds thereof divided among the parties entitled thereto according to their respective interest therein, but your orators are unable to obtain adequate relief or make sale of said real estate without the aid of this Honorable Court.

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 among the parties entitled to interests therein, according to their respective interest.

(3) That your orators may have such other and further relief as their case may require.

May it please Your Honor to grant unto your Orators the Order of Publication giving notice to the said Upshur Smith and Catherine Miles Smith, adults, none residents of Maryland, supposed to be residing in the state of New Jersey, of the object and substance of this bill and warning them to appear in this Court, in person or by solicitor, on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed and also, the Writ of the State of Maryland of Subpoena directed to the said George Smith Alias George Adams, Golden Handy, Regina Doane, Adela Ballard, Cecie Ballard, Mary Kirkwood, Isaac Carpenter, adults, all of Somerset County, Maryland, commading them and each of them to be and appear in this Court, in person or by solicitor, on some certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiff

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenae were issued to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To George Smith alias George Adams, Golden Handy and Regina Doane of Somerset County, Greeting:

YOUR ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in April next to answer the complaint of John O. Smith and Alfred Smith against you & others in the Said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the fifth day of March Anno Domini 1945. ISSUED the sixth day of March Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL The State of Maryland

OF To Cecie Ballard and Adela Ballard of Somerset County, Greeting:

COURT YOU ARE HEREBY COMMANDED That, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in April next to answer the complaint of John O. Smith and Alfred Smith against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the fifth day of March Anno Domini 1945. ISSUED the sixth day of March Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL The State of Maryland

OF To Mary Kirkwood and Isaac Carpenter of Somerset County, Greeting:

COURT You are hereby commanded that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in April next to answer the complaint of John O. Smith and Alfred Smith against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the fifth day of March Anno Domini 1945. ISSUED the sixth day of March Anno Domini 1945.

per order

Benjamin L. Barnes, Clerk.

At which said first MONDAY in April, in the year nineteen hundred and forty five and the day of the return of the above recited writs, came again into Court here the said complainants by their solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Non Est

Murray Ward, Sheriff
Woodland Jackson, Deputy

To the second of said writs Non Est

Murray Ward, Sheriff
Woodland Jackson, Deputy

To the third of said writs: Non Est

Murray Ward, Sheriff
Woodland Jackson, Deputy

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following order of publication was issued, to wit:

John O. Smith and Alfred Smith	)	
	)	No. 6002 Chancery
Vs.	)	In the Circuit Court
Upshur Smith, George Smith alias George Adams, Golden Handy, Regina Doane, Cecie Ballard, Adela Ballard Mary Kirkwood, Catherine Smith, and Isaac Carpenter	)	For Somerset County
	)	Maryland.
	)	

The object of this suit is to procure a decree for the sale of certain real estate in Brinkley's Election District, Somerset County, Md., of which Retta Annie Smith and Frank Smith died seized and possessed.

The bill states that the said Retta Annie Smith departed this life on or about February 23, 1944, leaving a last will and testament dated August 17, 1938, recorded among the testamentary records of said Somerset County, in Liber FED No. 33, by which she devised all her real estate to her children, George T. Smith, Upshur Smith, Martha Smith Miles and Clara Finney, and to her grandson, George Smith, equally; that the said Retta Annie Smith left surviving her as her heirs at law, a son, Alfred Smith, a daughter, Clara A. Finney, a grandson, George Smith alias George Adams, a grandson, Elijah Miles, a granddaughter, Mary Kirkwood, a granddaughter Catherine Smith Miles, a grandson, Isaac Carpenter, and also Golden Handy, Regina Doane, Adela Ballard and Cecie Ballard, surviving husband and children of Henrietta Handy, deceased daughter of Martha Smith Miles, all of Somerset County, Maryland, and a son, Oscar Smith, and Ada Smith widow of George T. Smith, a deceased son, all of Baltimore City, Maryland, and a son, Moses Smith of Worcester County, Maryland, and a son Upshur Smith, and a granddaughter, Catherine Miles Smith, both of the state of New Jersey. That the parties, also, are the heirs at law of Frank Smith who died, intestate, before his wife, Retta Annie Smith, leaving five acres of land in Brinkley's Election District, which he purchased from William Hinman and wife by deed duly recorded and which descended to the said Retta Annie Smith and the parties hereto as the widow and heirs at law of Frank Smith; that by deeds dated February 19, 1945, recorded among the land records of said Somerset County, Clara Finney, Oscar Smith, Ada Smith, Moses Smith and Elijah Miles, conveyed all of their interest in said real estate to John O. Smith. That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein and in order to make divisions of interests, it will be necessary that said real estate be sold and the proceeds divided among the parties entitled.

It is, thereupon, this 6th day of March, 1945, ordered by the Circuit Court for Somerset County, Maryland, in Equity, that the plaintiffs, by causing a copy of this order to be published in some newspaper published in said Somerset County once in each of four successive weeks before the seventh day of April, 1945, giving notice to the said absent defendants of the object and substance of this bill, warning them to appear in this Court, in person or by solicitor, on or before April 23, 1945, to show cause, if any they have why a decree ought not to be passed as prayed.

Benjamin L. Barnes, Clerk.

And afterwards to wit, on the twenty fifth day of May, nineteen hundred and forty-five, an order to renew summons was filed.

John O. Smith and Alfred Smith	)	No. 6002 Chancery
vs.	)	In the Circuit Court for Somerset
Upshur Smith and others	)	County, Maryland.

Mr. Clerk:

Please reissue for George Smith alias George Adams, Golden Handy, Regina Doane, Cecie Ballard, Idella Ballard, Mary Kirkwood, Isaac Carpenter or Cottman, all adults, resident of Somerset County, Maryland.

L. Creston Beauchamp
Solicitor for Plaintiff

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Golden Handy, Regina Doane, and Cecie Ballard of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED That, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of John O. Smith and Alfred Smith against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 7th day of May Anno Domini 1945 ISSUED the 25th day of May Anno Domini 1945.

Per Order
Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Idella Ballard, Mary Kirkwood and Isaac Czrpenter or Cottman of Somerset County Greeting:

YOU ARE HEREBY COMMANDED That, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of John O. Smith and Alfred Smith against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 7th day of May Anno Domini 1945 ISSUED the 25th day of May Anno Domini 1945.

Per order
Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To George Smith alias George Adams of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of John O. Smith and Alfred Smith against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 7th day of May anno Domini 1945. ISSUED THE 25th day of May Anno Domini 1945.

Per Order,
Benjamin L. Barnes, Clerk.

Upon which said first MONDAY in June, in the year nineteen hundred and forty five and the day of the return of the above recited writs, came again into Court here the said complainants by their solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the writs aforesaid were in form aforesaid delivered for service, also, came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned severally and copy left.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

To the Second of said writs: Summoned severally and copy left

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

To the Third of said writs: Summoned May 31, 1945, and copy left.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

And thereafter to wit, on the thirteenth day of June in the year nineteen hundred and forty five the said said complainants by their solicitor filed in Court here a petition in the words following, to wit:

John O. Smith et al.	)	No. 6002 Chancery
Vs.	)	In the Circuit Court for
Upshur Smith et als.	)	Somerset County, Md.
	)	

To the Honorable, the Judge of said Court:

The petition of the plaintiffs in the above cause respectfully represents that the order of publication heretofore passed in this cause has been published according to its provisions, and that the said Upshur Smith and Catherine Miles Smith, the adult non resident defendants therein, have failed to appear to said bill within the time required by said order;

And the petition further represents that George Smith, alias George Adams, Golden Handy, Regina Doane, Adella Ballard, Cecie Ballard, Mary Kirkwood, Isaac Carpenter or Cottman, all adults and residents of said Somerset County; have been duly summoned to said bill and have failed to appear or answer;

The plaintiff, therefore, prays the Court to pass a decree pro confesso against the said adult defendants, Upshur Smith, Catherine Miles Smith, George Smith, Alias George Adams, Golden Handy, Regina Doane, Adella Ballard, Cecie Ballard, Mary Kirkwood and Isaac Carpenter or Cottman and, also, to paas an order to take testimony in said cause.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for plaintiff

Upon which said Petition, the Court here passed the following order to wit:

John O. Smith et al.	)	No. 6002 Chancery
Vs.	)	In the Circuit Court for
Upshur Smith et als.	)	Somerset County, Maryland.
	)	

It appearing in the above entitled cause that the order of publication heretofore passed therein has been duly published according to its provisions, and t at the said Upshur Smith and Catherine Miles Smith, the adult non-resident defendants mentioned in said bill, have failed to appear to said bill within the time required by said order;

And it further appearing that George Smith, alias George Adams, Golden Handy, Regina Doane Adella Ballard, Cecie Ballard, Mary Kirkwood and Isaac Carpenter or Cottman, the adult residents of Somerset County, Maryland, have all been duly summoned to said bill and have failed to appear or answer;

It is, thereupon, this 13th day of June, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, upon the petition filed herein, adjudged, ordered and decreed that the bill of complaint in the above cause be and the same is hereby taken pro confesso against the said Upshur Smith, Catherine Miles Smith, Geoge Smith, alias George Adams, Golden Handy, Regina Doane, Adella Ballard, Cecie Ballard, Mary Kirkwood and Isaac Carpenter or Cottman, adult and non appearing and non answering defendants.

And it is further ordered that the plaintiffs have leave to take testimony before one of the standing examiners of this court.

Edmond H. Johnson
Judge.

And afterwards to wit, on the twenty-seventh day of June, in the year nineteen hundred and forty five, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made reutrn thereof to the Court here in the words following to wit:

John O. Smith et al.	)	No. 6002 Chancery
Vs.	)	In the Circuit Court for
Upshur Smith et als.	)	Somerset County, Maryland.
	)	

In this cause, an order having been passed for testimony to be taken to support the allegiations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, on of the standing examiners of this court, do hereby certify, that on this 26th day of June, 1945, in Somerset County, Maryland, I took the following testimony:

Alfred Smith, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1.Q. State your name, age, residence and occupation?
A. Alfred Smith, 65 years, Shelltown, Maryland, farmer.

2.Q. Did you know Retta Annie Smith of Somerset County, Maryland? If so, is she living or dead, did she or not leave real estate and did she leave a will?
A. Retta Annie Smith was my mother and died on February 23, 1944 leaving a last will and testament, and leaving three and one-half acres of land in Brinkley's Election District, which was conveyed to her by Mr. George White, except that she conveyed one acre from that deed to me,

3.Q. Did you know Frank Smith and is he living or dead and did he or not leave any real estate, and did he leave a will?
A. Frank Smith was my father who died about thirty-five years ago without leaving any will and leaving five acres of land in Brinkley's District which he bought from Mr. William Hinman and wife. Frank Smith was the husband of Retta Annie Smith and neither of them had any other husband or wife.

4.Q. Do you know who owns the real estate left by your mother at her death?
A. By her will she divided all the real estate to her children George T. Smith, Oscar Smith, Moses Smith, Upshur Smith, Martha Smith Miles and Clara Finney and to her grandson, George Smith Adams equally. She didn't mention my name as she had already given me a piece of land. By deed Clara Finney and her husband, and Oscar Smith and his wife and Ada Smith, widow, of George Smith, son of Retta, and Moses Smith and Elija Miles all conveyed their interest to John O. Smith so that the title to Retta Annie Smith's property now is in John O. Smith, Upshur Smith and George Smith or George Adams, the grandson.

5. Q. Do you know who owns the property left by Frank Smith? or name his heirs .
A. I, a son; Clara Finney, a daughter, both of Somerset County; a son Oscar Smith of Baltimore and Ada Smith of Baltimore widow of George T. Smith, a son who died without leaving children; a son, Moses Smith of Worcester County; a son Upshur Smith who is supposed to be residing somewhere in New Jersey; George Smith, or George Adams of Somerset County a son and only heir of Lucy Smith, a deceased daughter of Frank Smith; Elija Miles of Somerset County, Maryland son and heir of Martha Smith Miles deceased daughter of Frank Smith; Golden Handy, Regina Doane, Adella Ballard and Cecie Ballard, surviving husband and children of Heneritta Handy, all of Somerset County, Maryland, the said Heneritta Handy being a deceased daughter of Martha Smith Miles, deceased; Mary Kurkwood, of said Somerset County, only child and heir of Molly Miles, a deceased daughter of Martha Smith Miles, deceased; Catherine Miles Smith, of New Jersey, daughter of Cora Miles, a deceased daughter of Martha Smith Miles deceased; and Isaac Carpenter or Cottman, of said Somerset County, son of Ida Miles, deceased daughter of Martha Smith Miles, deceased. All of the parties herein are over twenty one years.

I said that Retta Annie Smith's property is now owned by John O. Smith, Upshur Smith and George Smith alias George Adams, but that is not correct, as the descendants Of Martha Smith Miles, with the exception of Elija Miles who deeded his interests to John Smith, owned their mother's share.

6.Q. State whether in your opinion this property can be divided equally between the owners without loss, or whether in order to make division of interests between the owners it will be necessary that the real estate be sold and the proceeds divided among those entitled, and what is the value of the real estate?
A. It would be impossible to divide the property as it stands but it will have to be sold and the money divided. The value ofthe real estate is about six or eight hundred dollars.

Court question and answers nothing further.

Test ; Harry C. Dashiell
Examiner.

Alfred Smith.

John O. Smith, a witness of lawful age, produced on the part of the plaintiff being duly sworn deposes and says:

1. Q. State your name, residence, age and occuaption?
A. John O. Smith, 32 years, Pocomoke City, Maryland, farmer.

2. Q. Did you know Retta Annie Smith; is she living or dead, and, if dead,did she leave any real estate and a will?

A. She was my grandmother and died February 1944, leaving about four acres of land in Brinkley's District, Somerset County, and a will by which she divises all of her real estate to six of her children, George Smith, Oscar Smith, Moses Smith, Upshur Smith, Martha Smith Miles, and Clara Finney, and to her grandson George Smith or George Adams, equally.

3. Q. Do you know who owns this property now?
A. I bought by deed the interest of Clara Finney, Oscar Smith, Moses Smith, Ada Smith and Elija Miles so that I figure that the property is owned 1/7 by Upshur Smith, 1/7 by George Smith or George Adams, that I own 4/7 together with the interest of Elija Miles, a son and heir of Martha Smith Miles and that 4/5of the 1/7 divised to Martha Smith Miles are owned by (1) Golden Handy, Regina Doane, Adele Ballard, and Cecie Ballard, surviving husband and children of Heneritta Handy, a deceased daughter of the said Martha Smith Miles and (2) Mary Kurkwood, only child and heir of Mollie Miles, a deceased daughter of Martha Smith Miles and (3)Catherine Miles Smith, a daughter of Cora Miles deceased daughter of Martha Smith Miles and (4) Isaac Carpenter or Cottman, son of Ida Miles, deceased daughter of Martha Smith Miles. All of these parties that I have named are more than 21 years of age.

4. Q. Did you know Frank Smith; if so, is he living or dead, and if dead, did he leave any real estate or any will?
A. Frank Smith was my grandfather and died before I was born; he left about five acres of land adjoining that owned by his wife, Retta Annie Smith, and did not leave any will. His heirs are his son, Alfred Smith, of Somerset County; daughter Clara Finney of Somerset County; a son, Oscar Smith of Baltimore; Ada Smith of Baltimore, widow of George T. Smith, a deceased son, a son Moses Smith of Worcester County, a son, Upshur Smith, of New Jersey; George Smith or George Adams of Somerset County only heir, son of Lucy Smith, a deceased daughter of Frank Smith; Elija Miles, of Somerset County, son of Martha Smith Miles, a deceased daughter of Frank Smith; Golden Handy, Regina Doane, Adele Ballard, and Cecie Ballard surviving husband and children of Heneritta Handy a deceased daughter of Martha Smith Miles, a decaased daughter of Frank Smith; Mary Kurkwood, of Somerset County, only child of Mollie Miles deceased daughter of Martha Smith Miles, deceased daughter of Frank Smith; Catherine Miles Smith, of New Jersey, daughter of Cora Miles, deceased daughter of Martha Smith Miles, deceased daughter of Frank Smith; Isaac Carpenter or Cottman, of Somerset County, Maryland, son of Ida Miles, deceased daughter of Martha Smith Miles, deceased daughter of Frank Smith.

5. Q. State whether or not the property left by Retta Annie Smith can be divided equally between those who own it, or whether it will have to be sold and the money divided.
A. It can not be divided but would have to be sold and the money divided.

6. Q. State whether or not the property left by Frank Smith can be divided equally between those who own it, or whether it will have to be sold and the money divided.
A. It can not be divided but would have to be sold and the money divided.

Court Question and answers nothing further.

Test; Harry C. Dashiell
Examiner

John O. Smith.

There being no further witness present to be examined, at the suggestion of the plaintiff, the papers are herewith returned to court.

Bill of Costs
Harry C. Dashiell
Examiner $4.00

Harry C. Dashiell
Examiner

(Seal)

Exhibit"A" referred to in the foregoing testimony is in the words following to wit:

I, Ritta Annie Smith, of Somerset County, Maryland, do make this my last will and testament in manner following, that is to say:

After the payment of all my just debts and funeral expenses, I give, devise and bequeath my estate as follows:

I give, devise and bequeath all my property of every kind, real and personal, wheresoever situate, including the land I own in Brinkley's Election District, Somerset County, Maryland, which I purchased from Mr. George E. White, and the one third interest in the land which I inherited from my husband, Drank Smith, purchased by him from William Hindman, unto my four sons, George T. Smith, Oscar Smith, Moses Smith and Upshur Smith, all of said Somerset County, my two daughters, Martha Smith Miles and Clar Finney, of said Somerset County, and to my grandson, George Smith, of said Somerset County, son of my deceased son, Adams Smith, to them, their heirs, personal representatives and assigns, in fee simple.

I have not mentioned my son, Alfred Smith, in the above devise because I have previously given him a deed for his share of said real estate.

I constitute and appoint my son, George Smith, to be the executor of this my last will and testament, hereby revoking all other wills and codicils by me heretofore made.

In testimony whereof, I hereunto subscribe my name and affix my seal this seventeenth of August, nineteen hundred and thirty eight.

Test: L. C. Beauchamp

Ritta Annie her X mark Smith (SEAL)

Signed, sealed, published and declared by the above named testatrix as and for her last will and testament in the presence, and in the presence of each other, have hereunto subscribed our names as witnesses.

George Crawford

J. H. Crawford

Somerset County, to wit: March 14, 1944.

THEN CAME George Smith and in the presence of Almighty God, Solemnly promised and declared that the foregoing instrument of writing is the true and whole last Will and Testament of Ritta Annie Smith, late of Somerset County, deceased, that hath come to his hands or possession and that he doth not know of any other and that the same was delivered to him by the testatrix

Before, Florence E. Dryden, Reigister of Wills for Somerset County.

SOMERSET COUNTY, to wit: April 6, 1944.

THEN CAME J. H. Crawford, one of the subscribing witnesses to the foregoing last will and testament of Ritta Annie Smith, late of Somerset County, deceased, and he in the presence of Almighty God, solemnly promised and declared that he did see the Testatrix therein named, sign and seal this will; that he heard her publish, pronounce and declare the same to be her last will and Testament. That at the time of her so doing, she was, to the best of his apprehension of sound and disposing mind, memory and understanding, capable of executing a valid deed or contract; and that he subscribed his name as a witness to this Will in the presence and at the request of the Testatrix, and in the presence of the other subscribing witness thereto he further deposed that he saw George Crawford subscribe his name as witness to this Will in the presence and at the request of the Testatrix.

Before Florence E. Dryden, Register of Wills for Somerset County.

STATE OF MARYLAND, Somerset County, ss:

On the 19th day of April, 1944, came Ashby Crawford and in the presence of Almight God solemnly declared that he is familiar with the handwriting of George Crawford one of the attesting witnesses of the last Will and Testament of Ritta Annie Smith late of said county, deceased, and he verily believes that the signature of the said George Crawford, as so written is the true and genuine signature of the said George Crawford, who is now out of the jurisdiction of the Court.

Before Florence E. Dryden, Reg. W.S. Co.

STATE OF MARYLAND, Somerset County, ss:

On the 19th day of April, 1944, came Lelia Crawford and in the presence of Almighty God solemnly declared that she is familiar with the handwriting of George Crawford one of the attesting witnesses of the last Will and Testament of Ritta Annie Smith late of said County, deceased, and she verily believes that the signature of the said George Crawford, as so written is the true and genuine signature of the said George Crawford, who is now out of the jurisdiction of the Court.

Before Florence E. Dryden, Reg. W.S. Co.

STATE OF MARYLAND, Sct.

In the Orphans' Court for Somerset County:

The Court having carefully examined the above last will and Testament of Ritta Annie Smith late of Somerset County, deceased, and also the evidence adduced as to its validity, orders and decrees this 25th day of April, 1944, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Ritta Annie Smith deceased.

Wm, O. Murray)
J. Henry Bedsworth) Judges of the Orphans' Court for Somerset County.
Lacy V. Bozman)

STATE OF MARYLAND, SOMERSET COUNTY, SS.

I, Florence E. Dryden Register of Wills and by law keeper of the Seal and of the Records and of the Original Papers of the Orphans' Court of Somerset County, DO HEREBY CERTIFY that the foregoing is a true and full copy of the last Will and Testament of Ritta Annie Smith, late of said county, deceased, taken from the original now on file and the same being one of the Records kept in the office of the Register of Wills for Somerset County.

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of said Court, this twenty seventh day of June in the year of our Lord, nineteen hundred and forty five.

Florence E. Dryden
Register of Wills for Somerset County.

And thereafter to wit, on the twentieth day of July, nineteen hundred and forty five a Non-Military Affidavit was filed which affidavit is in the words following to wit:

State of Maryland, Somerset County, to wit:

I hereby certify that on this 19th day of July, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Algie Handy who made oath in due form of law that he knows Upshur Smith, Catherine Miles Smith Golden Handy, George Smith alias George Adams, Adelia Ballrd, Regina Doane, Cecie Ballard, Mary Kurkwood and Issac Cottman, heirs of Ketta Annie Smith, deceased, and that not any of the said parties are engaged in or employed by the Military Service of the United States.

In testimony whereof, I hereunto subscribe my name and affix my Notarial Seal the day and year aforesaid.

Lutie M. White
Notary Public

SEAL OF NOTARY

And thereafter to wit, on the twentieth day of July in the year nineteen hundred and forty-five the Circuit Court here passed the following decree in the premises to wit:

John O. Smith and others	)	No. 6002 Chancery
Vs.	)	In the Circuit Court for
Upshur Smith and others	)	Somerset County, Maryland.
	)	

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

It is, thereupon, this 20th day of July, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings be sold; that L. Creston Beauchamp be and he is hereby appointed Trustee to make such sale, the course and manner of the said proceedings to be as follows: he shall first file in the office of the Clerk of the Circuit Court for said Somerset County, a corporate bond to the State of Maryland in the sum of one thousand dollars, conditioned upon the faithful performance of the trust reposed in him by this decree or that mey be reposed in him by any future decree or order in the premises; he shall then cproceed to make sale of said real estate having given at least three weeks notice inserted in some newspaper published in said Somerset County, and such other notices as he may think proper of the time, place, manner and terms of sale, which terms shall be cash on the day of sale.

And as soon as may be convenient after any such sale, the trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale annexed. And on the ratification of such sale by this Court and on the payment of the entire purchase money, and not before, the trustee by good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser or purchasers of said property, to his, her or their heirs, the property to him, her or them sold,

free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from or under them. And the said trustee shall bring into this Court the money arising from said sale,to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commissions to the said trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

And, it is further ordered, that at the time of advertising such sale, the trustee shall give notice to the creditors of Retta Annie Smith, deceased, to file with the Clerk of the Court, in these proceedings their respective claims, duly proven, within sixty days from the date of sale.

Levin C. Bailey
Judge.

And thereupon the said L. Creston Beauchamp, Trustee filed a Bond in the Court here in the words following to wit:

Know all men by these presents that we, L. Creston Beauchamp, of Somerset County, and State of Maryland, Principal, and the Maryland Casualty Company, a Maryland Corporation, surety, are held and firmly bound unto the State of Maryland in the full and just sum of one thousand dollars, current money, to be paid to the said State 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 20th day of August nineteen hundred and forty five.

Whereas the above bounden L. Creston Beauchamp, by virtue of a decree of the Circuit Court for Somerset County in Equity, has been appointed trustee to sell the real estate mentioned in the proceedings in the case of John O. Smith & others against Upshur Smith & others the same being No. 6002 on the Chancery docket of said Court, and now pending in said Court.

Now the condition of the above obligation is such that if the above bounden L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Test Benjamin L. Barnes

L. Creston Beauchamp (SEAL)
Principal

MARYLAND CASUALTY COMPANY BY

L. C. Beauchamp
Attorney in Fact.

Which said Bond was thus thereon endorsed to wit:

The within Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty second day of August in the year nineteen hundred and forty five, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following to wit:

John O. Smith and other	)	No. 6002 Chancery
Vs.	)	In the Circuit Court for Somerset County
Upshur Smith and others	)	Maryland.
_____	)	

To the Honorable, the Judge of said Court:

The report of L. Creston Beauchamp, trustee in the above entitled cause, appointed by a decree of this Court dated July 20, 1945, to make sale of the real estate therein mentioned respectfully shows:

That by virtue of the power and authority contained in the decree and after having given bond with approved security, as required by law, conditioned upon the faithful performance of the trust reposed in him by said decree, and after having given at least twenty one days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Post, a weekly newspaper published in said county, and by handbill posted at the Court House door in said county, he did, in pursuance of said notice attend at the Court House door in Princess Anne, Maryland, on Tuesday, August 21, 1945 at the hour of two o'clock P.M., and then and there proceeded to sell at public auction the following described property, conveyed by said decree, namely;

He first offered all that lot of land in Brinkley's Election District, Somerset County, Maryland, binding on the east side of the county road leading from Rehoboth to Shelltown, adjoining the lands of Gordon Dryden and others, and containi g four and one half acres, more or less; being all of the land which was conveyed to Rhetta Annie Smith by George White and wife by deed dated January 23, 1902,recorded among the land records of said Somerset County in Liber O.T.B. No. 32, folio 332, except for one acre thereof which was conveyed to Alfred Smith by deed duly recorded among said land records, and improved by a comfortable dwelling and necessary out buildin s, and received as the highest bid therefor the sum of eleven hundred dollars which bid was reserved by the auctioneer;

He next offered all that lot of land in said Brinkley's Election District adjoining the above land, and containing five acres, more or less, which was conveyed to Frank Smith by William Hindman and wife by deed dated October 29, 1893, recorded among said land records in Liber H.F. L. No. 6, folio 580, and received as the highest bid therefor one hundred dollars, which bid was reserved by the auctioneer:

He then offered the two lots together and as a whole and sold the same to John O. Smith, of Worcester County, Maryland, he being the highest bidder therefor, at and for the sum of seven teen hundred dollars, which he has paid to the satisfaction of the said trustee.

And the trustee prays a ratification of his proceedings in the premises.

All of which is respectively submitted.

L. Creston Beauchamp
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify that on this 22d day of August, 1945, before me, the subscriber, Clerk of the Circuit Court for Somerset County aforesaid personally appeared L. Creston Beauchamp the trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledte and belief and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk of Court.

Upon which said Report the Clerkof the Circuit Court here passed the following order, to wit:

John O. Smith and another)	NO. 6002 Chancery
Vs.)	In the Circuit Court for Somerset County
Upshur Smith and others)	Maryland.
)	

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 22d day of August, 1945, that the report of L. Creston Beauchamp, Trustee mentioned in the foregoing report of aale, and the sale of real estate by him reported, be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before September 25, 1945; provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the twenty fourth day of September 1945.

The report states the amount of sale to be $1700.00.

Benjamin L. Barnes
Clerk of Court.

And now at this day to wit, on the thirty first day of January, nineteen hundred and forty-six came again into Court here the said Complainants by their solicitor aforesaid, and on motion of the said complainants, by their solicitor aforesaid, the Court here passed the following order, to wit:

John O. Smith and another)	NO. 6002 Chancery
Vs.)	Somerset County, Maryland.
Upshur Smith and others.)	
)	

It having been proved to the Court that a copy of the preceding order nisi has been published according to its provisions and no exceptions having been filed and no cause to the contrary having been shown, it is this 31st day of January 1946, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the within report of L. Creston Beauchamp, trustee, and the sale therein by him reported, be and the same are hereby finally ratified and confirmed.

Levin C. Bailey
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes Clerk.

""""""""""""""""""""""""""""""""

Robert N. Davis)	Be it remembered that heretofore to wit, on the first day of
Vs.)	March in the year nineteen hundred and forty five, a certain
Cornelius Horsey, Jr.)	Robert N. Davis, by L. Creston Beauchamp, his solicitor exhibited
)	and filed in the Circuit Court here a bill of complaint against

Cornelius Horsey, Jr, which said Bill of Complaint is in the words following to wit:

Robert N. Davis)	NO. 5998 Chancery
Vs.)	In the Circuit Court for
Cornelius Horsey, Jr.)	Somerset County, Maryland.
)	

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator, complaining, says:

1. That Emma J. Horsey, late of Somerset County, Maryland, deceased, was in her life time and at the time of her death, seized and possessed of a one half interest in certain real estate in Brinkley's Election District, Somerset County, Maryland, binding on the north side of the old county road leading from Burnettsville to Marion, adjoining the lands of Sam Brinkley and Norman Whittington, and containing twenty acres more or less which was devised to the said Emma J. Horsey and her son, Cornelius Horsey, Jr., by Cornelius Horsey by his last will and testament dated November 2, 1928, recorded among the testamentary records of said Somerset County, in Liber FED No. 33, folio 55.

2. That being so seized and possessed, the said Emma J. Horsey, departed this life intestate on or about January 23, 1945, leaving surviving her a husband, the plaintiff herein, Robert N. Davis, and a son, the defendant, Cornelius Horsey, Jr., as her only heirs at law, both of whom were over the age of twenty one years and that the said Robert N. Davis resides in Somerset County, Maryland, and that Cornelius Horsey, Jr., is confined in the Crownsville State Hospital Anne Arundel County, Maryland, so that the title to all of the above real estate is now owned one sixth by your orator and five sixths by the defendant, Cornelius Horsey, Jr.

3. That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interest therein, and that in order to make divisions in said interest, it will be necessary that the said real estate be sold and the proceeds thereof divided among the parties entitled thereto according to their respective interest therein, but your or-

ator is unable to obtain adequate relief or make sale of said real estate without the aid of this Honorable Court.

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 among the parties entitled to interests therein, according to their respective interests.

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

May it please Your Honor to grant unto your orator the writ of Subpoena directed to the said Cornelius Horsey, Jr., adult, located in the Crownsville State Hospital, Anne Arundel County Maryland, commanding him 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 as may be passed therein.

And, as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiff

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenae was issued to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Cornelius Horsey, Jr. of Anne Arundel County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays, set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in March next to answer the complaint of Robert N. Davis against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the First day of January Anno Domini 1945. ISSUED the first day of March Anno Domini 1945.

Per order,

Benjamin L. Barnes, Clerk.

At which said First MONDAY in March, in the year nineteen hundred and forty five and the day of the return of the above recited wirt, came again into Court here the said complainant by his solicitor, and the Sheriff of Anne Arundel County, Joseph H. Griscom, to whom the writ aforesaid was in form aforesaid delivered for sercice, also came, and made return thereof to the Court here in the words following to wit:

To the first of said Writs: Summoned, copy of subpoeana read to and left with the defendant Cornelius Horsey Jr. as well as having served on Dr. Robert P. Winterode, Supt. of Crownsville State Hospital, and custodain of said defendant, a copy of the summons this 2nd day of March, 1945.

Joseph H. Griscom
Sheriff.

And thereafter to wit, on the thirty-first day of March in the year nineteen hundred and forty five, the said Complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

Robert N. Davis)
Vs.)
Cornelius Horsey, Jr.)
_____)

No. 5998 Chancery
Somerset County, Maryland.

To the Honorable, the Judge of said Court:

The petition of the plaintiff in the above cause respectfully represents that Cornelius Horsey, Jr. the defendant therein, has been duly summoned, but being confined in the hospital for the insane at Cambridge, Maryland, he cannot answer and defend this suit for himself and has no guardian within the jurisdiction of this Court to answer and defend for him.

The plaintiff, therefore, prays your Honor to appoint a guardian ad litem to appear and answer for said adult defendant, confined as aforesaid.

And, as in duty bound, etc.

L. Creston Beauchamp
Solicitor for defendant.

Upon which said petition, the Court here passed the following order to wit:

Upon the foregoing petition, it is ordered by the Circuit Court for Somerset County, Maryland in Equity, this 31st day of March, 1945, that Elizabeth B. Whaley be and she is hereby appointed guardian ad litem to appear and answer for Cornelius Horsey, Jr. adult defendant in the above cause.

Levin C. Bailey
Judge.

And thereupon the said Elizabeth B. Whaley as guardian specially appointed filed in Court here the following answer, to wit:

The answer of Cornelius Horsey, Jr., adult defendant in the above cause, confined in the hospital for the insane at Cambridge, Maryland, by Elizabeth B. Whaley, guardian ad litem, appointed by the Circuit Court for Somerset County, Maryland, in Equity, to the bill of complaint of Robert N. Davis against him in said Court exhibited:

This defendant, for answer to the said bill of complaint, by his guardian, answers and says, that being ignorant of the matters charged in said bill and beacuse of mental infirmity, he cannot admit any of the allegations of the said bill, but submits his rights to the protection of this Honorable Court.

And, as in duty bound, etc.

Elizabeth B. Whaley
Guardian Ad litem.

And afterwards to wit, on the twenty third day of May, Nineteen hundred and forty five, the Solicitor aforesaid filed in Court here a petition in the words following to wit:

Robertn N. Davis)	No. 5998 Chancery
Vs.)	In the Circuit Court for Somerset County
Cornelius Horsey, Jr.)	Maryland.
_____)	

To the Honorable, the Judge of said Court:

The petition of the plaintiff respectfully represents that the said Cornelius Horsey, Jr. an infant, has been duly summoned to the bill of complaint herein and has filed his answer there to by guardian ad litem appointed by this Court.

The plaintiff, therefore, prays the Court to pass an order to take testimony in said cause

And, as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiff

Upon which said petition the Court here passed the following order to wit:

It appearing in the above entitled cause that the infant defendant therein, Cornelius Horsey, Jr., has been duly summoned to the bill of complaint and has filed his answer by guardian ad litem;

It is, this 23rd day of May, nineteen hundred and forty five, upon the foregoing petition ordered by the Circuit Court for Somerset County, Maryland, in Equity, that the plaintiff have leave to take testimony before one of the standing examiners of this Court.

W. Laird Henry Jr.
Judge.

And afterwards to wit, on the third day of August, nineteen hundred and forty five, the following affidavit was filed.

Robert N. Davis	)	No. 5998 Chancery
Vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.
	)	

State of Maryland, Somerset County, to wit:

I hereby certify that on this 31st day of August, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Henry Outen, of said Somerset County, who made oath in due form of law that he knows Cornelius Horsey, Jr., and that the said Cornelius Horsey Jr. is not enegaged in or employed by the Military Services of the United States of America.

Witness my hand and seal.

Vivian Catlin
Notary Public

SEAL OF NOTARY

And afterwards, to wit, on the thirty first day of August in the year nineteen hundred and forty five, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Robert N. Davis	)	NO. 6998 Chancery
Vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.
	)	

In this cause, an order having been passed to take testimony to support the allegaiations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of this Court, do hereby certify that on August 31, 1945, in said Somerset County, I took the following testimony, to wit:

Robert N. Davis, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1. Q. State your name, age, residence and occupation.

   A. Robert N. Davis; 69 years; Marion Sta., Md.; Laborer.

2. Q. Did you know Emma J. Horsey Davis in her life time? Is she living or dead, and, if dead, did she leave a will?

   A. Emma J. Horsey Davis was my wife; she died January 23, 1945, and did not leave any will.

3. Q Who are her heirs at law?

   a. I am her surviving husband, and Cornelius Horsey, Jr., is her only child and descendant. He was a son by a former marriage.

4. Q. What, if any, real estate did she leave at her death, and can it be divided equally between her heirs, or must it be sold and the proceeds divided?

   a. She owned an one half interest in 30 acres of land in Brinkley's Election District, Somerset County, Maryland, binding on the north side of the old county road leading from Marion to Burnettsville, adjoining the lands of Sam Brinkley and Norman Whittington, which was devised to Emma J. Horsey and Cornelius Horsey, Jr. by Cornelius Horsey by his will dated November 2, 1928, recorded among the testamentary records Somerset County, Maryland, in Liber FED No. 33 folio 55. This land is partly cleared and partly in recently cut timber, and has a four room dwelling, and, in my opinion it would be impossible to divide the land equally between my step son and myself, according to our interests; but it will have to be sold and the money divided between us, as we deserve. I think the property is easily worth one thousand dollars.

Court question and answer: Nothing further.

Test: Harry C. Dashiell Robert N. Davis

Jerome Burnett, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1. Q. State your name, age, residence and occupation.

   a. Jerome Burnett; 78 years; Marion, Md; Farmer.

2. Q. Did you know Emma J. Horsey Davis: Is she living or dead, and, if dead, did she leave a will:

a. I knew her all of her life having lived within a quarter of a mile of her home; she died this past winter, and did not leave a will.

3 Q. What, if any, real estate did she leave, and what is it worth?

A. She had, what I have understood to be, an one half interest in 30 acres of land between Marion and Burnettsville; about one half of it being tillable and the other one half being in cut over timber; there is a four room dwelling in fairly good condition. I should say the property is worth about one thousand dollars.

4. Q Who are her heirs?

a. Her husband, Robert N. Davis, and her son by a former marriage, Cornelius Horsey, Jr.

5. Q. Do you think this property could be divided between the two parties so that one could get an one sixth interest and the other five sixths? or, will it have to be sold , and the money divided?

a. It will have to be sold and the proceeds divided.

Court question and answer: That is all.

Test: Harry C. Dashiell Exam. Jerome Burnett

There being no further witnesses present to be examined, and, at the request of the plaintiff, the papers are herewith returned to Court.

Harry C. Dashiell (SEAL)
Examiner

Bill of Costs:
Harry C. Dashiell Examiner $4.00

And thereafter to wit, on the twentieth day of October in the year nineteen hundred and forty five, the Circuit Court here passed the following Decree in the premises to wit:

Robert N. Davis	)	No. 5998 Chancery
Vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.
	)	

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

It is thereupon, this 20th day of October, 1945, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings be sold; that L. Creston Beauchamp be and he is hereby appointed trustee to make such sale, the course and manner of his said proceeding to be as follows: He shall first file in the office of the Clerk of the Circuit Court for Somerset County, a corporate bond to the State of Maryland in the sum of one thousand dollars, conditioned upon the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having given at least three weeks previous notice inserted in some newspaper printed in said Somerset County and such other notice as he may think proper of the time, place, manner and terms of sale, which terms shall be cash on the day of sale.

And as soon as may be covenient after any such sale, the trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale annexed. And on the ratification of such sale by this Court and on the payment of the entire purchase money, and not before, the trustee by good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser or purchasers of said property, to his, her or their heirs, the property to him, her or them sold, free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from or under them. And the said trustee shall bring into this Court hte money arising from said sale, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commissions to the said trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

And, it is further ordered, that at the time of advertising such sale, the trustee shall give notice to the creditors of Emma J. Horsey, deceased, to file with the Clerk of the Court in these proceedings their respective claims, duly proven, within sixty days from the date of sale.

Levin C. Bailey
Judge.

And thereupon the said L. Creston Beauchamp, Trustee, filed a Bond in the Court here in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, L. Creston Beauchamp, of Somerset County, Maryland principal and the Maryland Casualty Company, a Maryland Corporation, surety, are held and firmly bound unto the State of Maryland in the full and just sum of one thousand dollars, current money to be paid to the said State 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, auccessors and assigns, jointly and severally, firmly by these presents sealed with our seals and dated this 27th day of November, nineteen hundred and forty five.

Whereas by a decree of the Circuit Court for Somerset County, bearing date the 25th day of October, nineteen hundred and forty five, and passed in a cause in said Court pending wherein Robert N. Davis is the complainant and Cornelius Horsey, Jr. is the defendant, the same being No. 5998 on the Chancery Docket of said Court, the above named L. Creston Beauchamp was appointed trustee, with power to sell the real estate in said cause decreed to be sold, and whereas the said L. Creston Beauchamp is about to enter upon the execution of said trust;

NOW THE CONDITION of the above obligation is such that if the above bounden L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

L. Creston Beauchamp, principal (SEAL)

WITNESS: BENJAMIN L. BARNES. MARYLAND CASUALTY COMPANY BY

L. C. BEAUCHAMP, SEAL.
ATTORNEY IN FACT

Which said Bond was thus thereon endorsed to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty eighth day of November in the year nineteen hundred and forty five, the said Trustee exhibited and filed in the Circuit Court here a report of sale with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following to wit:

Robert N. Davis	)	No. 5998 Chancery
Vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.
_____ _____	)	

To the Honorable, the Judge of said Court:

The report of L. Creston Beauchamp, trustee in the above entitled cause, appointed by a decree of this Court dated October 20, 1945 to make sale of the real estate therein mentioned respectfully shows:

That by virtue of the power and authority contained in said mortgage and after having given bond with approved security as required by law, conditioned upon the faithful performance of the trust reposed in him by said mortgage, and after having given at least twenty one days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in said county, and by hand bill posted at the Court House door in Princess Anne Maryland, on Tuesday, November 27, 1945, at or about the hour of two o'clock PM and then and there

proceeded to sell at public auction the following described property conveyed by said mortgage namely:

All that tract or parcel of land in Brinkley's Election District, Somerset County, Maryland, binding on the north side of the old county road leading from Burnettsville to Marion, adjoining the lands of Sam Brinkley and Norman Whittington, and containing twenty one acres, more or less; being the same land which was devised to Emma Horsey and Cornelius Horsey, Jr. by Cornelius Horsey by his last will and testament dated November 2, 1928, recorded among the testamentary records of said Somerset County in Liber FED No. 33, folio 55; and, which descended to Robert N. Davis and Cornelius Horsey, Jr., as the husband and son and only heirs of Emma Horsey Davis, deceased; and improved by a comfortable dwelling and necessary out-buildings and sold the same to William F. Logan, he being the highest bidder therefore, at and for the sum of eight hundred and ten dollars, which he has paid to the saitisfaction of the trustee.

And the trustee prays a ratification of his proceedings in the premises.

All of which is respectfully submitted.

L. Creston Beauchamp
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify that on this 28th day of November, 1945, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp the trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk of Court.

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Robert N. Davis)	No. 5998 chancery
Vs.)	In the Circ it Court for
Cornelius Horsey, Jr.)	Somerset County, Maryland.
)	

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 28th day of November, 1945, that the report of L. Creston Beauchamp, trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported, be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 31st day of December, 1945; provided a copy of this order be inserted in some newspaper printed in said Somerset Cojnty once in each of three successive weeks before the 29th day of December 1945.

The report states the amount of the sale to be $810.00

Benjamin L. Barnes.
Clerk of Court.

And now at this day to wit, on the sixth day of February, nineteen hundred and forty six, came again into Court here the said Complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order to wit:

L. Creston Beauchamp, Trustee	No. 5998 Chancery In the Circuit Court for Somerset County, Maryland.

It having been proved to the Court that a copy of the preceding order nisi has been published according to its provisions, and no exceptions having been filed and no cause to the contrary having been shown, it is this 6th day of February, 1946, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the within report of L. Creston Beauchamp, trustee, and the sale by him reported, be and the same are hereby finally ratified and confirmed.

Edmond H. Johnson
Judge.

Hamuray Term 1946.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin P. Barnes. Clerk.

""""""""""""""""""""""""""""""""""""""

State of Maryland, Somerset County, to wit:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in March, being the fourth day of the same month, in the year of our Lord, one thousand nine hundred and forty six.

Were present,

Hon. W. Laird Henry Jr., Chief Judge
Hon. Levin C. Bailey, Assoc. Judge
Hon. Edmond H. Johnson, Assoc. Judge

Murray E. Ward, Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following to wit:

In the matter of the tax sale of real estate in Lawsons Election District, Somerset County, Maryland, assessed to Samuel H. Taylor and wife for the years 1938 and 1939 made and reported by Carlos Bozman, County Treasurer and Collector Julian B. Whittington Purchaser	Be it remembered that heretofore to wit, on the sixteenth day of January in the year nineteen hundred and forty six, a certain Carlos Bozman, Collector of State and County taxes for the eighth collection district of Somerset County for the years 1938 and 1939 , by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit thereunto annexed, which said report and affidavit as aforesaid filed, are in the words following to wit:

In the matter of the tax sale of real estate in Lawsons Election District, Somerset County, Maryland, assessed to Samuel H. Taylor and wife for the years 1938 and 1939 made and reported by Carlos Bozman, County Treasurer and Collector Julian B. Whittington Purchaser	No. 6098 Chancery In the Circuit Court for Somerset County, Maryland In Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30th 1938, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Carlos Bozman County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said county in books supplied by said county commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Samuel H. Taylor and wife in Lawsons Election District, Somerset County, Maryland, the sum of one (1) dollar and 46 cents State taxes, and twelve (12) dollars and fifty nine (59) cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1939.

That in the month of August, 1938 the said Carlos Bozman County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Carlos Bozman County Treasurer, and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of

January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30th 1939, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Carlos Bozman County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Samuel H. Taylor and wife in Lawsons Election District, Somerset County, Maryland, the sum of one (1) dollar and 48 cents State taxes, and ten (10) dollars and sixteen (16) cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1940.

That in the month of August, 1939, the said Carlos Bozman County Treasurer and Collector as aforesaid, gave notice of said annual levy b y advertisement inserted once a week for four successive weeks in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Carlos Bozman County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1938 and 1939 being still due and in arrears and unpaid, constituted in a lien upon the real estate of the said Samuel H. Taylor and wife in said Lawsons Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Crisfield Times a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement did, on October 27, 1941, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to Samuel H. Taylor and wife in said election district, as follows: All that lot or parcel of land located, situate lying and being in Lawsons' Election District Containing six (6) acres of land and improved by a frame d2elling and being bounded on the North by the lands of L. Johnson; by the East by the lands of said L. Johnson; on the South by the lands of J. Cox and on the West by the lands of J. Horsey and sold the same to Julian B. Whittington, Somerset County, Maryland at and for the sum of twenty eight dollars and ninety three cents ($28.93) which covers state and county taxes with interest and including three dollars and thirty cents ($3.30) the costs for the sale thereof.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman
County Treasurer and Collector of State and County taxes.

Upon which said Report the Court here passed the following order:

ORDER NISI

NO. CHANCERY

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY, MARYLAND

In the matter of the tax sale of real estate in Lawsons' Election District Somerset County Maryland, assessed to Samuel H. Taylor and wife for the years 1938 and1939, made and reported by Carlos Bozman, County Treasurer and collector of state and county taxes for said Somerset County

Julian B. Whittington, Crisfield, Maryland, Purchaser.

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on October 27, 1941, of land in Lawsons' Election District, said Somerset County, containing six (6) acres of land and improved by a frame dwelling and being bounded on the north by the lands of L. Johnson; by the East by the lands of said L. Johnson; on the south by the lands of J. Cox and on the west by the lands of J. Horsey; assessed to Samuel H. Taylor and wife, made to Julian B. Whittington for the sum of twenty eight dollars and ninety three cents ($28,93) now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with.

It is thereupon this 16th day of January 1946, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County, Maryland, once in each of three successive weeks before the 16th day of February, warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before the 16th day of March, 1946, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $28.93.

Levin C. Bailey, Judge.

And now at this day to wit on the twenty second day of April, in the year nineteen hundred and forty six, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order to wit:

In the matter of the tax sale of real estate in Lawson's Election District, Somerset County, Maryland, assessed to Samuel H. Taylor and wife, made and reported by Carlos Bozman, County Treasurer----------Julian B. Whittington Purchaser.	NO. 6098 Chancery In the Circuit Court for Somerset County, Maryland.

It having been proved to the Court that, in the above entitled cause, notice has been given by publication of the order nisi heretofore passed in this cause in the Somerset News, a newspaper published in Somerset County, Maryland, according to the terms of said order nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 19th day of April, 1946, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale of real estate therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Parrish Clerk.

""

W. Melbourne Hart, Mortgagee Ex Parte, under power in a mortgage from Eleanor M. Tyler to W. Melbourne Hart.

Be it remembered that heretofore to wit, on the fifth day of March in the year nineteen hundred and forty six, a Certain W. Melbourne Hart, in his proper person exhibited and filed in the Circuit Court here the original of a certain mortgage which said original mortgage is in the words following to wit:

THIS MORTGAGE, made this seventeenth day of November, in the year nineteen hundred and thirty, by Eleanor M. Tyler of Somerset County, State of Maryland, WITNESSETH:

Whereas the said Eleanor M. Tyler is justly and bona fide indebted unto W. Melbourne Hart of Baltimore City, State of Maryland, in the full sum of four hundred dollars, and has given therefor her bill obligatory for said principal sum, of even date herewith, payable to the said W. Meloburne Hart, his personal representatives or assigns, three years after date, with interest payable annually from said date, to better secure the payment of which said sum and interest when and as the same shall become due and payable these presents are executed.

Now therefore, this mortgage witnesseth: That in consideration of the premises and of the sum of one dollar, the said Eleanor M. Tyler does grant and convey unto the said W. Melbourne Hart, his heirs and assigns, all that farm, tract, lot or parcel of land situate in West Princess Anne Election District in said Somerset County, containing thirty four and three fourths acres, more or less, lying on the West side of the County Road leading from Venton to Mt. Vernon and on both sides of the raod leading from the aforementioned County Road to the residence of George Lewis, being Lot No. 3 of the real estate of John Price, sold by J. W. Miles, trustee, and being the same and all of the land conveyed to the said Eleanor M. Tyler by deed from Harry Davis, et al, dated December twenty eighth, nineteen hundred and twenty five and recorded among the land records of said Somerset County, in Liber No. 92, folio 406.

To which said deed and all the references therein contained, specail reference is hereby made for a more full and particular description of the land and premises hereby mortgaged.

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

To have and to hold the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee his heirs and assigns forever.

Provided that if the said Mortgagor shall well and truly pay unto the said Mortgagee the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said bill obligatory, and shall perform all the covenants herein on her part to be performed, then this mortgage shall be void.

And it is agreed that until default be made in the premises, the said Mortgagor shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said Eleanor M. Tyler does hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagee his personal representatives or assigns or George H. Myers their Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much ther of as may be necessary for cash, 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 by advertisement in some newspaper printed in said Somerset County, and such other notice as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorney's fee, and a commission to the party making sale of said property, equal to the commission allowed trustees for making sale of property by virtue of a decree of a court having equity jurisdiction in the State of Maryland; secondly, to the payment of all claims of the said Mortgagee his personal representatives and assigns under this mortgage, whether the same shall have matured or not; and the surplus (if any there be) shall be paid to the said Mortgagor or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof shall be advertised under the powers hereby granted and that the said Mortgagor or any person in her behalf, shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagor covenants to pay to the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorneys fee, and one half the commission hereinbefore mentioned, to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagor does further covenant to insure, and pending the existence of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least four hundred dollars and to cause the policy to be effected thereunto be so framed or endorsed as in case of fire, to inure to the benefit of the said mortgagee his personal representatives and assigns to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagor shall fail to insure and to keep insured the improvements aforesaid for the benefit of the mortgagee and to deposit the policy or policies as aforesaid, the said mortgagee hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment as though included in the mortgage debt hereinbefore firstmentioned.

Witness the hand and seal of said mortgagor.

TEST: Samuel H. Sudler Eleanor M. Tyler (SEAL)

STATE OF MARYLAND, SOMERSET COUNTY TO WIT:

I HEREBY CERTIFY, That on this 17th day of November in the year nineteen hundred and thirty before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Eleanor M. Tyler the mortgagor named in the foregoing mortgage and acknowledged the foregoing mortgage to be her act and deed; and at the same time and place also personally appeared before me George H. Myers, and made oath in due form of law that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth, and that he is the duly authorized agent of the said mortgagor to make this affidavit.

In testimony whereof I have hereunto set my hand and affixed my Notarial Seal.

Samuel H. Sudler SEAL OF

Notary Public NOTARY

Received for Record November 22, 1930 and recorded in Liber GWL No. 98 folio 478 one of the Land Records of Somerset County.

Per Geo. W. Lawson, Clerk.

And thereupon on the same day, W. Melbourne Hart, Attorney filed in Court here a Statement of Mortgage Claim which statement is in the words following to wit:

W. Melboune Hart)	IN THE CIRCUIT COURT
Vs.)	FOR SOMERSET COUNTY
Eleanor M. Tyler)	IN CHANCERY NO. 6124
_____ _____)	

STATEMENT OF MORTGAGE DEBT.

The statement of the Mortgage Claim of W. Melbourne Hart the mortgagee in the mortgage filed in this cause, and now due and owing by the above named defendant is as follows:

Original amount of indebetedness Nobember 17, 1930	$400.00
Fire Insurance paid for by this mortgagee:-	
July 27, 1931, one year in advance	3.70
Aug. 1, 1932 one year in advance	3.70
Aug 19, 1933 one year in advance	3.70
July 16, 1934 Three years in advance	9.25
July 16, 1937 Three years in advance	9.25
total amount advanced by mortgagee	$429.60

Payments made by the mortgagor to the mortgagee as follows:

Nov 3, 1931	$12.00	April 5, 1938	$10.00
Jan. 19, 1932	12.00	May 28, 1938	10.00
Dec. 9, 1932	9.85	March 18, 1939	10;00
Apr. 28, 1934	10.00	Aug. 28, 1940	10.00
Sept 18, 1934	10.00	Mar. 17, 1941	300.00
Mar. 31, 1937	5.00		
Aug. 23, 1937	10.00		
Jan. 4, 1938	10.00	Total Amount paid by Mortgagor	$418.85

No payments have made on account since March 17, 1941. As of that date the interest at the rate of six per centum per annum amounted to $248.00 which amount when added to the aforesaid amount of $429.60 which was advanced by the mortgagee equals $677.60 deducting $418.85 which is the amount paid by the mortgagor to the mortgagee as above stated equals $258.75 now due to the mortgagee, with interest at the rate of six per centum per annum from the seventeenth day of March 1941 , to date.

W. Melbourne Hart
Mortgagee

STATE OF MARY AND, WICOMICO COUNTY SCT.

I HEREBY CERTIFY, THAT on this fourth day of March in the year nineteen hundred and forty six before me, a Notary Public of the State of Maryland, in and for said Wicomico County personally appeared W. Melbourne Hart the plaintiff in the above entitled cause, and made oath that the foregoing is a true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

Edna Lewis SEAL OF
Notary Public NOTARY

And thereupon the said W. Melbourne Hart, Attorney and Mortgagee, filed in Court here a bond in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS:

THAT we, W. Melbourne Hart, as Principal and National Surety Corporation as Surety, are held and firmly bound unto the State of Maryland in the full and just sum of one thousand dollars ($1,000.00) to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 5th day of March in the year A.D. 1946.

Whereas the above bounded W. Melbourne Hart, by virtue of a Power of Sale contained in a mortgage from Eleanor M. Tyler to W. Melbourne Hart, dated November 17, 1930 and recorded among

the Land Records of Somerset County, Maryland in Liber GWL No. 98, folio 478, default having been made in the covenants and conditions thereof, and in the payment of the money specified to be paid, has instituted foreclosure proceedings thereon.

NOW THE CONDITIONS OF THIS OBLIGATION ARE SUCH: That if the above bounden W. Melbourne Hart does and shall well and truly abide by and fulfill any order or decree which shall well and truly abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

SIGNED SEALED AND DELIVERED

IN THE PRESENCE OF — W. MELBOURNE HART (SEAL)

Margaret H. Cheldon — NATIONAL SURETY CORPORATION

Witness: Sally L. Ford. — BY Edgar A. Jones
Attorney in fact.

Which said bond was thus thereon endorsed to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty sixth day of March in the year nineteen hundred and forty six, the said Attorney exhibited and filed in the Circuit Court here a report of sales with an affidavit and advertisement thereunto annexed which report, affidavit and advertisement, so aforesaid filed is in the words following to wit:

W. Melbourne Hart	)	IN THE
Vs.	)	CIRCUIT COURT
Eleanor M. Tyler	)	FOR SOMERSET COUNTY, MD.
_____	)	IN CHANCERY NO. 6124

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT FOR SOMERSET COUNTY

The Report of Sale of W. Melbourne Hart, by virtue of a power set forth in a mortgage heretofore filed as an exhibit in the above entitled cause, authorizing him to make sale of the property described in the advertisement hereto attached, and in the proceedings in said cause mentioned, respectfully shows, that after giving bond with security for the faithful discharge of his trust, as prescribed by said power which was duly approved and having given notice of the time, place, manner and terms of sale, by advertisements inserted in The Marylander and Herald a weekly newspaper published in Princess Anne for more than three successive weeks, preceding the day of sale, said W. Melbourne Hart did pursuant to said notice on Tuesday the 26th day of March 1946 at two o'clcok PM attend in front of the Court House in Princess Anne and then and there sold the aforesaid property to Roy W. Smith he being then and there the highest bidder for same at and for the sum of $740.00 Seven hundred and forty dollars.

W. Melbourne Hart, Mortgagee.

Advertisement.

MORTGAGEES SALE OF HOUSE AND FARM

In the West Princess Anne Election District of Somerset County, Maryland

By virgue of a power of sale contained in a mortgage from Eleanor M. Tyler to W. Melbourne Hart dated November 17, 1930 and recorded among the land records of Somerset County, Maryland in Liber GWL No. 98 folio 478 etc. and default having occurred in the covenants in the said mortgage the undersigned will offer at public sale in front of the Court House Door at Princess Anne, Md. on TUES, MARCH 26, 1946 At Or About the hour of 2:00 P.M. all that lot of ground or farm situated in the West Princess Anne Election District of Somerset County, Md. and containing thirty four and three fourths acres, more or less, and improved by a two story frame dwelling the said tract or parcel of land being situate and lying on the west side of the county road leading from Venton to Mt. Vernon and on both sides of the road leading from the aforementioned County road to the residence now or formerly occupied by George Lewis, being Lot No. 3 of the

real estate of John Price, sold by J. W. Miles, trustee. Being the same land conveyed by Harry Davis, et al to the said Eleanor M. Tyler by deed dated Dec. 28, 1925 and recorded prior hereto.

Terms of sale---CASH

W. Melbourne Hart,
Mortgagee

State of Maryland, Somerset County, SCT

I hereby certify, that on this twenty sixth day of March 1946, that before me, the subscriber Clerk of the Circuit Court for Somerset County in the State of Maryland, personally appeared W. Melbourne Hart, and made Oath that the facts stated in the foregoing Report of Sale are true, as therein set forth, and that the sale thereby reported was fairly made.

Benjamin L. Barnes, Clerk.

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

W. Melbourne Hart, Mortgagee)	IN THE CIRCUIT COURT
Vs.)	FOR SOMERSET COUNTY, MARYLAND
Eleanor M. Tyler, Mortgagor.)	IN CHANCERY NO. 6124
)	

ORDER NISI

Ordered by the Circuit Court for Somerset County, State of Maryland, in Equity, this 26th day of March 1946 that the sale of the property mentioned in these proceedings made and reported by W. Melbourne Hart mortgagee under the power set forth in the mortgage filed in these proceedings to make sale be ratified and confirmed unless cause to the contrary be shown on or before the 29th day of April 1946 provided a copy of this order be inserted in some newspaper pbulished in said Somerset County once in each week of three successive weeks before the 27th day of April 1946.

The report states the amount of sale to be $740.00

Benjamin L. Barnes
Clerk.

And now at this day to wit, on the fourth day of May in the year nineteen hundred and forty six came again into Court here the said Mortgagee and Attorney and on motion of the said Mortgagee and Attorney, the Court here passed the following order, to wit:

W. Melbourne Hart, Mortgagee)	
Vs.)	
Eleanor M. Tyler, Mortgagor)	
)	

Ordered, by this Court this 4th day of May, 1946, that the sale made and reported by W. Melbourne Hart, Mortgagee be and the same is hereby ratified and confirmed, no cause to the contrary having been shown, although due notice thereof appears to have been given as required by the order nisi herein.

Levin C. Bailey
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes Clerk

"""

State of Maryland, Somerset County, to wit:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in May, being the sixth day of the same month, in the year of Our Lord, one thousand nine hundred and forty six.

Hon. W. Laird Henry, Jr., Chief Judge
Hon.Levin C. Bailey, Assoc. Judge
Hon. Edmond H. Johnson, Assoc. Judge
Benjamin L. Barnes, Clerk.

Murray E. Ward, Sheriff and

Myrtle M. Phillips, Amos C.Phillips, and John C. Phillips, adults, and Florence E. Phillips, Emmett R. Phillips and Patricia Ann Philips, infants, by their mother and guardian Myrtle M. Phillips.

vs.

Ernest J. Gore and Martha H. Gore, his wife.

Be it remembered that heretofore to wit, on the thirteenth day of May, in the year nineteen hundred and forty six, a certain Certified Copy of Bill of Complaint, Certified Copy of Decree, and Certified Copy of Report of Trustee from Dorchester County, Maryland was exhibited and filed in the Circuit Court here which said Certified Copy of Bill of Compaaint

is in the words following, to wit:

Myrtle M. Phillips, Amos C. Phillips, and John C. Phillips, adults, and Florence E. Phillips, Emmett R. Phillips and Patricia Ann Philips, infants, by their mother and guardian Myrtle M. Phillips.

vs.

Ernest J. Gore and Martha H. Gore, his wife,

In Equity, in the Circuit Court for Dorchester County, Maryland.

No. 7187 Chancery.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your orators, complaining, say:

FIRST: That Amos Phillips, late of Dorchester County, Maryland, deceased, and Ernest J. Gore, of said County and State, were, in the lifetime of the said Amos Phillips and at the time of his death, seized and possessed, in fee simple, as tenants in common in equal shares of two lots or parcels of land, one of which is situated in Dorchester County, State of Maryland, and the other in Somerset County, State of Maryland, and are described as follows:

Lot No. 1

All that parcel of land situate, lying and being on Holland's Island, in Straits Election District, Dorchester County, Maryland, which is bounded on the south by lands now or formerly owned by William A. Parks, on the East by Holland's Straits and on the west by a creek, it being the same land that was conveyed unto the said Amos Phillips and Ernest J. Gore by James T. Duncan by deed dated March 23rd, 1929, and recorded among the land records of Dorchester County, Maryland, in Liber JFD. No. 23, folio 498, the said deed being herewith filed as a part of these proceedings and marked Exhibit A.

Lot No. 2.

All that tract or parcel of land called Pry Island, situate, lying and being in the tenth election district of Somerset County, State of Maryland, that was granted unto the said Ernest J. Gore and Amos Phillips by the State of Maryland by Patent dated the 31st day of March, 1925 and recorded in the Land Office of Maryland in Patent Record in Liber J.S.S. No. 1, folio 230 and containing sixteen and nine tenths acres, the said patent being herewith filed as a part of these proceedings and marked Exhibit B.

SECOND: That being so seized and possessed of said undivided one half interest in said real estate, the said Amos Phillips departed this life on or about the 26th day of September, 1936, intestate, leaving surviving him his widow, the said Myrtle M. Phillips, and the follow-

ing named children: Amos C. Phillips, John C. Phillips, Florence E. Phillips, Emmett R. Phillips and Patricia Ann Phillips, as his only heirs at law, to whom the undivided one half interest of the said Amos Phillips in said lands then descended, by whom the same is now owned and held as tenants in common with the said Ernest J. Gore, who still owns the other undivided one half interest is said lands.

THIRD: That the said Myrtle M. Phillips is a widow, and the said Amos C. Phillips, John C. Phillips, Florence E. Phillips, Emmett R. Phillips and Patricia Ann Phillips are unmarried.

FOURTH: That the said Myrtle M. Phillips, Amos C. Phillips, John C. Phillips, Ernest J. Gore and Martha H. Gore are above the age of twenty one years, and the said Florence E. Phillips Emmett R. Phillips and Patricia Ann Phillips are under the age of twenty one years.

FIFTH: That the said Myrtle M. Phillips is the duly appointed and qualified legal guardian of the said Florence E. Phillips, Emmett R. Phillips and Patricia Ann Phillips, infants, by virtue of her appointment by the Orphans Court of said Dorchester County, as shown by the certificate of the Register of Wills for said Dorchester County herewith filed, marked Exhibit C.

SIXTH: That the said Ernest J. Gore is intermarried with Martha H. Gore.

SEVENTH: That all of the parties to this cause are residents of Dorchester County, State of Maryland.

EIGHTH: That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein and that, in order to make division of said interests it will be necessary that said real estate be sold and the proceeds thereof divided among the parties according to their several interests.

NINTH: That the said Ernest J. Gore having offered to purchase the undivided one half interest of the complainants in said lands for the sum of one thousand five hundred dollars ($1,500.00) the said Myrtle M. Phillips, Amos C. Phillips, and John C. Phillips, adults, and the said Myrtle M. Phillips as the mother and guardian of the said Florence E. Phillips, Emmett R. Phillips, and Patricia Ann Phillips, infants, have by agreement or contract of sale dated the 22nd day of December, 1945, sold all the right, title, and interest of the complainants, being an undivided one half interest, as aforesaid, in said lands, at and for the said sum of one thousand five hundred dollars ($1,500.00) subject to the ratification and confirmation of said contract by this Honorable Court, said agreement or contract of sale being herewith filed, and marked Exhibit D.

TENTH: That the said Ernest J. Gore has paid to the said Myrtle M. Phillips the sum of one hundred dollars ($100.00) in part payment of said purchase price and under the terms of said contract agreed to pay the balance of said purchase price, namely, the sum of one thousand four hundred dollars ($1,400.00) without interest, upon the ratification and confirmation of said contract or agreement of sale by the Court.

ELEVENTH: That your orators believe it will be to the best interest and advantage of said infants, and of the other persons interested therein, that said agreement or contract of sale and the sale thereby made, be ratified and confirm ed by the Court, as your orators believe the price offered for said undivided one half interest is as good a price as they will be able to obtain for the same.

To the end, therefore,

(1) That a decree may be passed by the Court ratifying and confirming the said agreement or contract of sale, and the sale thereby made.

(2) That a trustee may be appointed by the Court to receive the purchase money and to convey to the purchaser the real estate sold under said contract or agreement of sale.

(3) That the proceeds of sale may be distributed among the parties entitled, thereto, according to their respective rights and interests.

according to their respective rights and interests.

(4) That your orators may have such other and further relief as their case may require.

May it please your Honors to grant unto your Orators the writ of subpoena, directed to the said Ernest J. Gore and Martha H. Gore, his wife, both of whom are adults and reside in Dorchester County, Maryland, commanding them, and each of them, to be and appear in this Court, on some certain day to be named therein, and answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.

Calvin Harrington & Son,
By: Calvin Harrington
Solicitors for Plaintiffs.

STATE OF MARYLAND, DORCHESTER COUNTY, TO WIT:

I, Roy S. Melvin, Clerk of the Circuit Court for Dorchester County, do hereby certify that the aforegoing is a true copy of the Bill of Complaint, filed January 3rd, 1946, in No. 7187 Chancery, being case of Myrtle M. Phillips, et al, versus Ernest J. Gore, and wife, as taken from the proceedings now on file in this office.

Exhibit "B" Recorded in DLB No. 136 Folio 86

IN TESTIMONY WHEREOF, I have hereunto set my hand and affix the seal of the Circuit Court for Dorchester County, Maryland, this 2nd day of April, A.D. 1946.

ROY S. MELVIN
Clerk Circuit Court for Dorchester Co. Md.

The Certified Copy of Decree mentioned above is in the words following to wit:

Myrtle M. Phillips, et al.	)	IN EQUITY, in the Circuit Court
vs.	)	for Dorchester County, Maryland
Ernest J. Gore and Martha H. Gore, his wife.	)	No. 7187 Chancery.
	)	

THIS CAUSE standing ready for hearing and being submitted, the proceedings were read and considered:

It is thereupon this 22nd day of March, nineteen hundred and forty six, by the Circuit Court for Dorchester County, Maryland, sitting as a Court of Equity, adjudged, ordered and decreed that the Contract of Sale made by and between Murtle M. Phillips, et al, parties of the first part, and Ernest J. Gore, party of the second part, which has heretofore been filed in these proceedings marked Exhibit D, and the sale by said contract made, be and the same are hereby ratified and confirmed; it is further adjudged, ordered and decreed that Calvin Harrington be, and he hereby is, appointed Trustee for the purpose of collecting and receiving the purchase money mentioned in said contract of sale, and of conveying to the purchaser the land sold by said contract, but 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 fifteen hundred dollars ($1500.00) if a corporate bond be given and in the penalty of three thousand dollars ($3000.) if an individual 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 decree or order in the premises, and on the payment of the whole of said purchase money by the purchaser (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 of the land by said contract sold, his, her or their heirs, the said property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, plaintiffs and defendants, and those claiming by, from or under them, or any of them; and the said trustee, shall bring into this Court the money arising from said sale, to be distributed under the dire-

ction 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.

(signed) W. Laird Henry, Jr.
Judge.

STATE OF MARYLAND, DORCHESTER COUNTY, TO WIT:

I, Roy S. Melvin, Clerk of the Circuit Court for Dorchester County, do hereby certify that the aforegoing is a true copy of the original Decree, filed March 22nd 1946, in No. 7187 Chancery, being case of Myrtle M. Phillips, et al, vs. Ernest J. Gore and wife, as taken from the proceedings now on file in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Circuit Court for Dorchester County, Maryland, this 2nd day of April, A.D. 1946.

ROY S. MELVIN
Clerk Circuit Court for Dorchester Co.Md.

The Certified Copy of Report of Trustee mentioned above is in the words following, to wit:

Myrtle M. Phillips, et al	)	IN EQUITY, IN THE CIRCUIT COURT
vs.	)	FOR DORCHESTER COUNTY, MARYLAND
Ernest J. Gore and Martha H. Gore, his wife	)	NO. 7187 Chancery.
	)	

To the Honorable, the Judges of the Circuit Court for Dorchester County, Maryland, sitting as a Court of Equity.

The report of Calvin Harrington, Trustee, appointed by a decree of this Honorable Court, passed in the above entitled cause on the 22nd day of March, 1946, for the purpose of collecting and receiving the purchase money, being the sum of fifteen hundred dollars ($1,500.00) mentioned in the Contract of Sale by which an undivided one half interest in the land described in the Bill of Complaint was sold to Ernest J. Gore, of Dorchester County, Maryland, by Myrtle M. Phillips, et al, of said county and State, and also for the purpose of conveying to the purchaser the said undivided one-half interest bought by him under said Contract of Sale, which said sale has hereinbefore been ratified by the Court, your said trustee, after having first filed with the Clerk of this Court a corporate bond to the State of Maryland, in the penalty of fifteen hundred dollars ($1,500.00) as required by said decree, hereby reports that he has collected said purchase money and has referred the case to the Court Auditor for the purpose of stating an audit and distributing said money under the direction of the Court.

All of which is respectfully submitted.

Calvin Harrington, Trustee

STATE OF MARYLAND, DORCHESTER COUNTY, TO WIT:

I hereby certify that on this 9th day of April in the year 1946, before me, the subscriber a Notary Public of the State of Maryland, in and for Dorchester County, personally appeared Calvin Harrington, Trustee, in the above entitled case and made oath in due form of law that the matters and things set forth in the foregoing report are true and bona fide as therein set forth, to the best of his knowledge and belief.

Witness my hand and Notarial Seal.

Elba M. Merrick, PLACE
Notary Public OF SEAL.

STATE OF MARYLAND, DORCHESTER COUNTY, TO WIT:

I, Roy S. Melvin, Clerk of the Circuit Court for Dorchester County, do hereby certify that the aforegoing is true copy of the Report of Trustee, filed April 9th, 1946, in No. 7187 Chancery

in said Court, being case of Myrtle M. Phillips, et al. versus Ernest J. Gore and Martha H. Gore, his wife, as taken from the proceedings now on file in this office.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the Circuit Court for Dorchester County, Maryland, this 10th day of April, A.D., 1946.

ROY S. MELVIN
Clerk Circuit Court for Dorchester Co. Md.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. Clerk

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STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in November, being the Fifth day of the same month, in the year of our Lord One thousand nine hundred and forty-five.

Were Present,

Honorable W. Laird Henry, Jr., Chief Judge

Honorable Levin C. Bailey, Associate Judge

Honorable Edmond H. Johnson, Associate Judge

Murray E. Ward, Sheriff and Benjamin L. Barnes, Clerk.

EDNA JANE DAVY, by ROMEO B. DAVY, next friend	:	No. 4091 Chancery
	:	IN THE CIRCUIT COURT
vs.	:	FOR SOMERSET COUNTY
THE BALTIMORE TRUST COMPANY, Trustee, et al.	:	MARYLAND

Be it remembered that heretofore to wit, on the Fifteenth day of November in the year Nineteen Hundred and Forty-Five, a certain Southey F. Miles, in his proper person exhibited and filed in the Circuit Court here a Petition and Petitioner's Exhibit "A" which said Petition and Exhibit "A" are in the words following to wit:

EDNA JANE DAVY, by ROMEO B. DAVY, next friend	:	No. 4091 Chancery
	:	IN THE CIRCUIT COURT
Vs.	:	FOR SOMERSET COUNTY
THE BALTIMORE TRUST COMPANY, Trustee, et al.	:	MARYLAND

PETITION
EDWARD E. TULL ESTATE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of the Baltimore National Bank, Trustee of the estate created by the last Will and Testament of Edward E. Tull, deceased, and being administered under the jurisdiction of this Honorable Court, respectfully represents as follows:

(1) Your Trustee herewith reports that a certain property known as "The Chantry House", carried in this estate under corpus at the value of Forty four Thousand dollars ($44,000.00) was acquired by the Trustee at a Mortgage foreclosure sale as will more fully appear from Deed dated the 2nd day of April, 1932 from George H. Myers, Assignee, to Baltimore Trust Company, under the Will of Edward E. Tull, recorded among the Land Records of Wicomico County, Maryland, in Liber I.D.T. No. 174, folio No. 17 and 18. Your Trustee purchased the aforesaid property for the reason that the Trustee was a holder of an original Mortgage on said property in favor of the late Edward E. Tull deceased, the said Mortgage having been assigned by the Executors of the estate of the late Edward E. Tull to the Baltimore Trust Company, Trustee, and therefore being held by said Trustee as an original investment in this estate.

Since the acquisition of the property by the Trustee as aforesaid, the property has continuously been rented as heretofore reported to this Court, and although during the depression years the income received was only practically about sufficint to pay the taxes, insurance and expenses, for the more recent years the return has been averaging about Eleven hundred dollars ($1100.00) net, all of which will more fully appear from detailed reports filed with this Honorable Court by the Trustee since its acquisition.

The Trustee has received an offer of the sum of thirty five thousand dollars ($35,000.00) from May C. Bailey of Salisbury, Wicomico County, Maryland, for the property in fee simple, including such personal effects located therein as belongs to the Trustee, on the terms and conditions

fully set forth in an Agreement of Sale dated the 6th day of November, 1945, by Baltimore National Bank, Substituted Trustee under the Will of Edward E. Tull, deceased, and May C. Bailey aforesaid, a copy of which is hereto attached and marked "Petitioner's Exhibit A" from which it will appear that the Trustee agreed to accept the aforesaid offer and transfer the aforesaid property subject to the approval of the sale by this Honorable Court.

WHEREFORE, your Trustee, the Petitioner herein, respectfully prays the Court to pass an Order in the premises authorizing and ratifying the sale and transfer of the aforesaid property your Trustee representing to this Honorable Court that the aforesaid sale and transfer are in its judgment to the best interests and advantage of this estate.

AND AS IN DUTY BOUND, etc.

Southey F. Miles, Solicitor for Petitioner

BALTIMORE NATIONAL BANK

BY: G. Roy Mueller, Trust Officer

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that on this 14th day of November, in the year 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appear G. Roy Mueller, Trust Officer of the Baltimore National Bank, Trustee and made oath in due form of law that the matters and facts set forth in the aforegoing Petition are true as therein set forth.

WITNESS my hand and Notarial Seal.

William T. Reed

Notary Public

My commission expires 5/5/47

Seal of Notary

PETITIONER'S EXHIBIT A

This agreement of sale made this 6th day of November, 1946, by Baltimore National Bank Substitute Trustee under the will of Edward E. Tull, deceased, the proceedings whereof are on file in No. 4091 Chancery in the Circuit Court for Somerset County, Maryland, Seller, and May C. Bailey, of Wicomico County, Maryland, Purchaser, WITNESSETH:

That the Seller does hereby bargain and sell unto the Purchaser, subject to the approval of the Circuit Court for Somerset County, Maryland, and the latter does hereby purchase from the former the following described real estate and personal property;

All that lot of ground situate, lying and being in Parsons Election District of Wicomico County and State of Maryland, in the City of Salisbury and on the north side of and binding upon Water Street, now Calvert Street, and more particularly described as follows: Beginning for the same at a point on the north line of Water Street at the southwest corner of the lands now or formerly of Justin C. Wood, it being the Southeast corner of the land hereby conveyed; thence running by and with the west line of the lands of said Justin C. Wood in a line perpendicular to Water Street in a Northerly direction a distance of fifty one (51) feet, six (6) inches to the lands now or formerly of Wilbur S. Nock; Thence by and with same in a Southwesterly direction a distance of six (6) feet, four (4) inches to the corner thereof; thence running by and with the said Wilbur S. Nock land in a northwesterly direction a distance of thirty two (32) feet, three (3) inches; thence in a southwesterly direction by and with the lands now or formerly of C. W. Gale and the lands now or formerly of Samuel R; Douglas, in a straight line a distance of fifty nine (59) feet and one half (½) inch to Water Street; thence by and with the north line of Water Street in an Easterly direction a distance of fifty (50) feet and seven (7) inches, more or less, (there being a possibility of a few inches in this measurement on said Water Street), to the place of beginning, being the same land and premises which by deed dated April 2, 1932 and recorded among the land records of Wicomico County, Maryland in Liber IDT No. 174, folio No. 17 and 18, were granted and conveyed by George H. Myers,

Assignee, to Baltimore Trust Company, Trustee under the will of Edward E. Tull.

1 Frigidare ice box, 1 sideboard, all bedroom furniture, all dining room tables and chairs all chinaware, 3 mattresses, 4 springs, and all other furniture, fixtures and equipment used in connection with the business conducted under the name of "The Chantry House".

At and for the total sum of Thirty Five Thousand Dollars ($35,000.00), of which the sum of One Thousand Dollars ($1,000.00)has been paid by the Purchaser at the time of the execution hereof and the remaining unpaid purchase price is to be paid as follows:

Four Thousand Dollars ($4,000.00) in cash is to be paid by the Purchaser at the time of the settlement hereinafter provided for, and at the same time the Purchaser agrees to execute unto the Seller a purchase money mortgage secured by said property for the remaining sum of Thirty Thousand Dollars ($30,000.), which mortgage shall be drawn on the form customarily used in Wicomico County, Maryland, and under the terms of said mortgage, the Purchaser shall become obligated to pay the said principal debt represented thereby at the rate of one thousand dollars ($1,000.) per year, in each of nine (9) successive years, accounting from the date of said mortgage, and to pay the unpaid balance thereof ten (10) years from the date of said mortgage with the privilege being granted in said mortgage to the said mortgagor or her successor in title to pre-pay any part of the principal indebtedness at any time during the life of said mortgage, with reduction of interest on the amount pre-paid from the date of such payments, the said mortgage to bear interest at the rate of Four and One Half (4½) percent per annum payable semi-annually.

It is agreed that settlement shall be made within Thirty (30) days from the date hereof, at which time the Seller agrees to convey said property unto Purchaser by good and sufficient deed, in fee simple, free and clear of liens and emcumbrances except as herein provided and with covenants of special warranty and further assurances. Title papers are to be at the expense of the Purchaser. Taxes and other public charges and rent to be adjusted to the date of settlement.

Witness the execution hereof in duplicate, the parties hereto, the day and date first herein written.

	BALTIMORE NATIONAL BANK, SUBSTITUTE TRUSTEE UNDER THE WILL OF EDWARD E. TULL, DECEASED
Witness as to B.N.B.	
S. O. Kirk	By: J. Hambleton Ober, Trust Officer — Seal
Witness as to M.C. B.	
W. Edgar Porter	May C. Bailey — Seal

Upon which said Report the Clerk of the Circuit Court here passed the following order to wit:

EDNA JANE DAVY, by ROMEO B. DAVY, next friend	:	No. 4091 Chancery
	:	IN THE CIRCUIT COURT
Vs.	:	FOR SOMERSET COUNTY
THE BALTIMORE TRUST COMPANY, Trustee, et al.	:	MARYLAND

ORDER NISI

ORDERED by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by the Baltimore National Bank, Trustee of the estate created by the Last Will and Testament of Edward E. Tull, deceased, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 17th day of December next; provided a copy of this Order be inserted in some weekly newspaper, printed in Somerset County, once in each of three successive weeks, before the 15th day of December, next. The report states the amount of the sale to be Thirty-five thousand dollars ($35,000.00)

Benjamin L. Barnes, Clerk.

And now at this day to wit on the Nineteenth day of December, comes again into Court here the said Attorney and on motion of the said Attorney the Court here passed the following order to wit:

EDNA JANE DAVY, by ROMEO B. DAVY, Next friend	:	No. 4091 Chancery
	:	IN THE CIRCUIT COURT
Vs.	:	FOR SOMERSET COUNTY
THE BALTIMORE TRUST COMPANY, Trustee, et al.	:	MARYLAND

ORDER OF COURT

Upon consideration of the aforegoing Petition, Exhibit and Affidavit, it is thereupon this 19th day of December, in the year 1945, by the Circuit Court for Somerset County in Equity ORDERED, that the sale made and reported by the Baltimore National Bank, Trustee, under the trust estate created by the Will of the late Edward E. Tull, deceased, and which estate is being administered under the jurisdiction of this Court, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in the said cause.

Edmond H. Johnson
Judge

And thereupon it is Ordered by the Court here that the proceedings aforesaid be entered of record according to Law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK.

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STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County on the First Monday in July, being the Eighth day of the same month, in the year of Our Lord One Thousand Nine Hundred and Forty-six,

Were Present:

Honorable W. Laird Henry, Jr. Chief Judge
Honorable Levin C. Bailey, Associate Judge
Honorable Edmond H. Johnson, Associate Judge
and Benjamin L. Barnes, Clerk.

Murray E. Ward, Sheriff

R. Brice Whittington vs. Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner, Florence B. Turner and Donald T. Turner	: Be it remembered that heretofore to wit, on the sixteenth day of November in the year Nineteen Hundred and Forty-five, a certain R. Brice Whittington by Edgar A. Jones, his Solicitor, filed in the Circuit Court here

a Bill of Complaint against Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner, Florence B. Turner and Donald T. Turner, accompanied by Exhibits "A" and "B", which said Bill of Complaint and Exhibits are in the words following to wit:

R. Brice Whittington vs. Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner, Florence B. Turner and Donald T. Turner	: No. 6078 Chancery : In the Circuit Court : for : Somerset County, Maryland

To the Honorable, the Judge of said Court:

Your Orator, who sues as well for himself as for all other creditors of Henry B. Ward, late of Somerset County, deceased, who will come in and contribute to the expenses of this suit complaining, says:

First: That the said Henry B. Ward was, in his lifetime, indebted unto your Orator, the said R. Brice Whittington, in the full sum of Two Hundred ($200.00) dollars, together with Twenty ($20.00) dollars collection fee and Seven ($7.00) dollars costs, and interest from October 7, 1939; said indebtedness having been secured by a judgment in favor of the said R. Brice Whittington Vs. Henry B. Ward and Leathia A. Ward, entered October 7, 1939 in No. 38 appearances September Term 1939; (a short copy of which said judgment is filed herewith marked "Plaintiffs Exhibit "A").

Second: That the said Henry B. Ward, being so indebted as aforesaid, unto your Orator and also unto divers other persons, and having real estate situate in Somerset County, of great value lately died, leaving a last will and testament duly filed among the Testamentary Records of Somerset County (certified copy of which said last will is filed herewith marked "Plaintiff's Exhibit B"). Under the terms of said will the said Henry B. Ward devised his real estate unto the said Leathia A. Ward, his widow, for life and at her death to his daughter, the said Nora E. Charnock (then Maddox) and to his grandson, Charles T. Turner, equally, share and share alike but, in the event the said Charles T. Turner should died in the lifetime of the said Leathia A. Ward, then his interest in said estate to Donald T. Turner.

Third: That the said Nora E. Maddox intermarried with Edward Lee Charnock, both of whom reside in Somerset County and are of full age; that the said Leathia A. Ward, is a widow; that the said Charles T. Turner intermarried with the said Florence B. Turner, all of whom reside in Somerset County and are of full age; that the said Donald T. Turner is an infant, under the age of twenty one years, residing in Somerset County.

Fourth: That there has been no administration on the personal estate of the said Henry B. Ward and no one has qualified as executor of said estate.

Fifth: That your Orator is informed and believes that the said Henry B. Ward's personal estate is not sufficient to discharge all the just debts due and owing by the said Henry B Ward at the time of his death, and that the deficiency in his personal estate ought to be made up by a sale of all, or such part as may be necessary, of the real estate of the aforesaid Henry B. Ward, to pay his creditors.

To the end therefore:

(a) That the real estate of the said Henry B. Ward, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of his just debts.

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

May it please Your Honor to grant unto your Orator, the writ of subpoena, directed to the said Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner and Florence B. Turner, adults, and Donald T. Turner, an infant, all of whom reside in Somerset County commanding them and each of them, to be and appear either in person or by solicitor in this Court on or before a certain day to be named therein, to show cause if any they have, why a decree ought not to be passed as prayed.

And, as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainant

Exhibit "A" referred to in the above is in the words following to wit:

IN THE CIRCUIT COURT FOR SOMERSET COUNTY,	:	September Term, 1939
W. R. Whittington and R. Brice Whittington partners trading as W. R. Whittington & Son use of R. Brice Whittington, per order filed Jan 20, 1940	:	Short Copy of Judgment No. 38 Damages $200.00 Costs 7.00 Collection fee 20.00
Vs.	:	Judgment October 7, 1939 Interest from Date
Henry B. Ward and Leathia A. Ward, his wife	:	Int. from 10/1/1944 Test: Benjamin L. Barnes, Clerk.

Exhibit "B" referred to in the above is in the words following to wit:

I, Henry B. Ward, of Somerset County, in the State of Maryland, do make this as and for my last will and testament, in manner and form following:

After the payment of my just debts and funeral expenses, I give, devise and bequeath as follows:

First: I give, devise and bequeath all my property and estate, real and personal, to my wife, Leathia A. Ward, for and during her natural life, with full power and authority to use and consume so much of the personal property as she may consider necessary for her support and from and after her death of my wife, I give and bequeath and devise said real estate and what may remain of said personal property to my daughter Nora E. Maddox and my grandson Charles T. Turenr, equally share and share alike, but if the said Charles T. Turner, should die inthe lifetime of my wife, then the share of my real and personal property hereinbefore devised and bequeathed to hi.., I give, devise and bequeath to Donald T. Turner.

Second: I hereby constitute and appoint the said Nora E. Maddox and the said Charles T. Turner to be the executors of this my last will and testament.

Witness my hand and seal this 16 day of November, nineteen hundred and thirty-three.

Henry B. Ward Seal

The above was signed, sealed, pronounced and declared by the above named testator, Henry B. Ward, 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 hereto subscribed our names as witnesses.

Paul L. Gunby
Harrison M. Wooster

SOMERSET COUNTY, to wit:

March 20, 1945.

THEN CAME Nora E. Maddox and in the presence of Almighty God, solemnly promised and declared that the foregoing instruement of writing is the true and whole last will and Testament of Henry B. Ward, late of Somerset County, deceased, that hath come to her hands or possession, and that she doth not know of any other and that the same was found in a trunk in the home of the deceased.

Before, Florence E. Dryden, Register of Wills for Somerset County.

SOMERSET COUNTY, to wit:

July 10, 1945

THEN CAME Paul L. Gunby and on August 9, 1945 came Harrison M, Wooster the subscribing witnesses to the foregoing last will and Testament of Henry B. Ward, late of Somerset County, deceased, and they in the presence of Almighty God, solemnly promised and declared that they did see the Testator therein named, sign and seal this Will; that they heard him publish, pronounce and declare the same to be his last Will and Testament. That at the time of his so doing, he was, to the best of their apprehension of sound and disposing mind, memory and understanding, capable of executing a valid deed or contract; and that they subscribed their names as witnesses to this Will in the presence, and at the request of the Testator, and in the presence of each other.

Before, Florence E. Dryden, Register of Wills for Somerset County.

STATE OF MARYLAND, SCT,

IN THE ORPHANS' COURT FOR SOMERSET COUNTY:

The Court having carefully examined the above Last Will and Testament of Henry B. Ward, late of Somerset County, deceased, and also the evidence adduced as to its validity, orders and decrees this 14th. day of August, 1945, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Henry B. Ward deceased.

Wm. O. Murray)
J. Henry Bedsworth)
)

Judges of the Orphans' Court for Somerset County

Test: Florence E. Dryden, Reg. W.S. Co.

STATE OF MARYLAND
SOMERSET COUNTY, SS.

I, Florence E. Dryden Register of Wills and by law keeper of the Seal and of the Records and of the Original Papers of the Orphans' Court of Somerset County, DO HEREBY CERTIFY that the foregoing is a true and full copy of the last Will and Testament of Henry B. Ward, late of said county, deceased, taken from the original now on file and the same being one of the Records kept in the office of the Register of Wills for Somerset County .

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of said Court, this fifteenth day of November in the year of our Lord, nineteen hundred and forty-five.

Florence E. Dryden
Register of Wills for Somerset County.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenae were issued to wit:

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT

To Leathia A. Ward, Nora E. Charnock and Edward Lee Charnock of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in December next to answer the complaint of R. Brice Whittington against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the fifth day of November Anno Domini 1945. ISSUED the sixteenth day of November Anno Domini 1945.

Per Order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT To Charles T. Turner and Florence B. Turner of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town on the first MONDAY in December next to answer the complaint of R. Brice Whittington against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the fifth day of November Anno Domini 1945. ISSUED the sixteenth day of November Anno Domini 1945.

Per order,

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT To Donald T. Turner, infant of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town on the first MONDAY in December next to answer the complaint of R. Brice Whittington against you & others in the said Court exhibited, Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland, the fifth day of November Anno Domini 1945. ISSUED the sixteenth day of November Anno Domini 1945.

Per Order,

Benjamin L. Barnes, Clerk.

At which said first MONDAY in December, in the year nineteen hundred and forty-five and the day of the return of the above recited writs, came again into Court here the said Complaint by his solicitor, and the Sheriff of Somerset County, Murray E. Ward, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned severally and copy left with each defendant.
Dec. 1, 1945

Murray E. Ward, Sheriff

To the second of said writs: Summoned severally, and copy left with each defendant.
Dec 1, 1945.

Murray E. Ward, Sheriff

To the third of said writs: The said Defendant summoned and a copy of the writ left with said defendant and copy left with Florence Turner, Mother of said infant Defendant.
Dec. 1, 1945

Murray E. Ward, Sheriff

And thereafter to wit, on the thirty-first day of January in the year nineteen hundred and forty-six, the said Complainant by his Solicitor aforesaid filed in Court here a petition in the words following, to wit:

R. Brice Whittington	:	No. 6078 Chancery
vs.	:	In the Circuit Court for
Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner, Florence B. Turner and Donald T. Turner	:	Somerset County, Maryland.

To the Honorable, the Judge of the Circuit Court for Somerset County, in Equity:

The petition of the plai tiff in the above cause, respectfully represents:

First: That the defendant, Donald T. Turner, has been duly summoned, but being an infant he cannot answer and defend this suit for himself and has no guardian within the jurisdiction of this Court to answer and defend for him,

The plaintiff therefore prays Your Honor to appoint a Guardian Ad Litem to appear and answer for said infant defendant.

And as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainant

Upon which said petition the Court here passed the following order to wit:

Upon the foregoing petition, it is ordered this 31st day of January, in the year nineteen hundred forty six, by the Circuit Court for Somerset County in Equity, that Grace J. Barnes, be and she is hereby appointed Guardian Ad Litem to appear and answer for Donald T. Turner, infant defendant in the above cause.

Levin C. Bailey
Judge

And thereupon the said Grace J. Barnes as guardian specially appointed, filed in Court here the following answer, to wit:

R. Brice Whittington	)	No. _____Chancery
vs.	)	In the Circuit Court
Leathia A. Ward, Nora E. Charnock Edward Lee Charnock, Charles T. Turner, Florence B. Turner, and Donald T. Turner	)	for
	)	Somerset County, Maryland
	)	In Equity

The answer of Donald T. Turner, infant defendant, in the above cause, by Grace J. Barnes Guardian Ad Litem duly appointed by the Circuit Court for Somerset County in Equity, to the Bill of Complaint of R. Brice Whittington against him and others in said Court exhibited, respectfully represents;

That this defendant, for answer to the bill of complaint, by his guardian ad litem, answers and says:

That being ignorant of the matters charged in said bill and being an infant of tender years, he cannot admit any of the allegations of said bill, but submits his rights to the protection of this Honorable Court.

And, as in duty bound, etc.

Grace J. Barnes
Guardian Ad Litem

And thereafter to wit, on the thirty first day of January in the year nineteen hundred and forty six the following Military Affidavit was filed.

R. Brice Whittington	)	No. Chancery
vs.	)	In the Circuit Court for
Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner, Florence B. Turner and Donald T. Truner	)	Somerset County, Maryland
	)	In Equity
	)	

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 31st day of January, in the year nineteen hundred forty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, and made oath in due form of law that he has personally made an investigation for the purpose of determining whether or not the defendants in the above entitled cause, or either of them, are in the Military Service of the United States so as to be entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, and that from information obtained through such investigation he certifies that neither of said defendants is in the Military Service of the United States as defined in Section 101 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940 and that neither has received a discharge from such services within sixty (60) days prior to the date of this affidavit.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford Seal of
Notary Public Notary

And thereafter, to wit, on the thirty-first day of January in the year nineteen hundred and forty six the said Complainant by his Solicitor aforesaid filed in Court here a petition in the words following to wit:

R. Brice Whittington	)	No. _____Chancery
Vs.	)	In the Circuit Court for
Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner, Florence B. Turner and Donald T. Turner	)	Somerset County, Maryland
	)	In Equity
	)	

The petition of the complainant respectfully shows:

That Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock and Charles T. Turner and Florence B. Turner are all adults over the age of twenty one years and have been duly summoned but the said defendants have failed to appear to or answer said bill of complaint with the time prescribed by the rules of this Court.

The complainant therefore prays that the bill of complaint in this cause be taken pro confesso against the said Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner and Florence B. Turner, non appearing and non answering adult defendants and the complaint have leave to take testimony before one of the standing examiners of this court.

And as in duty bound, etc.

Edgar A. Jones
Complainants Attorney

Upon which said Petition the Court here passed the following, order:

It appearing in the above entitled cause that Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner and Florence B. Turner, adult defendants in this cause, have been duly summoned to appear to the bill of complaint, but have failed appear or answer said bill of complaint within the time prescribed by the rules of this court

It is thereupon this 31st day of January, in the year nineteen hundred forty six, upon the foregoing petition, adjudged, ordered and decreed by the Circuit Court for Somerset County in Equity, that the bill of complaint be and same is hereby taken pro confwsso against the said Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner and Florence B. Turner, non appearing and non answering adult defendants and it is further ordered that the complainant have leave to take testimony before one of the standing examiners of this Court.

Levin C. Bailey
Judge

And afterwards to wit, on the twenty seventh day of March in the year nineteen hundred and forty six, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

R. Brice Whittington	)	No. 6078 Chancery
vs.	)	In the Circuit Court for
Leathia A. Ward, et. als.	)	Somerset County, Maryland
	)	

In the cause, the testimony to be taken in support of the allegations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc, do hereby certify that on this 27th day of March, in the year nineteen hundred forty-six, in Somerset County aforesaid, I did take the following testimony, to wit:

R. Brice Whittington, a witness of lawful age, being produced on the part of the plaintiff being duly sworn, deposes and says:

Int. 1- Please state your name, age, residence and occupation.

ans. R. Brice Whittington, age 52 years, residence Marion Station, Occupation, produce broker.

Int. 2- Do you know the parties to this suit?

ans Yes, I am the plaintiff and I know all of the defendants, who live in Somerset County.

Int. 3- Did you know Henry B. Ward in his lifetime? Is he living or dead? If dead, did he leave a will?

ans Yes, I knew Mr. Ward and he is now dead. He did leave a will which was duly probated and filed among the Testamentary Records of Somerset County. At the time of his death he owned a farm in Lawsons Election District which was devised to Leathia A. Ward, his widow, for and during her natural life, and at her death to his daughter, then Nora E. Maddox, who has since intermarried with Edward Lee Charnock and to his grandson, Charles T. Turner, share and share alike, with the provision that if the said Charles T. Turner die in the lifetime of Leathia A. Ward, then his share was devised to his great-grandson, Donald T. Turner.

Int 4- Please state whether or not the deceased had sufficient personal property at the time of his death, to pay his debts.

ans He had no personal estate of any value and there was no administration on the same.

Int 5- Please state whether or not Mr. Ward was indebted to you at the time of his death, and if so, to what extent and has said indebtedness been paid.

ans Yes, he was indebted to me in the sum of two hundred dollars with interest from October 1, 1944 and costs of judgment. This indebtedness is secured by a judgment entered in No. 38 Appearances, September Term, 1939 in the Circuit Court for Somerset County.

Int 6- Please describe what real estate Mr. Ward owned at the time of his death.

ans He owned a farm containing approximately 175 acres situate on both sides of the County road leading from St. Paul's Church to Crisfield, adjoining the lands of A. A. Whittington and Carrie Gunby.

Int.7- Please state what, in your opinion, is the value of this land.

ans About four thousand dollars.

COURT QUESTION:

ANSWER: Nothing further.

R. Brice Whittington

Witness: Harry C. Dashiell
Special Examiner

Charles T. Turner, a witness of lawful age, produced on the part of the plaintiff being duly sworn, deposes and says:

Int. 1- Please state your name, age, residence and occupation.

ans Charles T. Turner, age 37 years, live in Crisfield, occupation salesman

Int. 2- Do you know the parties to this suit? If so, how long have you known them and where do they reside?

ans. I have known all the parties, all of my or their lives. Leathia A. Ward is my grandmother; Nora E. Charnock, my mother; Edward Lee Charnock, her husband; Florence P. Turner, my wife, and Donald T. Turner, my son; and Mr. Whittington

a produce broker of Marion, all of whom reside in Somerset County and are adults of full age with the exception of my son, Donald, who is an infant.

Int. 3- Did you know Henry B. Ward in his lifetime? If so, is he living or dead? If dead, did he leave a will?

ans. Yes, he died in the early part of 1945 and left a will, leaving his property to my grandmother for life, then to my mother and myself with the contingent interest to my son, as will appear by the copy of the will filed in these proceedings.

Int.4- Please state whether or not there was ever any administration on his estate and whrther or not his personal estate was sufficient to pay his debts?

ans No, there was no administration on his estate and his personal property or estate was totatlly insufficient to pay his debts.

Int 5- Please state whether or not your grandfather left any real estate?
ans Yes, he left a farm in Lawsons District containing approximately 175 acres, which he acquired in four lots and consolidated them into one farm. This farm he got by the following deeds: From Hiram H. Gunby, December 13, 1906, recorded in SFD No. 44, folio 584; July 20, 1907, SFD No. 49, folio 109; another lot from Ernest C. Adams, by deed dated February 1, 1926, recorded in W.J.S. No. 92, folio 501, and the last lot from John T. Adams, by deed dated June 18, 1928 and recorded in Liber GWL No. 96, folio 547.

Int 6- Please state, what in your opinion, is the value of this farm.

ans The buildings are in not good repair and in my opinion it is worth approximately $3500.00

Int 7- Do you know whether or not your grandfather owed anything at the time of his death

ans I know that he was indebted unto Mr. Whittington and to the Farmers Bank of Somerset County, both of whom had judgments of record against him totaling something over $1200 with interest.

COURT QUESTION:

ANSWER: Nothing further, except that the farm is not susceptable of division without depreciating it.

Witness: Harry C. Dashiell Charles T. Turner

There being no further witnesses produced to me to be examined, I herewith at the request of plaintiff's solicitor, return the above depositions to Court closed under my hand and seal and certify that the annexed statement of costs is correct.

Harry C. Dashiell
Examiner in Chancery

And thereafter to wit, on the twenty-third day of April in the year Nineteen hundred and forty six, the Circuit Court here, passed the following Decree in the premises to wit:

R. Brice Whittington	)	No. 6078 Chancery
vs.	)	CIRCUIT COURT FOR SOMERSET
Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner, Florence B. Turner, and Donald T. Turner.	)	COUNTY, MARYLAND
	)	

THE ABOVE CAUSE STANDING READY FOR HEARING AND HAVING BEEN SUBMITTED, THE PROCEEDINGS THEREIN WERE BY THE COURT READ AND CONSIDERED:

It is Thereupon, this twenty third day of April in the year nineteen hundred and forty six by the Circuit Court for Somerset County, in Equity ADJUDGED, ORDERED AND DECREED, That the property in the proceedings mentioned be sold, and that Edgar A. Jones, be and he is hereby appointed Trustee to make 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 corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of four thousand dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such weekly newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one third cash on the day of sale and the balance in six months; the credit portion to bear

bear interest from the day of sale and to be secured by the bonds of purchaser or purchasers to the satisfaction of the Trustee, or all cash at purchasers option, and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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, 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 and assigns 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 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 the Court, after deducting 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, that at the time of advertising such sale the Trustee shall give notice to the Creditors of Henry B. Ward, late of Somerset County deceased, to file with the Clerk of the Circuit Court for Somerset County their respective claims duly proven, within sixty days from the day of sale.

Levin C. Bailey
Judge

And thereupon the said Edgar A. Jones, Trustee, filed a Bond in the Court here in the words following to wit:

Know all men by these presents, that we, Edgar A. Jones, Principal, of Somerset County, State of Maryland, and National Surety Corporation, of the State of New York, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Four 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 and administrators, jointly and severally, firmly by these presents; sealed with our seals and dated this 28th day of May, in the year nineteen hundred forty six.

Whereas, the above bounden Edgar A. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed Trustee to sell the property in the proceedings mentioned in the case of R. Brice Whittington Vs. Leathia A. Ward, et als, being case No. 6078 now pending in said Court.

Now the condition of the above obligation is such that if the above bounden Edgar A. Jones 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 the full force and virtue in law.

Edgar A. Jones, Trustee Seal

NATIONAL SURETY CORPORATION

Witness: Sally L. Ford

BY Edgar A. Jones
Attorney-in-fact.

Which said bond was thus thereon endorsed, to wit:

The within bond approved

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty-eighth day of May in the year nineteen hundred and forty six the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following, to wit:

R. Brice Whittington	)	No. 6078 Chancery
Vs.	)	In the Circuit Court for
Leathia A. Ward, Nora E. Charnock, Edward Lee Charnock, Charles T. Turner, Florence B. Turner and Donald T. Turner	)	Somerset County, Maryland
	)	In Equity
	)	

To the Honorable, the Judge of the Circuit Court for Somerset County:

The report of Edgar A. Jones, Trustee appointed by a decree of this Court, passed in the above entitled case, dated April 23, 1946, to make sale of said real estate therein mentioned respectfully shows;

That after giving bond with security for the faithful performance of his trust and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place, manner, and terms of sale by advertisement inserted in the Crisfield Times, a weekly newspaper published in Somerset County, Maryland, for at least three successive weeks before the day of sale, he did, pursuant to said notice, attend in front of the Post Office Door in Marion Station, Maryland, on the 28th day of May, in the year nineteen hundred forty six, at our about the hour of ten o'clock A.M. and then and there proceeded to sell said property in manner following that is to say:

The trustee offered at public sale, the property mentioned in said decree and described as follows: All that farm or tract of land situate in Brinkleys Election District, Somerset County, Maryland, on both sides of the County Road leading from St. Pauls to Crisfield, bounded on the north by the lands of A. A. Whittington on the east by the lands of Paul Gunby on the south by the lands of Carrie Gunby and George C. Turner, and on the west by the land of Isidore Croswell, containing one hundred sixty eight (168) acres, more or less, and being the same and all the land which was conveyed unto Henry B. Ward by three deeds: one deed from Hiram H. Gunby, dated December 13, 1906, recorded among the land records of Somerset County in Liber SFD No. 44, folio 584 the second from the said Hiram H. Gunby dated July 20, 1907 and recorded as aforesaid in Liber SFD No. 49, folio 109, and the third from Ernest C. Adams, dated February 1, 1926, recorded as aforesaid in Liber WJS No. 92, folio 501.

And the said Trustee sold the above described property to W. Guy Chelton at and for the sum of thirty five hundred fifty ($3550.00) dollars, he being at that sum the highest bidder therefor, and the terms of sale have been complied with to the satisfaction of your Trustee.

Respectfully submitted,

Edgar A. Jones
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 28th day of May, in the year nineteen hundred forty six before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Edgar A. Jones, Trustee, and made oath in due form of law that the matters and things stated in the aforegoing report 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 the day and year above written.

Sally L. Ford — Seal of
Notary Public — Notary

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

R. Brice Whittington

vs.

Leathia A. Ward, Nora E. Charnock,

Edward Lee Charnock, Charles T. Turner, Florence B. Turner and Donald T. Turner	)	No. 6078 Chancery
	)	In the Circuit Court for
	)	Somerset County, Maryland. In Equity.

Ordered by the Circuit Court for Somerset County, that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed, unless cause to the contrary thereof as shown on or before the first day of July, nineteen hundred forty six.

PROVIDED a copy of this order be inserted in some weekly newspaper in Somerset County once in each of three successive weeks before the 30th day of June, next.

The report states the amount of sale to be Thirty five hundred fifty ($3550.00) dollars.

Benjamin L. Barnes, Clerk.

And now at this day to wit, on the third day of July, in the year nineteen hundred and forty-six, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following, to wit:

FINAL ORDER

ORDERED by the Circuit Court for Somerset County, this 3rd day of July, nineteen hundred and fortysix, 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 a pears to have been given as required by the Order Nisi passed in said cause, and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for the to the said Auditor.

W. Laird Henry Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. CLERK

" " " "

Prentiss W. Evans, Assignee for the purpose of foreclosure and collection under power contained in a mortgage to Zachariah Ward and by assignment to Prentiss W. Evans for foreclosure and collection.	))))	Be it remembered that heretofore to wit, on the sixth day of March in the year nineteen hundred and forty six, a certain Prentiss W. Evans of Somerset County and State of Maryland, exhibited

and filed in the Circuit Court here an Order to docket suit, affidavit, original and assignment of a certain mortgage executed and delivered to Zachariah Ward by a certain G. Gorman Hambury and Lella R. Ward which said Order, affidavit, Mortgage and Assignment are in the words following, to wit:

Prentiss W. Evans, Assignee for the purpose of foreclosure and collection under power contained in a mortgage to Zachariah Ward and by assignment to Prentiss W. Evans for foreclosure and collection.	))))	No. 6125 Chancery In the Circuit Court For Somerset County, Maryland.

Mr. Clerk:

Please docket a case on your chancery docket as above, file the within mortgage dated the 3rd day of October, 1930, and recorded among the land records of Somerset County in Liber G.w.L. No. 98, folio 456, made by G. Gorman Hambury and Lella R. Ward, to Zachariah Ward, and by assignment dated March 3, 1946, and recorded among the land records of said Somerset County in Liber GWL No. 98, at folio 456, etc., assigned to Prentiss W. Evans for the purpose of foreclosure and collection.

Prentiss W. Evans.

STATEMENT OF MORTGAGE DEBT

Statement of Mortgage claim of Zachariah Ward, owner of mortgage foreclosed herein.

To principal amount of mortgage	$1200.00
To interest, from October 3rd, 1930 to March 3, 1946	1110.00
To principal and interest to March 3, 1946, being total amount due on said mortgage	$2310.00

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 3rd day of March, in the year nineteen hundred and forty six before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Zachariah Ward, and made oath in due form of law that subject to assignment to Prentiss W. Evans for purpose of foreclose and collection, said Zachariah Ward, is the present holder and owner of the mortgage foreclosed in this case, and that the aforegoing is a true and just statement of the amount of mortgage claim under said mortgage, now remaining due and unpaid; and he did further make oath in due form of law that G. Gorman Hambury and Lella R. Ward, are not know, nor for 30 days prior to the institution of the foreclosure proceedings in this cause, been in the military service of the United States.

As witness my hand and notarial seal.

Beryl Sterling Seal
Notary Public of Notary

THIS MORTGAGE, Made this 3rd day of October in the year nineteen hundred and thirty, by G. Gorman Hambury and Lella R. Ward, of Somerset County, in the State of Maryland;

Whereas, the said G. Gorman Hambury and Lella R. Ward are justly indebted unto Zachariah Ward, of said County and State, in the sum of TWELVE HUNDRED DOLLARS ($1,200.00), the same being the balance of the purchase money for the real estate hereinafter described, this day conveyed unto the said G. Gorman Hambury and Lella R. Ward by the said Zachariah Ward and wife, which said indebtedness is evidenced by the bill obligatory of the said G. Gorman Hambury and Lella R. Ward, bearing even date herewith, and payable to the said Zachariah Ward, three years

after date, with interest from date, which said interest is to be paid semi annually; and whereas for the purpose of further securing the payment of said bill obligatory, with interest, and payable as aforesaid, the said G. Gorman Hambury and Lella R. Ward have agreed to execute this mortgage.

Now therefore this mortgage witnesseth, that in consideration of the premises the said G. Gorman Hambury and Lella R. Ward have granted and by these presents do grant and convey unto the said Zachariah Ward, his heirs and assigns, all that lot or parcel of land situate, lying and being in Asbury District, Somerset County, in the State of Maryland near what is known as George Mason's store, containing one half of an acre of land, more or less, being the same and all the real estate and premises conveyed unto the said G. Gorman Hambury and Lella R. Ward by the said Zachariah Ward and wife by deed bearing even date herewith, not yet delivered or recorded, but intended to be delivered and recorded among the land records of said Somerset County cotemporaneously with this mortgage, and is also all the real estate and premises conveyed unto the said Zachariah Ward by George R. Nelson and wife by deed bearing date the seventeenth day of October, in the year nineteen hundred and twenty seven, and recorded among said land records in liber GWL No. 94, folio 554 etc, and is also all the real estate and premises conveyed unto the said George R. Nelson by John F. Nelson and wife by deed bearing date the seventh day of April, in the year nineteen hundred and twenty seven, and recorded among said land records in Liber GWL No.94, folio 226 et--to which said deeds and records, and all the references in each of them contained, special reference is here made for a more accurate description of the lands and premises hereby mortgaged------

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee, his heirs and assigns forever.

PROVIDED that if the said Mortgagors shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said bill obligatory, 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 Mortgagors shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said G. Gorman Hambury and Lella R. Ward do hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgage his personal representatives or assigns, or Clarence P. Lankford, their Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash 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 purchawer 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 by advertisement in some newspaper printed in Somerset County, and such other notice as by the party making sale may be deemed expedient; and in the event of a sale of said property under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorneys fee, 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; secondly, to the payment of all claims of the said Mortgagee, his 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 or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted and that the said Mortgagors, or any person in their behalf shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagors covenant to pay to the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee and one half the commission hereinbefore mentioned, to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagors do further covenant to insure, and pending the existence of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least twelve hundred dollars, and to cause the policy to be effected ther on to be so framed or endorsed, as in case of fire, to inure to the benefit of the said mortgagee, his personal representatives and assigns, to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagors shall fail to insure and keep insured the improvements aforesaid for the benefit of the mortgagee, and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

WITNESS the hands and seals of said mortgagors.

Test: Fred N. Holland

G. Gorman Hambury Seal

Lella R. Ward Seal

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I HEREBY CERTIFY, That on this 3rd day of October in the year nineteen hundred and thirty before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Somerset county, aforesaid, personally appeared G. Gorman Hambury and Lella R. Ward, the mortgagors named in the foregoing mortgage and acknowledged the foregoing mortgage to be their respective act and deed; and at the same time and place also personally appeared before me Zachariah Ward, the within named mortgagee, and made oath in due form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth.

Fred N. Holland

Justice of the Peace.

Received for Record Oct. 4, 1930, and recorded in Liber GWL No, 98, folio 456 one of the land records of Somerset County.

Per Geo. W. Lawson, Clerk.

March 3, 1946

The within mortgage is hereby assigned to Prentiss W. Evans, Attorney, for the purpose of foreclosure and collection.

Prentiss W. Evans Z. Ward

Filed for Record Mar 6, 1946 and recorded in Liber GWL No. 98, folio 456.

Test: Benjamin L. Barnes, Clerk.

And thereupon the said Prentiss W. Evans, Assignee filed in Court here a bond in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Prentiss W. Evans of Somerset County, State of Maryland, and The United States Fidelity & Guaranty Company, a body corporate, duly incorporated under the laws of the state of Maryland, as surety, are held and firmly bound unto the State of Maryland in the full and just sum of two thousand dollars($2000.) 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 Heirs, Executors and Administrators, jointly and severally, firmly by these presents; sealed with our seals and dated this twenty eighth day of March, in the yar Nineteen hundred and firty six.

WHEREAS, The above bounded, Prentiss W. Evans, by virtue of the power contained, in a mortgage from G. Gorman Hambury and Lella R. Ward to Zachariah Ward, bearing date the third day of October, nineteen hundred and thirty and recorded among the land records of Somerset County Maryland, in Liber GW-L No. 98, folio 456, and duly assigned by the said Zachariah Ward to Prentiss W. Evans, by assignment dated March 3rd, 1946, for purpose of foreclosure and collection, and Prentiss W. Evans is about to sell the land and premises described in said mortgage default having been made in payment of the money as specified, and in the conditions and covenants therein contained.

Now the Condition of this Obligation is such, that if the above bounden Prentiss W. Evans, do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said Mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of — Prentiss W. Evans L.S.

G. C. Byrd — UNITED STATES FIDELITY & GUARANTY CO.

Witness: G. C. Bryd — PHOEBE P. GARDNER SEAL
Attorney in Fact, per power of Attorney duly recorded among said land records as aforesaid.

Which said bond was thus thereon endorsed, to wit:

The above bond approved 30th day of March in the year one thousand nine hundred and forty six.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the first day of May in the year nineteen hundred and forty six, the said Assignee exhibited and filed in the Circuit Court here a report of sales and distribution, with an affadavit thereunto annexed, which said report and distribution and affadavit so aforesaid filed, are in the words following to wit:

Prentiss W. Evans, Assignee for the purpose of foreclosure and collection under power contained in a mortgage to Zachariah Ward.	)	No. 6125 Chancery
	)	In the Circuit Court for
	)	Somerset County, Maryland
	)	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Prentiss W. Evans, Assignee of a certain mortgage made and executed by G. Gorman Hambury and Lella R. Ward, dated October 3rd, 1930 recorded among the land records of Somerset County, Maryland, in Liber GWL No. 98, folio 456; under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage, or in the payment of the interest thereon or in some other covenant or condition of said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to you Honors.

That after giving bond with security approved by the Clerk of this Court for the faithful performance of the trust so as aforesaid reposed in him and by pursuant to said mortgage, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in Somerset County, once a week for three successive weeks before the day of sale; he did, pursuant to said notice, attend at the U.S. Postoffice at Crisfield, Maryland, on the 30th day of March 1946 at 2:00 P.M. and then and there proceed to sell the property described in said mortgage to wit: All that lot or parcel of land situate, lying and being in Asbury Election District, Somerset County, State of Maryland, what is known as George Mason's store, containing one half acre of land, more or less, being the same and all the real estate and premises conveyed unto said G. Gorman Hambury and Lella R. Ward by said Zachariah Ward and wife by deed bearing date the third day of October, nineteen hundred and thirty duly recorded among the land records of said Somerset County; and sold the same to George E. Maddrix at and for the sum of nineteen hundred ($1900.00) dollars; he being then and there the highest bidder therefor.

And the purchaser having complied with the terms of sale by paying cash and your Assignee has distributed the proceeds of sale as follows:

TOTAL SALES.....		$1900.00
To Carlos Bozman, Treasurer for 1945 taxes.....	$10.14	
To Clerk of Circuit Court for costs	28.75	
To Crisfield Times-Order Nisi and Advertising	25.00	
To F. Doyle Tyler, Auctioneer	5.00	
To Assignee, minimum fee.....	116.00	
To total mortgage debt; principal $1200.00 and accured interest $515.11		
	$1900.00	$1900.00

Respectfully submitted

Prentiss W. Evans
Assignee

State of Maryland, Somerset County, to wit:

I hereby certify that on this 1st day of May, in the year nineteen hundred and forty-six before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared Prentiss W. Evans, Assignee named in the foregoing report of sale, and made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk, Circuit Court, Somerset Co. Md.

Upon which said Report the Clerk of the Circuit Court here passed the following order:

Prentiss W. Evans, Solicitor

O R D E R N I S I

NO. 6125 Chancery

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

Prentiss W. Evans, Assignee for the purpose of foreclosure and collection under power contained in a mortgage to Zachariah Ward.

Ordered this 1st day of May, in the year nineteen hundred and forty six, that the sale of the property mentioned in these proceedings and distribution of proceeds there, made and reported by Prentiss W. Evans, Assignee of the above mortgage of G. Gorman ambury and Lella R. Ward to Zachariah Ward, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of June, ninteen hundred and forty six, PROVIDING a copy of this order be inserted in some newspaper printed in said Somerset County, once in each of three successive weeks before the 1st day of June nineteen hundred and forty six.

The report state the amount of sales to be nineteen hundred ($1900.00) dollars.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset
County, Maryland.

And now at this day to wit, on the third day of July, Nineteen hundred and forty six comes again into Court here the said assignee and on motion of the said assignee the Court here passed the following order, to wit:

Prentiss W. Evans, Assignee for the purpose of foreclosure and collection under poser contained in a mortgage to Zachariah Ward and assigned to Prentiss W. Evans for foreclosure and collection.	)	No. 6125 Chancery In the Circuit Court for Somerset County, Maryland

Ordered, this 3rd day of July, nineteen hundred and forty six, by the Circuit Court for Somerset County, and State of Maryland, in Equity, that the sale of the property mentioned in these proceedings and the distribution of the funds arising therefrom, made and reported by Prentiss W. Evans, Assignee as aforesaid, be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although notice appeares to have been given as required by the Order Nisi passed in said cause, and it appearing that the costs of this proceedings having been paid.

W. Laird Henry, Jr.
Judge

And t ereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK.

""""""""""""""""""""""""""""""""

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John Horsey for the year 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Maryland. Purchaser.	)	Be it remembered that heretofore, to wit, on the eleventh day of May, in the year nineteen hundred and forty-six, a certain Carlos Bozman, Collector of State and County taxes for the sixth collection district of Somerset County for the years 1931 and 1932

by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit, thereunto annexed which said report and affidavit so as aforesaid filed, are in the words following to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John Horsey for the year 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Maryland. Purchaser.	)	NO. 6148 Chancery In the Circuit Court for Somerset County, Maryland In Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30th, 1933, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied b y said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to John Horsey in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and eighty five cents State taxes, and three dollars and forty cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1934..

That in the month of August, 1933, the said Harry E. Muir, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir County Treasurer, and Collector as aforesaid prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30th, 1934, the County Commission rs of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions..

That by said levy the said County Commissione s did levy upon the property assessed to John Horsey in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and seventy five cents State taxes and three dollars and thirty three cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1935

That in the month of August, 1934, the said Harry E. Muir, County Treasurer and Collector as aforesaid gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir County Treasurer and Collector as aforesaid, prepared th e tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said John Horsey in aaid Fairmount Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgement of

said County Treasurer) did advertise the whole of said real estate in the Crisfield Times a w weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale and also by notice set up at the Court House door in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on April 6, 1937 at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to John Horsey in said election district, as follows:

No. 25. All that lot of land lying in Fairmount Election District, Somerset County, Maryland, adjoining the lands of Jsoeph Avery and Edwart T. Waters, and containing one acre, more or less, and assessed to John Horsey for the years 1933 and 1934, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate, it being the highest bidder therefor, at and for the sum of sixty five dollars now fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman
County Treasurer and Collector of State and County taxes.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 11 day of May, 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of State and County Taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the foregoing report are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Vivian Catlin — Seal of
Notary Public — Notary

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

EXHIBIT A.

TREASURERS SALE FOR TAXES

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on Tuesday, April 6, 1937, at or about the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction for cash, all the lots or parcels of land in Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

No. 25, All that lot of land lying in Fairmount Election District Somerset County, Maryland, adjoining the lands of Joseph Avery and Edward T. Waters and containing one acre more or less, and assessed to John Horsey for 1933 and 1934, and sold for taxes due for said years and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate it being the highest bidder therefor, at and for the sum of sixty five dollars, now fully paid.

Carlos Bozman
County Treasurer

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John Horsey for 1933 and 1934, reported by Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland. The County Commissioners of Somerset County, Maryland, Purchaser.	)	NO. CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND.

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland, relating to the sale on April 6th, 1937, of land in Fairmount Election District, Somerset County, Maryland, adjoining the lands of Joseph Avery and Edward T. Waters, and containing one acre, more or less, and assessed to John Horsey for 1933 and 1934, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate, it being the highest bidder therefor, at and for the aum of sixty five dollars, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is, thereupon, this 11th day of May, 1946, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 11th day of June, 1946 warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before the 13th day of July, 1946, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $65.00.

Levin C. Bailey
Judge

And now at this day to wit, on the thirty first day of July in the year nineteen hundred and forty six, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Farimount Election District, Somerset County Maryland, assessed to John Horsey for 1933 and 1934, reported by Carlos Bozman, County Treasurer and Collector of State and County taxes for Somerset County, Maryland The county Commissioners of Somerset County, Maryland, Purchaser.	)	NO. CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND.

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown it is this 31st day of July 1946, by the Circuit Court for Somerset County, Maryland, in Equity adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK

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In the matter of the tax sale of real estate in Lawson Election District, Somerset County, Maryland, assessed to Mrs. W. S. Hinman for the years 1930, 1931, & 1932 made and reported by Carlos Bozman, County Treasurer and Collector.

County Commissioners for Somerset County, Maryland, Purchaser

Be it remembered that heretofore to wit, on the twenty-second day of May in the year nineteen hundred and forty-six, a certain Carlos Bozman, Collector of State and County taxes for the Eighth Collection district of Somerset County for the years 1930 and 1931 & 1932 by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit, thereunto annexed which said report and affidavit so as aforesaid filed, are in the words following to wit:

In the matter of the tax sale of real estate in Lawson Election District, Somerset County, Maryland, assessed to Mrs. W. S. Hinman for the years 1930, 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector.

County Commissioners for Somerset County, Maryland, Purchaser.

No. 6152 Chancery

In the Circuit Court for Somerset County, Maryland

In Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1930, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Mrs. W; S. Hinman in Lawson Election District, Somerset County, Maryland, the sum of no dollars and forty five cents state taxes, and two dollars and ninety seven cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1931.

That in the month of August, 1930, the said Harry E. Muir then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican, a newspaper published in Princess Anne, Maryland and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate insyitutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1931, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said

County in bookds supplied by said County Commissioners for the purpose, as required by law, showing the aggregage assessment of every person, set of persons or corporate institutions as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amouht of state and county taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Mrs. W. S. Hinman in Lawson Election District, Somerset County, Maryland, the sum of no dollars and forty five cents State taxes, and three dollars and fifteen cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1932

That in the month of August, 1931, the said Harry E. Muir then county treasurer and collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir,then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said county treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills comtained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggergate assessment of every person, set of persons or corporate institu tions as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to Mrs. W. S. Hinman in Lawson Election District, Somerset County, Maryland, the sum of no dollars and forty five cents State taxes, and two dollars and eighty eight cents county taxes, and that said State and County taxes were due and in arrears on January 1, 1933.

That in the month of August, 1932 the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions or to the agent of the person or persons or corporate institutions to whom the property included in said tax bills was assessed so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding sa d levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said

notice with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1930, 1931, and 1932, being still due and in arrears and unpaid, constituted a lien upon the real estate of the said Mrs. W. S. Hinman in said Lawson Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Crisfield Times, a weekly newspaper published in said Somerset County,once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on July 10, 1935, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction for cash, all that lot tract or parcel of land, being the real estate assessed to Mrs. W. S. Hinman in said election district, as follows:

No. 61. All those lots in Lawson Election District, Somerset County, Maryland, on the county road and adjoining the lands of E. Howard, and assessed to W. S. Hinman for 1930 1931 and 1932 and sold for taxes due for said year, and sold the same to the County Commissioners for Somerset County, Maryland, it being the highest bidder therefor, at and for the sum of sixteen dollars and three cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted

Carlos Bozman
County Treasurer and Collector of State and County taxes.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 22nd day of May, 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of state and county taxes for said Somerset County and made oath in due form of law that the matters and facts stated in the foregoing report of sale are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Witness my hand and notarial seal.

Gertrude H. Bozman Seal of
Notary Public Notary

EXHIBIT A.

TREASURER'S SALE FOR TAXES

BY virtue of the power and authority vested in me as County Treasurer for Somerset County Maryland, by the provisions of the General Assembly of Maryland, hereby give notice that on Tuesday, July 10, 1935, at the hour of two o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land hereinafter severally mentioned and described, situate, lying and being in Lawson Election District Somerset County, Maryland, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with the interest and costs.

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No. 61. All those lots in Lawson Election District, Somerset County, Maryland, on the county road and adjoining the lands of E. Howard, and assessed to W. S. Hinman for 1930, 1931 and 1932 and sold for taxes due for said years.

Carlos Bozman,
County Treasurer and Collector.

Upon which said report the Court here passed the following order to wit:

In the matter of the tax sale of real estate in Lawson Election District, Somerset County, Maryland, assessed to Mrs. W. S. Hinman for 1930, 1931 and 1932, made and reported by Carlos Bozman, County Treasurer and Collector.	)	NO. CHANCERY IN THE CIRCUIT COURT FOR
County Commissioners for Somerset County Maryland, purchaser.	)	SOMERSET COUNTY, MARYLAND.

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland, relating to the sale on July 10, 1935, of land in Lawson Election District, said Somerset County, on the county road and adjoining the lands of E. Howard, and assessed to Mrs. W. S. Hinman for the years 1930, 1931, and 1932, and sold for taxes due for said years, and sold the same to the county commissioners for Somerset County, Maryland, it being the highest bidder therefor, at and for the sum of sixteen dollars and three cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is, thereupon, this 22nd day of May, 1946, by the Circuit Court for Somerset County Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 22nd day of June, 1946, warning all persons interested in said property to be and appear in this court, in person or by solicitor, on or before July 22nd, 1946, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $16.03.

Levin C. Bailey
Judge

And now at this day to wit, on the thirty first day of July in the year nineteen hundred and forty six, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order to wit:

In the matter of the tax sale of real estate in Lawson Election District, Somerset County, Maryland, assessed to Mrs. W. S. Hinman for 1930, 1931 and 1932, made and reported by Carlos Bozman, County Treasurer and Collector	)	NO. CHANCERY IN THE CIRCUIT COURT FOR
County Commissioners for Somerset County, Maryland, Purchasers.	)	SOMERSET COUNTY, MARYLAND

It having been proved to the Court that, in the above entitled cause, notice has been given by publication of the order nisi heretofore passed in this cause, in the Crisfield Times a weekly newspaper published in said Somerset County, according to the terms of said order nisi, and no objection having veen filed and no cause to the contrary having been shown, it is hereby adjudged, ordered and decreed this 31st day of July, 1946, by the Circuit Court For Somerset County, Maryland, in Equity, that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. CLERK

"""

JULIA C. ADKINS	)	Be it remembered that heretofore, to wit, on the twenty-sixth day
VS.	)	of January, in the year Nineteen hundred and Forty-six, a certain
JENNIE COULBOURN OR JENNIE BOXDALE	)	Julia C. Adkins by L. Creston Beauchamp, her Solicitor, exhibited
	)	and filed in the Circuit Court here a Bill of Complaint against

Jennie Coulbourn or Jennie Boxdale which said Bill of Complaint is in the words following, to wit:

Julia C. Adkins	)	No. 6105 Chancery
Vs.	)	In the Circuit Court for
Jennie Coulbourn or Jennie Boxdale	)	Somerset County, Maryland
	)	

To the Honorable, the Judge of said Court:

Your oratrix, complaining, says:

1. That John Wesley Coulbourn, late of Somerset County, Maryland, deceased, was in his lifetime and at the time of his death, seized and possessed of certain real estate in Brinkley's Election District, Somerset County, binding on the south or southwest side of the state road leading from Marion to Tull's Corner, adjoining the lands of H.P. Tull and Mabel Johnson, and containing seven acres, more or less; which was conveyed to the said John Wesley Coulbourn by James Coulbourn and others, by deed dated the ____day of August, 1911, recorded among the land records of said Somerset County in Liber No. 60, folio 589.

2. That being so seized and possessed the said John Wesley Coulbourn departed this life intestate, on or about December 14, 1930, without leaving any widow surviving him, and leaving as his only heirs at law a daughter, your oratrix, Julia C. Adkins, an adult residing at 5728 Vine Street, West Philadelphia, Pennsylvania; and the defendant, Jennie Coulbourn or Jennie Boxdale, an adult, living at 5722 Girard St., West Philadelphia, Pennsylvania, the widow of Samuel J. Coulbourn, a deceased son of John Wesley Coulbourn.

3. That the said real estate is not susceptible of partition without material loss or injury to the parties entitled to interest therein , as above stated, and that in order to make division of said interest, it will be necessary that said real estate be sold and the proceeds thereof divided among the parties entitled thereto, according to their respective interests therein, but your oratrix is unable to obtain adequate relief or make sale of said real estate, without aid of this honorable Court.

To the end, therefore;

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

B. That the proceeds of said sale may be distributed among the partied entitled to interests therein, according to their respective interests.

C. That your oratrix may have such other and further relief as her case may require.

May it please your Honor to grant unto your Oratrix the Order of Publication, giving notice to the said Jennie Coulbourn or Jennie Boxdale, a non resident of the State of Maryland, and supposed to be residing in West Philadelphia, Pennsylvania, 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 she has, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiff

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following Order of Publication was issued, to wit:

Julia C. Adkins	)	NO. CHANCERY
Vs.	).	IN THE CIRCUIT COURT FOR
Jennie Coulbourn or Jennie Boxdale	)	SOMERSET COUNTY, MARYLAND
	)	

The object of this suit is to procure a decree for the sale of certain real estate, in Brinkley Election District, Somerset County, Maryland, of which John Wesley Coulbourn, died c seized and possessed. The bill states that he was in his lifetime and at the time of his death seized of certain land in said Brinkley Election District, Somerset County, Maryland, binding on the state road leading from Marion to Tull's Corner, and containing seven acres, more or less, which was conveyed to the said John Wesley Coulbourn by James Coulbourn and others, by deed recorded among the land records of said Somerset County in Liber No. 60, folio 589; that being so seized and possessed the said John Wesley Coulbourn died on December 14, 1930, without leaving any widow surviving him, and leaving as his only heirs at law a daughter Julia C. Adkins, adult, residing in West Philadelphia, Pennsylvania, and Jennie Coulbourn or Jennie Boxdale , an adult residing in West Philadelphia, Pennsylvania, widow of Samuel J. Coulbourn, a deceased son of the said John Wesley Coulbourn, deceased. That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein, and that in order to make division of said interests it will be necessary that said real estate be sold and the proceeds therefrom divided among the parties entitled thereto, according to their respective interests therein.

It is, thereupon, this 26th day of January 1946, ordered by the Circuit Court for Somerset County, Maryland, in Equity, that the plaintiff, by causing a copy of this order to be published in some newspaper published in said Somerset County, once in each of four successive weeks before the 2nd day of March, 1946, give notice to the said absent defendant of the object and substance of this bill, warning her to appear in this Court, in person or by solicitor on or before the 18th day of March, 1946, to show cause, if any she has, why a decree ought not to be passed as prayed.

Benjamin L. Barnes
Clerk of the Court

And thereafter to wit on the Fifteenth day of April, Nineteen Hundred and Forty six, the following Military Affidavit was filed:

State of Maryland, Somerset County, to wit:

I hereby certify that on this 13th day of April, 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Julia C. Adkins, who made oath in due form of law that Jennie Coulbourn, or Jennie Boxdale, is not engaged in or employed by the Military Service of the United States.

In testimony whereof, I hereunto subscribe my name and affix my Notarial Seal the day and year aforesaid.

Lutie M. White — Seal of
Notary Public — Notary

And thereafter to wit, on the Fifteenth day of April in the year Nineteen Hundred and Forty Six, the Said Complainant by her Solicitor aforesaid filed in Court here a petition in the words following to wit:

Julia C. Adkins	)	No. 6105 Chancery
Vs.	)	In the Circuit Court for
Jennie Coulbourn, or Jennie Boxdale	)	Somerset County, Maryland.
	)	

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of the plaintiff herein respectfully represents that the order of publication heretofore passed in this cause has been published according to its provisions, and that the said Jennie Coulbourn, or Jennie Boxdale, the adult non-resident defendant, mentioned in said bill, has failed to a pear to said bill within the time required by said order.

The plaintiff, therefore, prays the Court to pass a decree proconfesso against the said adult, non answering defendant, Jennie Coulbourn, or Jennie Boxdale, and, also, to pass an order to take testimony in said cause.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiff

Upon which said Petition the Court here passed the following order to wit:

It appearing in the above entitled cause that the order of publication, heretofore passed therein, has been duly published according to its provisions, and that the said Jennie Coulbourn or Jennis Boxdale, the non resident defendant mentioned in said order of publication, has failed to appear to said bill of complaint within the time required by said order;

It is, thereupon, this 15th day of April, 1946, upon the foregoing petition, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the bill of complaint in the above cause be, and the same is hereby taken pro confesso against the said Jennie Coulbourn, or Jennie Boxdale, adult non resident defendant.

And it is further ordered that the plaintiff have leave to take testimony before one of the standing examiners of this Court.

W. Laird Henry,
Judge.

And afterwards to wit on the Seventh day of May, in the year Nineteen Hundred and Forty six, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing Order, made return thereof to the Court here in the words following, to wit:

Julia C. Adkins	)	No. 6105 Chancery
Vs.	)	In the Circuit Court for
Jennie Coulbourn, or Jennie Boxdale	)	Somerset County, Maryland
	)	

In this cause an order having been passed for testimony to be taken to support the allegiations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, do hereby certify that on this.....day of April, 1946, in said Somerset County, I took the following testimony to wit

Julia C. Adkins, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1. Q. State your name, age,residence and occupation?

   A. Julia C. Adkins, 59 years, 5728 Vine Street, Philadelphia, Pennsylvania, housewife.

2. Q. Did you know John Wesley Coulbourn, of Marion, Somerset County, Maryland; is he living or dead; and, if dead, did he leave any real estate and did he or not leave a will?

   A. John Wesley Coulbourn was my father. He died December 14, 1930, without leaving any will, and leaving as his only real estate seven acres of land in Brinkley's Election District, Somerset County, Maryland, on the southwest side of the state road leading from Marion to Tull's Corner, which was conveyed to him by James Coulbourn and others by deed dated August, 1911, duly recorded.

3. Q. Please state who were the heirs of your father, and to whom the real estate belongs?

A. When he died my father left his widow, who has since died; and two children, myself, and my brother, Samuel J. Coulbourn, who died in 1944, leaving a widow, the defendant, Jennie Coulbourn or Jennie Boxdale, who lives at 5722 Gerard Avenue, Philadelphia, Pennsylvania.

4. Q. Please state if the real estate, above described is susceptible of partition without loss to the parties entitled, or whether it will have to be sold and the proceeds divided?

A. As there is a house on the property, it will have to be sold and the proceeds divided.

5. Q. Please state whether or not Samuel Coulbourn was indebted and, if so, to what amount and for what?

A. He was indebted to me in the sum of $118.00 for the balance on his funeral expenses, a receipt for which I am herewith filing, marked Exhibit A; and also I paid taxes on the above property for the past several years, and am filing receipts therefor, marked Exhibit B. Also last summer I had the house repaired and paid the bills amounting to $491.80, receipts for which I am herewith filing, marked Exhibit C.

6. Q. State your ideal of the value of the property which your father left?

A. About $700.00 or $800.00.

Court question and answer: nothing further.

Harry C. Dashiell
Ex.

Mrs. Julia C. Atkins

Sydney A. Whittington, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1. Q. State your name, age, residence and occupation?

A. Sydney A. Whittington, 64 years; Marion, Maryland, farmer.

2. Q. If you knew John Wesley Coulbourn, of Marion, Maryland, state if he is living or dead; and, if dead, did he leave any real estate and did he or not die intestate?

A. I knew John Wesley Coulbourn very well. He died in the winter of 1930, leaving no will, and owning as his only real estate seven acres of land in Brinkley's Election District, Somerset County, Maryland, on the southwest side of the state road leading from Marion to Tull's corner, which he purchased from James Coulbourn and others about 35 years ago.

3. Q. Please state the value of this property, and whether or not it can be divided equally between the parties entitled thereto as heirs of John Wesley Coulbourn, or whether it will have to be sold and the proceeds divided.

A. I should say the property is worth eight or nine hundred dollars, as it is comprised of a house and land it would have to be sold and the proceeds divided.

4. Q. State who were the heirs of John Wesley Coulbourn and as such the owners of the property?

A. John Wesley Coulbourn left two children who were his only heirs at law; the plaintiff Julia C. Adkins, a daughter; and a son, Samuel J. Coulbourn, who died in 1944, leaving a widow, the defendant, Jennie Coulbourn, and no children, so the property is owned now by Julia C. Adkins and Jennie Coulbourn.

Court question and answer: nothing further.

Witness: Harry C. Dashiell
Examiner

Sidney Whittington

There being no further witness present to be examined, and at the suggestion of the plaintiff, the papers are herewith returned to Court.

Harry C. Dashiell
Examiner

Seal

And thereafter to wit, on the twenty-second day of May in the year Nineteen Hundred and Forty six, the Circuit Court here, passed the following Decree in the premises to wit:

Julia C. Adkins	)	No. 6105 Chancery
vs.	)	In the Circuit Court for
Jennie Coulbourn or Jennie Boxdale	)	Somerset County, Maryland
	)	

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

It is thereupon, this 22nd day of May, 1946, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings be sold; that L. Creston Beauchamp be and he is hereby appointed trustee to make such sale, the course and manner of his said proceeding to be as follows: He shall first file

in the office of the Clerk of the Circuit Court for said Somerset County, a corporate bond to the State of Maryland, in the sum of one thousand dollars, conditioned upon the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having given at least three weeks previous notice inserted in some newspaper printed in said Somerset County and such other notice as he may think proper of the time, place, manner and terms of sale, which terms shall be cash on the day of sale.

And as soon as may be convenient after any such sale, the trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale annexed. And on the ratification of such sale by this Court and on the payment of the entire purchase money and not before the trustee by good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser or purchasers of said property, to his, her or their heirs, the property to him, her or them sold, free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from or under them. And the said trustee shall bring into this Court the money arising from said sale, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commissions to the said trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

And, it is further ordered, that at the time of advertising such sale, the trustee shall give notice to the creditors of John Wesley Coulbourn, deceased, to file with the Clerk of the Court in these proceedings their respective claims, duly proven, within sixty days from the date of sale.

Levin C. Bailey
Judge

And thereupon, the said L. Creston Beauchamp, Trustee, filed a Bond in the Court here in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, L. Creston Beauchamp, of Somerset County, Maryland principal, and the Maryland Casualty Company, a Maryland Corporation, surety, are held and firmly bound unto the State of Maryland, in the full and just sum of one thousand dollars, current money, to be paid to the said State 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 22d day of May, nineteen hundred and forty six.

WHEREAS by a decree of the Circuit Court for Somerset County, Maryland, bearing date the 22nd day of May, nineteen hundred and forty six, and passed in a cause in said Court pending wherein Julia C. Adkins is plaintiff, and Jennie Coulbourn or Jennie Boxdale is the defendant, the same being No. 6105 on the Chancery Docket of said Court, the above named L. Creston Beauchamp was appointed trustee, with power to sell the real estate in said cause decreed to be sold, and whereas the said L. Creston Beauchamp is about to enter upon the execution of said trust;

NOW THE CONDITION of the above obligation is such that, if the above bounden L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

L. Creston Beauchamp, Principal Seal

Test: Benjamin L. Barnes,

Maryland Casualty Company by

L. C. Beauchamp,
Attorney-in-fact.

Corporate Seal

Which said Bond was thus thereon endorsed to wit:
The within bond approved,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the twenty-fifth day of June in the year nineteen hundred and forty six, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following to wit:

Julia C. Adkins	)	NO. 6105 Chancery
Vs.	)	In the Circuit Court for
Jennie Coulbourn or Jennie Boxdale.	)	Somerset County, Maryland
	)	

To the Honorable, the Judge of said Court:

The report of L. Creston Beauchamp, Trustee in the above entitled cause, appointed by a decree of this Court dated May 22, 1946, to make sale of the real estate therein mentioned, respectfully shows:

That by virtue of the power and authority contained in said decree and after having given bond with approved security as required by law, conditioned upon the faithful performance of the trust reposed in him by said decree, and after having given at least twenty one days notice of the time,place, manner and terms of sale by advertisement in the Somerset News, a weekly newspaper published in said county, and by hand bill posted at the Court House door in said County, he did, in purusance of said notice, attand at the Court House door in Princess Anne, Maryland, on Tuesday, June 25, 1946, at or about the hour of two o'clock PM, and then and there proceeded to sell at public auction the following described property conveyed by said decree, namely;

He then offered all that lot or parcel of land situate, lying and being in Brinkley's Election District, Somerset County, Maryland, binding on the south or southwest side of the state road leading from Marion to Tull's Corner, adjoining the lands of H.P. Tull and Mabel Johnson, and containing seven acres, more or less; which was conveyed to the said John Wesley Coulbourn by James Coulbourn and others, by deed dated the ...day of August, 1911, recorded among the land records of said Somerset County in Liber No. 60, folio 589, and which descneded to the said Julia Adkins and Jennie Coulbourn or Jennie Boxdale as the heirs of John Wesley Coulbourn, deceased; and improved by a dwelling house and outbuildings, and sold the same to Julia C. Adkins, she being the highest bidder therefor, at and for the sum of seventeen hundred and sixty dollars, five hundred dollars of which has been paid in cash, and a note given, payable on the ratification of the sale, for the balance.

And the trustee prays a ratification of his proceedings in the premises.

All of which is respectfully submitted.

L. Creston Beauchamp, Trustee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 25th day of June, 1946, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp the trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk of Court

Upon which said report the Clerk of the Court here passed the following order to wit:

Julia C. Adkins	)	NO. 6105 Chancery
Vs.	)	In the Circuit Court for
Jennie Coulbourn or Jennie Boxdale	)	Somerset County, Maryland.
	)	

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 25th day of June, 1946, that the report of L. Creston Beauchamp, trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported, be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 27th day of July, 1946; provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 25th day of July, 1946.

The report states the amount of sale to be $1760.00

Benjamin L. Barnes,
Clerk of Court

And now at this day to wit, on the Ninth day of August in the year Nineteen Hundred and Forty Six, came again into Court here the said Complainant by her solicitor aforesaid, and on motion of the said Complainant by her Solicitor aforesaid, the Court here passed the following order to wit:

Julia C. Adkins	)	NO. 6105 Chancery
Vs.	)	In the Circuit Court for
Jennie Coulbourn Jennie Boxdale	)	Somerset County, Maryland.
	)	

It having been proved to the Court that a copy of the preceding order nisi has been published according to its provisions, and no exceptions having been filed and no exceptions having been filed and no cause to the contrary having been shown, it is this 9th day of August 1946, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the within report of L. Creston Beauchamp, trustee, and the sale by him reported be and the same are hereby finally ratified and confirmed.

Levin C. Bailey
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK.

"""

Edgar A. Jones, Attorney,	) Be it remembered that heretofore to wit, on the Tenth day
Ex-Parte under power in a mortgage from Rollin Riley to Edward S. Bozman	) of July in the year Nineteen Hundred and Forty-Six, a Certain
	) Edgar A. Jones, in his proper person exhibited and filed in
	) the Circuit Court here the original of a certain mortgage

executed and delivered to Edward S. Bozman from Rollin Riley, which said original mortgage is in the words following, to wit:

THIS MORTGAGE, Made this nineteenth day of January in the year nineteen hundred and forty six, by Rollin Riley, of Somerset County and State of Maryland, Witnesseth:

Whereas, the said Rollin Riley is indebted unto Edward S. Bozman, of said county and State, in the full and just sum of Twenty five Hundred ($2500.00) dollars, being the balance due on the purchase price for the hereinafter described real estate; which said indebtedness is evidenced by the bill obligatory of the said Rollin Riley for said sum, dated evenly herewith, payable to the order of the said Edward S. Bozman in sixty-five monthly installments; The first six of which said installments shall be for twenty five dollars each; the next fifty eight installments shall be of forty dollars each and the sixty fifth and final installment shall be of thirty dollars. The first of said installments shall become due and payable on the nineteenth day of February, nineteen hundred forty six and the remaining installments on even date of each succeeding month thereafter until fully paid; together with interest on all unpaid balances payable monthly; and

Whereas, for the purpose of further securing the payment of which said sum and interest when and as the same shall become due and payable, this mortgage is executed.

Now therefore this mortgage witnesseth: That for and in consideration of the premises and the sum of one dollar, the said Rollin Riley hereby grants and conveys unto the said Edward S. Bozman, his heirs and assigns, all that lot or parcel of land lying on the east side of Main Street and on the south side of Water Street at the intersection of the two said streets, in East Princess Anne Election District, Somerset County, Maryland, containing two thousand nine hundred and ninety nine square feet, described as lot No. One on a plat mentioned in a deed from the said Edward S. Bozman to Dora Annie S. Boomer, dated November 25th, 1942, and recorded among the land records of Somerset County in Liber BLB No. 128, folio 292 aaid plat being recorded in Plat Book B.L.B. No. 1, folio 21; together with a right-of-way over a twelve foot alley or driveway, situate just east of the above described Lot No. one and west of Lot No. Two, mentioned in said plat; the land hereby conveyed being a part only of all that lot or parcel of land which was conveyed to the said Edward S. Bozman by Edgar A Jones, Assignee, by deed dated November 9th, 1939 and recorded among the aforesaid land records in Liber No. 116, folio 343, and being also, the same and all the land which was conveyed unto the said Rollin Riley by the said Edward S. Bozman by deed dated evenly herewith and intended to be recorded among the aforesaid land records.

To which said deeds and all the references in them contained, special reference is here made for a more complete and accurate description of the land and premises hereby mortgaged.

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee his heirs and assigns forever.

PROVIDED that if the said Mortgagor shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable according to the tenor and effect of the said bill obligatory, and shall perform all the covenants herein on his part to be performed then theis mortgage shall be void.

And it is agreed that until default be made in the premises, the said Mortgagor shall

possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said Rollin Rileydoes hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant, or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagee his personal representatives or assigns, or Edgar A. Jones their Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash to satisfy and pay said debt, interest and all costs incurred in making such sale, and to grant and convey 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 by advertisement in some newspaper printed in Somerset county, and such other notices as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorneys fee, 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; secondly, to the payment of all claims of the said Mortgagee his 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 Mortgagor, or to whoever may be entitled to the same; and in the event that said mortgaged property or any part thereof, shall be advertised under the powers hereby granted and that the said Mortgagor or any person in his behalf shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagor covenants to pay the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee and one half the commission hereinbefore mentioned to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgage property and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the event that said property shall be sold under the powers hereby granted or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagor does further covenant to insure and pending the existance of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least twenty five hundred dollars and to cause the policy to be effected thereon to be so framed or endorsed as in case of fire, to insure to the benefit of the said mortgagee his personal representatives and assigns, to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagor shall fail to insure and keep insured the improvements aforesaid for the benefit of the mortgagee and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured with interest from the date of payment asthough included in the mortgage debt hereinbefore first mentioned,

WITNESS the hand and seal of said mortgagor

Test: Sally L. Ford Rollin Riley Seal

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I HEREBY CERTIFY, That on this 19th day of January in the year nineteen hundred and forty six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid personally appeared Rollin Riley the mortgagor named in the foregoing mortgage and he acknowledged the foregoing mortgage to be his act and deed; and at the same time and place also personally appeared before me Edgar A. Jones and made oath in due form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth, and that he is agent of the mortgagee, duly authorized to make this affidavit.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford Seal of
Notary Public Notary

Received for Record January 25, 1946 and recorded in Liber BLB No. 133, folio 319 one of the land records of Somerset County.

Per Benjamin L. Barnes, Clerk.

And thereupon the said Edgar A. Jones, Assignee filed in Court here a bond in the words following to wit:

Know All Men By These Presents, that we, Edgar A. Jones, principal and Edward S. Bozman and George E. Bozman, sureties, all of Somerset County, State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of five thousand ($5,000.00) dollars current money, to be paid to the said State of Maryland or its certain Attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this 17th day of June, in the year nineteen hundred forty six.

Whereas, by mortgage dated January 19, 1946 and recorded among the land records of Somerset County in Liber BLB No. 133, folio 319, Rollin Riley conveyed unto Edward S. Bozman, certain real estate to secure the payment of the sum therein mentioned, and whereas, the said Edgar A Jones, as attorney named in said mortgage, by virtue of the power and authority contained therein, is authorized, upon default, to sell the property conveyed by said mortgage; and whereas default has occureed in the terms and conditions of said mortgage and the said Edgar A. Jones is about to exercise the power of sale in said mortgage contained.

Now therefore, the condition of the above obligation is such, that if the above bounded, Edgar A. Jones, do and shall well and faithfully perform the trust reposed in him by said mortgage 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 shall be void; otherwise to be and remain in full force and virtue in law.

Edgar A. Jones, Principal Seal

Witness: Sally L. Ford Edward S. Bozman Seal

George E. Bozman Seal

Which said bond was thus thereon endorsed, to wit:

The within Bond approved,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Tenth day of July in the year nineteen hundred and forty six the said Assignee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit so aforesaid filed, are in the words following, to wit:

Edgar A. Jones, Attorney,	)	NO. 6164 Chancery
Exparte under power in a mortgage from Rollin Riley to Edward S. Bozman	)	In the Circuit Court for Somerset County, Maryland.
	)	

To the Honorable, the Judges of said Court:

The report of sale of Edgar A. Jones, attorney named in said mortgage, made and executed by Rollin Riley to Edward S. Bozman and dated January 19, 1946, recorded among the land records of Somerset County in Liber BLB No. 133, folio 319, under and by virtue of the power of sale therein contained, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon, or in some other covenant or condition of said mortgage whereby the mortgage debt has become due and demandable, respectfully represents to your Honors:

That after giving bond with security approved by the Clerk of this Court or by one of the Judges thereof, for the faithful performance of the trust so as aforesaid reposed in him by said mortgage, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Marylander & Herald, a weekly newspaper published in Somerset County, once a week for three successive weeks before the day of sale, he did, pursuant to said notice, attend at the Court House Door in Princess Anne, Maryland, on the 9th day of July, 1946, at 2:00 P.M. and then and there did proceed to sell the property described in said mortgage, to wit: all that lot or parcel of land situate in the town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, lying on the east side of Main Street and on the south side of Water Street, at the intersection of the two said streets, containing 2,999 square feet, described as Lot No. 1 on a plat filed in Plat Book BLB No. 1, folio 221, in the Circuit Court for Somerset County, together with a right of way over a twelve foot alley or deiveway, situated just East of the above described lot and being the same and all the land which was conveyed unto the said Rollin Riley by Edward S. Bozman, by deed dated January 19, 1946 and duly recorded among the land records of Somerset County and sold the same to Frank C. Jones, at and for the sum of Twenty seven hundred seventy five ($2775.00) dollars he being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale and your assignee has distributed the proceeds of sale as follows:

TOTAL SALES.....		$2775.00
To Benjamin L. Barnes, Clerk- Costs	28.75	
To Marylander & Herald- Advertising & Order Nisi	28.00	
To Edwin B. Muir- Auctioneer	5.00	
To 1946 Taxes- Carlos Bozman, Treasurer	15.40	
To E.A. Jones, Attorney for Commissions	143.25	220.40
Balance to be credited on mortgage.....		$2554.60
To total mortgage debt-principal	2500.00	
To interest on mortgage to date	54.60	2554.60

Respectfully submitted,

Edgar A. Jones, Attorney

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 9th day of July, in the year nineteen hundred forty six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Attorney named in the foregoing report of sale, and made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

Sally L. Ford — Seal of

Notary Public — Notary

Upon which said Report, the Clerk of the Circuit Court here passed the following order to wit:

Edgar A. Jones, Attorney	)	NO. 6164 Chancery
Exparte under power in a mortgage from Rollin Riley	)	In the Circuit Court for
To Edward S. Bozman	)	Somerset County, Maryland.
	)	

ORDER NISI

Ordered this 9th day of July, in the year nineteen hundred and forty six that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof made and reported by Edgar A. Jones, Attorney named in the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 12th day of August nineteen hundred forty six,

Provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 10th day of August, nineteen hundred forty six.

The report states the amount of sales to be twenty seven hundred seventy five ($2775.00) dollars.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland.

And now at this day to wit, on the Fourteenth day of August in the year Nineteen Hundred and Forty six, comes again into Court here the said Assignee and on motion of the said Assignee the Court here passed the following order, to wit:

FINAL ORDER

ORDERED by the Circuit Court for Somerset County in Equity, this 14th day of August, nineteen hundred and forty six, that the sale of the real estate mentioned in these proceedings made and reported by Edgar A. Jones, Attorney of the mortgage aforesaid, and the distribution of the proceeds therein, 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.

Levin C. Bailey

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK

"""""""""""""""""""""""""""""""""""""

Prentiss W. Evans, Assignee Ex-Parte under power in a mortgage from Lorenza D. Ward and wife to the Bank of Crisfield,	Be it remembered that heretofore to wit, on the Thirtieth day of November in the year Nineteen Hundred and Forty-five a certain Prentiss W. Evans, in his proper person exhibited and filed in the Circuit Court here an order to Docket Suit,

Statement of Mortgage Debt, Original Mortgage and Assignment executed and delivered to the Bank of Crisfield from Lorenza D. Ward and wife, which said Order, Statement, Original Mortgage and Assignment are in the words following, to wit:

Prentiss W. Evans, Assignee for the purpose of foreclosure and collection under power contained in a mortgage to Bank of Crisfield and by assignment to Prentiss W. Evans, for foreclosure and collection	NO. 6087 Chancery In the Circuit Court for Somerset County, Maryland

Mr. Clerk:

Please docket a case on your Chancery docket as above, file the within mortgage dated the fifth day of January, 1925, and recorded among the land records of Somerset County in Liber WJS No. 89, folio 40, made by Lorenzo D. Ward and Florence Ward, his wife, to Bank of Crisfield and by assignment November 26th, 1945, and recorded among the land records of said Somerset County in Liber BLB No. at folio etc, assigned to Prentiss W. Evans for the purpose of foreclosure and collection.

Prentiss W. Evans.

STATEMENT OF MORTGAGE DEBT

Statement of Mortgage claim of the "Bank of Crisfield," a body corporate, owner of mortgage foreclosed herein:

To Principal amount of mortgage	$2400.00
To interest, from Oct. 29, 1945 to date	11.20
To principal and interest owing to November 26th 1945, being total amount due on said mortgage	$2411.20

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 26th day of November, in the year nineteen hundred and forty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared J. Coyne Sterling, Vice President of the Bank of Crisfield a body corporate, and made ath in due form of law that subject to assignment to Prentiss W. Evans for purpose of foreclousre and collection, the "Bank of Crisfield", a body corporate, is the present holder and owner of the mortgage foreclosed in this case, and that the aforegoing is a true and just statement of the amount of mortgage claim under said mortgage, now remaining due and unpaid; and he did further make oath in due form of law that Lorenzo D. Ward and Florence Ward, his wife, are not now, nor for 30 days prior to the institution of the foreclosure proceedings in this cause, been in the military service of the United States.

As witness my hand and notarial seal.

Fred N. Holland Seal
Notary Public of Notary

THIS MORTGAGE, Made this 5th day of January in the year nineteen hundred and twenty five, by Lorenzo D. Ward and Florence Ward, his wife, of Somerset County, in the State of Maryland:

Whereas, the said Lorenzo D. Ward and Florence Ward, his wife, have this day borrowed from the "Bank of Crisfield", a body corporate existing under the laws of the State of Maryland, the sum of thirty two hundred-----dollars ($3200.00) and have executed and delivered unto the said the "Bank of Crisfield", a body corporate as aforesaid, their promissory note for said sum of

of Thirty two hundred....dollars ($3200.00), dated evenly herewith, payable two months after date; and whereas, for the purpose of securing the payment of said promissory note, and of securing the payment of any renewal or renewals of said promissory note, and of securing the payment of any renewal or renewals of said promissory note, which may hereafter be made, in case the said the "Bank of Crisfield", a body corporate as aforesaid, shall consent to any renewal or renewals of the same, and whether such renewal or renewals shall be for the whole or any part of said sum, the said Lorenzo D. Ward and Florence Ward, his wife, have agreed to execute this mortgage.

Now therefore this Mortgage witnesseth, that in consideration of the premises and the sum of five dollars in hand paid, the said Lorenzo D. Ward and Florence Ward, his wife, have granted and by these presents do grant and convey unto the said the "Bank of Crisfield", a body corporate as aforesaid, its successors and assigns, all those lots or parcels of land situate, lying and being in the Town of Crisfield, Somerset County, in the State of Maryland, and described as follows, that is to say,(FIRST), all that lot or parcel of land in said Town of Crisfield, County and State aforesaid, on the East side of Somerset Avenue, fronting one hundred and twenty feet, on said Somerset Avenue, and running back a distance of one hundred and ninety feet, being the same and all the real estate and premises conveyed unto the said Lorenzo D. Ward by Augustus Ward by deed bearing date the twenty eighth day of July, in the year nineteen hundred and fifteen, and recorded among the land records of Somerset County in Liber WJS No. 68, folio 446, and(SECOND) all that lot or parcel of land in said Town of Crisfield, county and State aforesaid, located on what is known as the Mill Road containing one and one half acres of land, more or less, being the same and all the real estate and premises conveyed unto the said Lorenzo D. Ward by John B. Robins, Trustee, by deed bearing date the 3rd third day of January, in the year nineteen hundred and twenty five, and intended to be recorded among said land records cotemproaneously with this mortgage, and is also all the real estate and premises described in a deed to Agusutus Ward and Lorenzo D. Ward from George W. Turner and wife bearing date the twenty first day of January, in the year nineteen hundred and six, and recorded among said land records in Liber OTB No. 41 folio 563--to which said deeds and records special reference is here made for a more accurate description of the lands and premises hereby mortgaged.

Together with the buildings and improvements ther on; and the rights, roads, waters, privileges, appurtenances and advantages thereto belonging, or in any wise appertaining.

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee, its successors and assigns forever.

PROVIDED that if the said Mortgagors shall well and truly pay unto the said Mortgagee the aforesaid promissory note, and any renewal or renewals thereof for said principal sum, or any part thereof, when and as the same shall become 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 said Mortgagors shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said Lorenzo D. Ward and Florence Ward, his wife, do hereby covenant to pay when legally demandable. But if default be made in the payment of said money or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage shall be deemed due and demandable; and it shall be lawful for the said Mortgagee, its successors or assigns, or Clarance P. Lankford, its and their Attorney or Agent, at any time after such defalut to sell the property hereby mortgaged, or so much

therof as may be necessary, for cash, 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 following, viz: upon giving twenty days' notice of the time, place, manner and terms of sale by advertisement in some newspaper printed in Somerset County, and such other notice as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorney's fee, 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; seconely, 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 Mortgagors or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted, and that the said Mortgagors or any person in their behalf shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagors coven ant to pay to the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable attorney's fee, and one half the commission hereinbefore mentioned, to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid, and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagors do further covenant to insure, and pending the existence of this mortgage to keep insured, the improvements on hereby mortgagedland to the amount of at least thirty two hundred dollars, and to cause the policy to be effected thereonto be so framed or endorsed, as in case of fire,to inure to the benefit of the said mortgagee, its successors and assigns, to the extent ot the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagor shall fail to insure or keep insured the improvements aforesaid for the benefit of the mortgagee, and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment as though included in the mortgage debt hereinbefore first mentioned.

WITNESS the hands and seals of the said mortgagors.

Test: Fred N. Holland

Lorenzo D. Ward Seal

Florence Ward Seal

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 5th day of January in the year nineteen hundred and twenty five before me, the subscriber a Justice of the Peace, of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Lorenzo D. Ward and Florence Ward, his wife, the mortgagors named in the foregoing mortgage and acknowledged the foregoing mortgage to be their respective act and deed; and at the same time and place also personally appeared before me Warren F. Sterling, president of the "Bank of Crisfield", mortgagee, and made oath in due form of law that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth,

In testimony whereof, I have hereunto subscribed my name the day and year aforesaid.

Fred N. Holland

Justice of the Peace

Received for Record 6th Jany 1925 and recorded in Liber WJS No. 89, folio 40 & c one of the land records of Somerset County.

Per W. JEROME STERLING CLERK.

The within mortgage is hereby assigned to Prentiss W. Evans, Attorney, for the purpose of foreclosure and collection.

Witness the seal of the Bank of Crisfield, a body corporate and the signature of J. Coyne Sterling, the Vice President thereof which is affixed hereto.

Witness as to siganture
Beryl Sterling

Bank of Crisfield
By J. Coyne Sterling
Vice President

Seal of Bank

Filed for Record Nove. 30, 1945 and recorded in Liber WJS No. 89, folio 40.

Test: Benjamin L. Barnes, Clerk.

And thereupon the said Prentiss W. Evans, Assignee filed in Court here a bond in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Prentiss W. Evans of Somerset County, State of Maryland, and The United States Fidelity & Guaranty Company , a boyd corporate, duly incorporated under the laws of the State of Maryland, as surety, are held and firmly bound unto 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 ($4000.00) 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 Heirs, Executors and Administrators, jointly and severally firmly by these presents: sealed with our seals and dated this twenty fifth day of June, in the year Nineteen hundred and forty six.

WHEREAS, The above bounded, Prentiss W. Evans, by virtue of the power contained in a mortgage from Lorenzo D. Ward, Sr., and Florence Ward, his wife, to the "Bank of Crisfield" bearing date the fifth day of January, nineteen hundred twenty five, and recorded among the land records of Somerset County, Maryland, in Liber WJS No. 89, folio 40, and which mortgage has been duly assigned by the said "Bank of Crisfield" to Prentiss W. Evans, Attorney, by assignment dated the twenty sixth day of November, nineteen hundred forty five, for purpose of foreclosure and collection, and Prentiss W. Evans is about to sell the land and premises described in said mortg ge, default having been made in payment of the money as specified, and in the conditions and covenants therein contained.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bounden Prentiss W. Evans do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said Mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

SIGNED, SEALED AND DELIVERED IN
THE PRESENCE OF

PRENTISS W. EVANS, (L.S

WITNESS: EUGENE GARDNER

WITNESS: EUGENE GARDNER

UNITED STATES FIDELITY & GUARANTY COMPANY
PHOEBE P. GARNDER
Attorney in Fact, per power of Attorney duly recorded among said land records as aforesaid.

The Above Bond approved 6th day of July in the year one thousand nine hundred and forty six.

Benjamin L. Barnes, Clerk.

AND thereafter to wit, on the Eighth day of May in the year nineteen hundred and forty six the said Assignee exhibited and filed in the Circuit Court here a report of sales and distri-

bution, with an affadavit thereunto annexed, which said report and distribution and affadavit so aforesaid filed, are in the words following, to wit:

Prentiss W. Evans, Assignee for the purpose of foreclosure and collection under power contained in a mortgage to Bank of Crisfield from Lorenzo D. Ward & Wife	)	NO. 6078 Chancery In the Circuit Court for Somerset County, Maryland.

To the Honorable, the Judges of said Court:

The report of sale of Prentiss W. Evans, Assignee of a certain mortgage made and executed by Lorenzo D. Ward, Sr. and Florence Ward, his wife, dated January 5th 1926, and recorded among the land records of Somerset County, Maryland in Liber WJS No. 89, at folio 40; under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage, or in the payment of the interest thereon or in some other covenant or condition of said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to your Honors--

That after giving bond with security approved by the Clerk of this Court for the faithful performance of the trust so as aforesaid reposed in him by and pursuant to said mortgage, and as required by law, and after giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Post, a weekly newspaper published in Somerset County, once a week for three successive weeks before the day of sale; he did, pursuant to said notice, attend at the U. S. Postoffice at Crisfield, Maryland, on the sixth day of July 1946, at 2:00 P.M. and did then and there proceed to sell the property described in said mortgage, to wit: Parcel One; all that lot or parcel of land in the city of Crisfield, Somerset County, Maryland on the East side of Somerset Avenue and fronting one hundred and twenty feet thereupon and running back a distance of one hundred and ninety three feet and five inches, and being the same land and premises which were conveyed unto said Lorenzo D. Ward, Sr. by Augustus Ward by deed bearing date the twenty eight day of July, nineteen hundred and fifteen and recorded among the aforesaid land records in Liber WJS No. 68, folio 446, and which property is fully described on the attached plat, entitled "Parcel One" made by W. Ballard Miles RS 575 for Prentiss W. Evans, Attorney, dated June 23, 1946 containing 57 hundredths of an acre of land.

And sold said Parcel No. One to Harry Evans of Crisfield, Maryland at and for the sum of fifty five hundred ($5,500.00) dollars; he being then and there the highest bidder thereof.

PARCEL TWO: All that lot or parcelof land (unimproved) in said City of Crisfield, lying and binding on the southerly side of Mill Road and fronting one hundred seventy two feet and eight inches thereupon and running back a depth of two hundred and five feet on the easterly side and two hundred and twenty two feet on the westerly side, containing eighty three huhdredths of an acre and being the same land conveyed unto said Lorenzo D. Ward, Sr. by John B. Robbins, Trustee, by deed dated April 3, 1923 and recorded among the aforesaid land records in Liber WJS No. 90, folio 310, except so much thereof as was conveyed by said Lorenzo D. Ward, Sr. and wife to Annie C. Parks by deed dated December 7th, 1925, which deed is duly recorded among the aforesaid land records in Liber WJS No. 92 at folio 381, and which land is accurately described in the attached plat entitled "Parcel No. 2" made by W. Ballard Miles, Surveyor for Somerset County, Maryland for Prentiss W. Evans, Attorney--and sold the same to said Harry Evans at and for the sum of one hundred and thirty ($130.00) he being then and there the highest bidder therefor. And the purchaser has complied with the terms of sald to the satisfaction of the trustee.

Respectfully submitted,

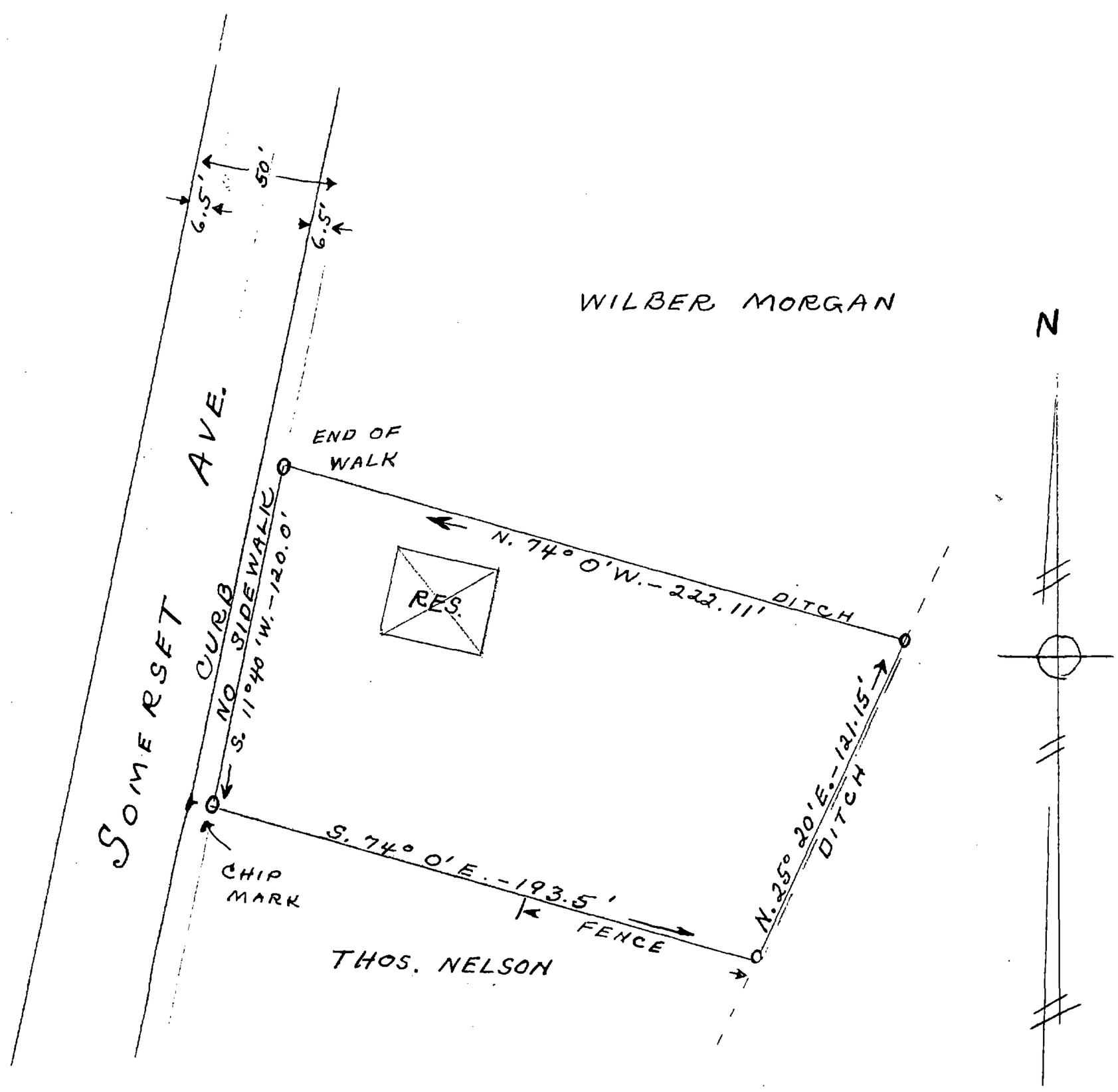
Prentiss W. Evans, Assignee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this eighth day of July, in the year nineteen hundred and forty six

before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared Prentiss W. Evans, Assignee named in the foregoing report of sale, and he made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sales therein reported were fairly made.

Benjamin L. Barnes
Clerk, Circuit Court, Somerset Co. Md.



Being all and the same land conveyed to Lorenzo D. Ward by Augustus Ward by deed dated July 28, 1915 and recorded in Liber WJS 68, folio 446.

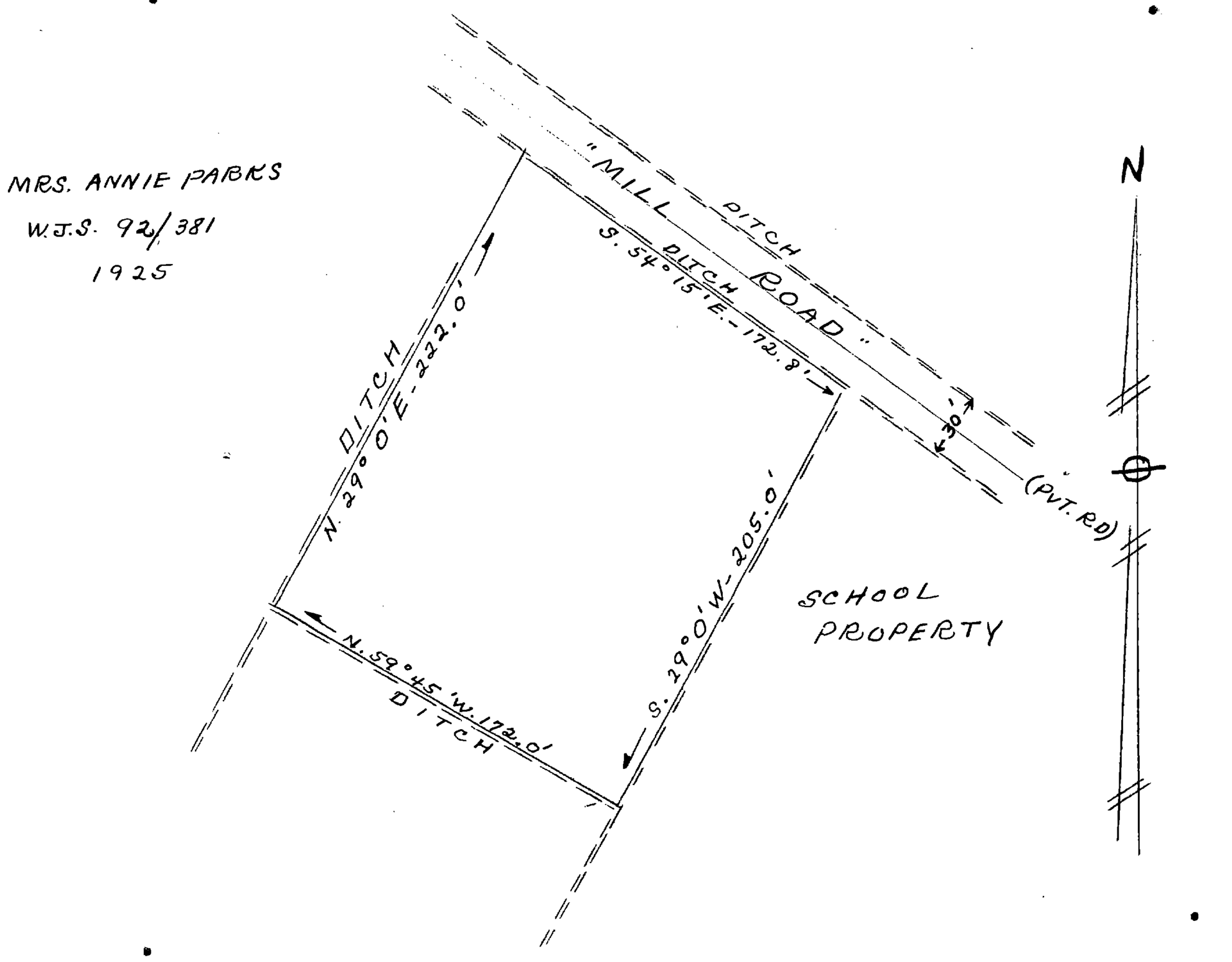
Parcel #1-Mort. Sale- July 6,46

SURVEY OF A LOT FOR

PRENTISS W. EVANS, ATTY.

El.Dist.	File
Crisfield 7	D-319
Date	Scale
6/23/46	1"-50'
Area	Drawn
.57 Acres	WBM

W. BALLARD MILES R.S. 575
Surveyor for Somerset County, Md.



Being all and the same land conveyed to Lorenzo D. Ward by John B. Robins by deed dated Jan 3, 1925 and recorded in Liber WJS 91, folio 310.

(Parcel #2-Mort,Sale - July 6, 46)

(SURVEY OF A LOT FOR

(PRENTISS W. EVANS.

(El. Dist. Crisfield 7	File D-319
(DATE 6/23/46	Scale 1"-60'
(Area .83 acres	Drawn WBM
(W. BALLARD MILES R.S. 575	
(Surveyor for Somerset Co., Md.	

Upon which said Report the Clerk of the Circuit Court here passed the following order:

Prentiss W. Evans, Solicitor

O R D E R N I S I

NO. 6087 Chancery

IN THE CIRUCIT COURT FOR SOMERSET COUNTY, MARYLAND

Prentiss W. Evans, Assignee, Ex-Parte, under power contained in a mortgage to Bank of Crisfield From Lorenzo D. Ward, Sr. and wife and assigned to Prentiss W. Evans for foreclosure and collection.

Ordered this eighth day of July, in the year nineteen hundred and forty six, that the sale of the property mentioned in these proceedings, made and reported by Prentiss W. Evans, Assignee of the above mortgage be ratified and confirmed unless cause to the contrary thereof be shown on or before the 12th day of August, nineteen hundred and forty six, PROVIDING a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 9th day of August, nineteen hundred and forty six.

The report states the amount of sale to be fifty six hundred and thirty ($5630.00) dollars

Benjamin L. Barnes
Clerk of the Circuit Court for
Somerset County, Maryland.

And now at this day to wit, on the Fourteenth day of August, Nineteen hundred and forty six comes again into Court here the said Assignee and on motion of the said assignee the court here passed the following order, to wit:

Prentiss W. Evans, Assignee for the purpose of foreclousre and collection under power contained in a mortgage to Bank of Crisfield and by assignment to Prentiss W. Evans for foreclosure and collection.	))))	No. 6087 Chancery In the Circuit Court for Somerset County, Maryland.

O R D E R

Ordered by the Circuit Court for Somerset County, in EQUITY, this 14th day of August nineteen hundred and forty six, that the sale made and reported by the above named attorney is hereby finally ratified and confirmed, no cause to the contrary having been shown although due public notice appears to have been given.

Levin C. Bailey
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK.

"""""""""""""""""""""""""""""""""""""""

Hammond W. McGrath	)	Be it remembered that heretofore to wit, on the third day of
Vs.	)	March in the yar nineteen hundred and forty five, a certain
Margaret Lou Bozman and Wesley Bozman	)	Hammond W. McGrath by George H. Myers, his solicitor exhibited
	)	and filed in the Circuit Court here a Bill of Complaint against

Margaret Lou Bozman and Wesley Bozman, which said Bill of Compalint is in the words following to wit:

Hammond W. McGrath	)	No. 6009 Chancery
Vs.	)	Circuit Court for
Margaret Lou Bozmand and Wesley Bozman	)	Somerset County, Maryland.
	)	

To the Honorable, the Judge of said Court:

Your Orator complaining, says:

FIRST, That your Orator and a certain Bessie Bozman, late of Nassau County, Florida, were in the lifetime of the said Bessie seized and possessed as tenants in common, in equal shares, of certain real estate situate in said Somerset County, which was conveyed to them by deed from Joseph S. McGrath et al, dated July 5th, 1944, and recorded among the land records of said Somerset County in Liber No. 128, folio 75 et seq. and described as follows:

(1) All those lots or parcels of land located on and near the Jacksonville State Road in Lawsons Election District in said Somerset County, which are laid down and described as lots No. 1 to 6, inclusive, on subdivision No. 1 prepared by W. Ballard Miles, Surveyor, on June 10th, 1944, for the heirs of Sarah E. McGrath and recorded as No. 13 in plat book BLB No. 1 among the land records of said Somerset County.

(2) All that lot or parcel of land situate in Lawsons Election District as aforesaid, on the southward side of the County Road leading from the late residence of Dr. George H. Berry to the late residence of Mrs. Julia Whittington, containing eight and one half acres of land more or less, which was conveyed to Levin S. McGrath and John H. McGrath by deed from William A. Rayfield and wife, dated February 18th, 1921 and recorded among the land records of said Somerset county in Liber No. 84, folio 105.

SECOND: That being so seized the said Bessie Bozman departed this life on or about the fifteenth day of February, nineteen hundred and forty five, intestate, leaving surviving a husband the said Wesley Bozman and one child, the said Margaret Lou Bozman as her sole heirs at law.

THIRD, That the said Margaret Lou Bozman is an infant about ten years of age and the said Wesley Bozman is of full age and both reside in Nassua County, Florida, being non-residents of this State.

That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that in order to make division of said interests it will be necessary that said real estate be sold and the proceeds thereof divided among the parties according to their several interests.

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 among your Orator and the said defendants according to their respective rights and interests.

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

May it please your Honor to grant unto your Orator an order of publication giving notice to the said Margaret Lou Bozman, an infant, and to the said Wesley Bozman, an adult, both of the State of Florida, who are non residents of this State, of the object and substance of this bill and warning them to appear in this Court in person or by solicitor on or before a certain

day to be named therein, to show cause if any they have, why a decree ought not to pass as prayed.

And as in duty bound,

Geo. H. Myers
Solictor for Plaintiff

And thereupon in pursuance of the prayer in the aforegoing bill the following Order of Publication was issued.

ORDER OF PUBLICATION

Hammond W. McGrath	)	No. 6009 Chancery
vs.	)	Circuit Court for
Margaret Lou Bozman and Wesley Bozman	)	Somerset County, Maryland
	)	

The object of this suit is to procure a decree for the sale of certain real estate situate in Lawsons Election District, Somerset County, Maryland, held by the plaintiff and the heirs at law of Bessie Bozman, deceased, as tenants in common.

The bill states that the plaintiff and the said Bessie Bozman in her lifetime were seized and possessed as tenants in common, in equal shares, of certain real estate situate in Lawsons Election District, in said Somerset County, which was convyed to them by deed from Joseph S. McGrath et al, dated July 5th, 1944, and recorded among the land records of said Somerset County in Liber No. 128, folio 75, et seq. and described as follows: (1) All those lots or parcels of land located on and near the Jacksonville State Road, which are laid down and described as lots No. 1 to 6, inclusive, on subdivision No. 1 prepared by W. Ballard Miles, Surveyor, on June 19th 1944, for the heirs of Sarah E. McGrath and recordedas No. 13 in plat book BLB No. 1 among the land records of said Somerset County; (2) All that lot or parcel of land situate in Lawsons Election District as aforesaid, on the southward side of the County Road leading from the late residence of Dr. George H. Berry to the late residence of Mrs. Julia Whittington, containing eight and one half acres of land, more or less, which was conveyed to Levin S. McGrath and John H. McGrath by deed from William A. Rayfield and wife, dated February 18th, 1921 and recorded among the land records of said Somerset County in Liber No. 84, folio 105; that the said Bessie Bozman departed this life on about February 15th, 1945, intestate, leaving surviving her husband the said Wesley Bozman, and one child, the said Margaret Lou Bozman, as her sole heirs at law; that the said Margaret Lou Bozman is an infant about ten years of age and the said Wesley Bozman is of full age and both reside in Nassau County, Florida, that the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that in order to make division of said interests it will be necessary that said real estate be sold and the proceeds thereof divided among the parties according to their several interests.

It is thereupon this thirty first day of March, nineteen hundred and forty five, Ordered by the Clerk of the Circuit Court for Somerset County, aforesaid, in Equity, that the plaintiff by causing a copy of this Order to be inserted in some newspaper published in said Somerset County, once in each of four successive weeks before the fifth day of May, nineteen hundred and forty five, give notice to the said non resident defendants, Wesley Bozman and Margaret Lou Bozman 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 the twenty first day of May, nineteen hundred and forty five, to show cause, if any they have, why a decree ought not tobe passed as prayed.

Benjamin L. Barnes
Clerk.

And thereafter to wit, on the Thirteenth day of June in the year Nineteen Hundred and Forty Five, the said Complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

Hammond W. McGrath	)	No. 6009 Chancery
vs.	)	Circuit Court for
Margaret Lou Bozman and Wesley Bozman	)	Somerset County, Maryland.
	)	

To the Honorable, the Judge of said Court:

The petition of Hammond W. McGrath, plaintiff in the above case respectfully shows:

That notice has been given by publication as heretofore ordered by this Honorable Court to the infant defendant, Margaret Lou Bozman, to appear and answer the bill of complaint against her and another in the above cause exhibited, but being an infant she can not answer and defend this suit for herself.

Your petitioner therefore prays your Honor to appoint a guardian ad litem to appear and answer for said infant defendant.

Geo. H. Myers
Solicitor for Petitioner

State of Maryland, Somerset County, to wit;

I hereby certify that on this 13th day of June, nineteen hundred and forty five, before me, the subscriber, the Clerk of the Circuit Court for said Somerset County, personally appeared George H. Myers, the above named solicitor, and made oath in due form of law that the matters and facts set forth in the aforegoing petition are true as therein stated to the best of his knowledge and belief.

Witness my hand and seal.

Benjamin L. Barnes
Clerk.

Upon which said petition, the Court here passed the following order to wit:

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, this 13th day of June, nineteen hundred and forty five, upon the aforegoing petition and affidavit, that Grace J. Barnes be and she is hereby appointed guardian ad litem to appear and answer for Margaret Lou Bozman, infant defendant, in the above case.

Edmond H. Johnson
Judge

And thereupon the said Grace J. Barnes as guardian specially appointed filed in Court here the following answer, to wit:

Hammond W. McGrath	)	NO. 6009 Chancery
vs.	)	Circuit Court for
Margaret Lou Bozman and Wesley Bozman	)	Somerset County, Maryland
	)	

To the Honorable, the Judge of said C ourt:

The answer of Margaret Lou Bozman, infant by her guardian ad litem, duly appointed by order of this Court to the bill of complaint of Hammond W. McGrath against her and another in this cause exhibited.

This defendant being an infant can not admit any of the matters and allegations in said bill alleged and submits her right thereunder to the protection of this Court.

And as in duty bound,

Grace J. Barnes
Guardian Ad Litem

And thereafter to wit on the Thirteenth day of June in the year Nineteen Hundred and Forty-five the Court here passed the following order:

Hammond W. McGrath	)	NO. 6009 Chancery
Vs.	)	Circuit Court for
Margaret Lou Bozman and Wesley Bozman	)	Somerset County, Maryland
	)	

It appearing from the proceedings in this cause that the order of publication heretofore issued therein, has been duly published in the "Crisfield Post", a newspaper published in said Somerset County, as prescribed by the terms of said order and the defendant, Wesley Bozman, having failed to appear either in person or by solicitor and answer the bill of complaint filed against him,

It is thereupon, this 13th day of June, nineteen hundred and forty five, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed, that said bill of complaint be and the same is hereby taken pro confesso against said non resident defendant.

And it is further ordered that depositions be taken before one of the standing examiners of this Court in support of the allegations of the bill.

Edmond H. Johnson

And afterwards to wit, on the thirtieth day of June in the year Nineteen Hundred and forty-five Benson W. Sterling, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Hammond W. McGrath	)	NO. 6009 Chancery
Vs.	)	In the Circuit Court for
Margaret Lou Bozman and Wesley Bozman	)	Somerset County, Maryland
	)	

In this cause an order having been passed for testimony to be taken to support the allegations of the bill, I, Benson W. Sterling, of Crisfield, Maryland one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc do hereby certify that on this 29th day of June, 1945, in Somerset County, aforesaid, I did take the following testimony, totwit:

Hammond W. McGrath, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int.--1. Please stat your name, age, residence and occupation?

ans. My name is Hammond W. McGrath, my age 41 years, my residence is Crisfield, Maryland, and my occupation is that of Business Manager of Newspaper.

Int.--2 Did you know Bessie Bozman in her life time, is she living or dead, if dead when and where did she die, and did she leave a will, and who are her heirs at law?

ans. Yes I knew Bessie Bozman. She was my sister. She dies in Jacksonville, Florida during the second week of February, 1945. She did not leave a will. Her only heirs at law were her husband Wesley Bozman and a ten year old daughter Margaret Lou Bozman.

Int.--3 What real estate, if any, did Mrs. Bessie Bozman own in Somerset County, Maryland ?

Ans. She owned an one half undivided interest in several lots of land which were conveyed to her and myself by the other heirs of Sarah E. McGrath by deed dated July 5th,1944 and recorded upon the land records of Somerset County, in Liber No. 128 folio 75. Six of these lots are laid down on a plot prepared by W. Ballard Miles in the subdivision of the Sarah E. McGrath land and are laid off for building lots. Lot No. 1 on this plot is improved by a dwelling house two story, frame shingle roof-8 rooms, the condition of same is from poor to fair. The other five lots are unimproved and this whole bunch of lots with the dwelling house is worth about $1500. The other parcel of land described in the deed are on the south side of the road leading from the late Dr. George H. Berry residence to the late residence of Mrs. Julia Whittington this lot contains 8½ acres of scrub brush land with no buildings and worth about $100. Witness offers here in evidence the original deed conveying the land just described to himself and Bessie Bozman and marked plaintiffs exhibit "D".

Int. 4-- Did you and Mrs. Bozman own this land in equal shares?

ans. Yes.

Int. 5-- Is the real estate in which you and Mrs. Bozman own together susceptible of partition without material loss or injury tothe parties entitled to interest therein, and would it or not be for the benefit and interest of said parties to sell said real estate and divide the proceeds among them?

Ans. You could not divide the house and most of the value is in the house. Four of the other lots are worth about $30.00 each and the other lot worth about $200.00. It would be of the benefit of the parties entitles to interest therein to sell the property as a whole and divide the proceeds among them.

COURTS QUESTION?

Ans.--- The only other thing is that Mr. Bozman wants the property sold, as he does not want anything in this section as it is so far away from his home.

Witness: Benson W. Sterling Hammond W. McGrath

Joseph S. McGrath, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int.--1. Please state your name, age, residence and occupation?

Ans. My name is Joseph S. McGrath, my age is 46 years, my residence is Crisfield, Maryland and my occupation is that of Editor of Newspaper.

Int. 2. Did you know Bessie Bozman during her lifetime, and if so, is she living or dead, and if dead, when and where did she die, and did she leave a will, and who are her heirs at law?

Ans. Yes I did know Bessie Bozman. She was my sister. She is dead. She died during the second week of February, 1945 in Jacksonville, Florida. She did not leave a will. She left as her only heirs at law Wesley Bozman her husband and Margaret Lou Bozman a 10 year old daughter.

Int.-- 3 Did Mrs. Bessie Bozman own any real estate in Somerset County, Maryland at the time of her death, if so, where is same located and what is its value?

Ans. She was one half owner of several lots of land in Somerset County, Maryland with Hammond W. McGrath, situated in Lawsons District, Somerset County, Maryland.

Int.-- 4 Do you refer to the land mentioned in the deed offered as evidence in this cause?

Ans. Yes I do.

Int--5 Will you please describe this land and give your estimate of its value?

ans. There are several small lots of land unimproved and the main portion of this property is a lot improved with a 8 room two story, frame, shingle roof dwelling. This dwelling is in a poor state of repairs because of a storm damage that occured since it has been vacant and in very poor appearance because of lack of paint. However this improved property represents the greated portion of the real estate referred to. There is also a tract of scrub or cut over land that has a value of about $100.00, making the estimated value of the entirety about $1500.00.

Int.-- 6. Is this real estate which Bessie Bozman owned jointly with Hammond W. McGrath susceptible of partition in kin without loss and injury to the parties entitled to interest therein, and would it or not be for the benefit and interest of said parties to sell said real estate as a hold and divide the proceeds among them?

ans. Because this is the only property that these surviving heirs own in Somerset County, and as they are residents of the State of Florida and desire to have their main interest in that State, it does not seem pratical to divide in kind even if it were possible which it is not in my judgment. I therefore recommend for the best interest of the parties concerned that the property be converted into cash for a equitable settlement.

Int.--7 How long have Wesley Bozman and Bessie Bozman been living in Florida?

ans. Mr. Bozman went to Florida in 1936 and has resided there permanently since 1938, and Margaret Lou has been with him pratically all of that time.

Int.--8 What value would you place on the dwelling house and lot alone?

ans. In its present state about $1200.00

COURTS QUESTION?

Ans. I know that Mr. Bozman is desirous to remain in Florida and has no interest here.

Witness:

Benson W. Sterling
Examiner

Joseph S. MCGrath

There being no further witness present to be examined and at the suggestion of the Solicitor for the plaintiff, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct.

Bill of Costs

Examiner.....$4.00

WITNESS MY HAND AND SEAL

Benson W. Sterling
Examiner in Chancery

Seal.

"Exhibit D" referred to in the aforegoing Testimony is in the words following, to wit:

DEED)
Joseph S. McGrath, etal)
to)
Hammond W. Mcgrath and)
Bessie Bozman)
)

THIS DEED, made this 5th day of July, nineteen hundred and forty-four, by Joseph S. McGrath and Ivy T. McGrath, his wife, of Somerset County, State of Maryland, Della M. Carey (Widow) of Wicomico County, State of Maryland, Maurice S. McGrath and Margaret McGrath, his wife, of Union County, State of New Jersey, Retta M. Neal and Samuel S. Neal, her husband, Lena M. Roper and Ralph L. Roper, her husband, of Hyde County, State of North Carolina, heirs at law of Sarah E. McGrath and Levin S. McGrath, WITNESSETH:

That in consideration of the sum of ten dollars, the said Joseph S. McGrath, Ivy T. McGrath Della M. Carey, Maurice S. McGrath, Margaret McGrath, Retta M. Neal, Samuel S. Neal, Lena M. Roper and Ralph L. Roper do grant and convey unto Hammond W. McGrath of said Somerset County and Bessie Bozman of Nassau County, Florida, as tenants in common, their heirs and assigns, all their the said grantors right, title, interest and estate in and to the following described lots or parcels of land, to wit:

FIRST: All those lots or parcels of land located on and near the Jacksonville State Road in Lawsons Election District in said Somerset County, which are laid down and described as lots no. 1 to 6, inclusive, on subdivision No. 1 prepared by W. Ballard Miles, Surveyor, on June 10th, 1944, for the heirs of Sarah E. McGrath and recorded as No. 13 inplat book BLB No 1 among the land records of said Somerset County.

SECOND: All that lot or parcel of land situate in Lawsons Election District as aforesaid on the southward side of the county road leading from the late residence of Dr. George H. Berry to the late residence of Mrs. Julia Whittington, containing eight and one half acres of land more or less, which was conveyed to the said Levin S. McGrath and John H. McGrath by deed from William A. Rayfield and wife, dated February 18th, 1921 and recorded among the land records of said Somerset County in Liber No. 84, folio 105.

To which said deed and plat and all the references therein contained, special reference is hereby made as part hereof for a more full and particular description of the land and premises hereby conveyed.

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

TO HAVE AND TO HOLD the said land and premises above described and mentioned, and hereby intended to be conveyed;together with the rights, privileges, appurtenances and advantgges thereto belonging or appertaining unto and to the proper use and benefit of the said Hammond W. McGrath and Bessie Bozman, as tenants in common, their heirs and assigns in fee simple.

And the said Joseph S. McGrath, Ivy T. McGrath, Della M. Carey, Maurice S. McGrath, Margaret McGath, Retta M. Neal, Samuel S. Neal, Lena M. Roper and Ralph L. Roper covenant that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of said land as may be requisite.

Witness the hands and seals of the said grantors.

Test:	Joseph S. McGrath	Seal
John S. Holland	Ivy T. McGrath	Seal
John J. Doman	Della M. Carey	Seal
	Maurice S. McGrath	Seal
Peter A. Seuseing	Margaret McGrath	Seal
	Retta M. Neal	Seal
	Samuel S. Neal	Seal
	Lena M. Roper	Seal
	Ralph L. Roper	Seal

State of Maryland, Somerset County, to wit:

I hereby certify that on this 22 day of July, nineteen hundred and forty four, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Joseph S. McGrath and Ivy T. McGrath and each acknowledged the aforegoing deed to be their respective act and deed and signed their respective names thereto in my presence.

Witness my hand and Notarial Seal.

John S. Holland Seal of
Notary Public Notary

State of Maryland, Wicomico County, to wit:

I hereby certify that on this 31st day of July, nineteen hundred and forty four, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Della M. Carey and acknowledged the aforegoing deed to be her act and deed and signed her name thereto in my presence.

Witness my hand and Notarial Seal.

John S. Dovan Seal of
Notary Public Notary

State of New Jersey, Union County, to wit:

I hereby certify that on this 21st day of Sept,nineteen hundred and forty four, before me, the subscriber, a Notary Public of the State of New Jersey, in and for Union County aforesaid personally appeared Maurice S. McGrath and Margaret McGrath and each acknowledged the aforegoing deed to be their respective act and deed and signed their respective names thereto in my presence.

Witness my hand and Notarial Seal.

Peter A. Seusenig Seal of
Notary Public Notary

State of North Carolina, Hyde County, to wit:

I hereby certify that on this 4 day of August nineteen hundred and forty four, before me, the subscriber, a Notary Public of the State of North Carolina, in and for Hyde County aforesaid personally appeared Retta M. Neal, Samuel S. Neal and each acknowledged the aforegoing deed to be their respective act and deed and signed their respective names thereto in my presence.

Witness my hand and Notarial Seal.

Pauline G. Mason Seal of
Notary Public Notary
my commission expires 12/17/44

STATE OF NORTH CAROLINA, HYDE COUNTY, TO WIT:

I hereby certify that on this 7 day of August 1944, before me, the subscriber, a Notary Public of the State of North Carolina, in and for Hyde County aforesaid, personally appeared Lena M. Roper and Ralph L. Roper and each acknowledged the aforegoing deed to be their respective act and deed signed their respective names thereto in my presence.

Witness my hand and Notarial Seal.

Hilda W. Seindell Seal of
Notary Public Notary
my commission expires Oct. 15, 1945.

On July Eighteenth, Nineteen Hundred and Forty-five, the following Affidavit was filed.

Hammond W. McGrath	)	No. 6009 Chancery
vs.	)	Circuit Court for
Margaret Lou Bozman	))	Somerset County, Maryland
_____	)	

I hereby certify that on this 18th day of July 1945, before me the subscriber, Clerk of the Circuit Court for Somerset County, personally appeared George H. Myers, Attorney for plaintiff who made oath in due form of law that the defendants Wesley Bozman and Margaret Lou

Bozman are neither of them in the military service of the United States.

Witness my hand this 18th day of July, 1945.

Benjamin L. Barnes,
Clerk.

And thereafter to wit, on the Eighteenth day of July in the year nineteen hundred and forty-five, the Circuit Court here passed the following Decree in the premises to wit:

Hammond W. McGrath	)	NO. 6009 Chancery
Vs.	)	CIRCUIT COURT FOR SOMERSET
Margaret Lou Bozman and Wesley Bozman	)	COUNTY, MD.
	)	

THE ABOVE CAUSE STANDING READY FOR HEARING and having been submitted, the proceedings therein were by the Court read and considered:

IT IS THEREUPON, this 18th day of July in the year nineteen hundred and forty-five by the Circuit Court of Somerset County, Maryland ADJUDGED, ORDERED AND DECREED, That the property in the proceedings mentioned be sold, and that George H. Myers of said Somerset County, be and he is hereby appointed Trustee to make 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 corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of Fifteen Hundred dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any furture decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one third cash on day of sale, one third in six months and the balance in one year from said date, or all cash at the option of the purchaser, the credit portions to bear interest from day of sale and to be secured by the bond of the purchaser, with surety to the satisfaction of said Trustee and soon as may be conveneint after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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, 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 and assigns 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 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 the Court, after deducting 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.

Levin C. Bailey
Judge.

And thereupon the said George H. Myers, Trustee, filed a Bond in the Court here in the words following to wit:

KNOW ALLMEN BY THESE PRESENTS, That we, George H. Myers, of Somerset County, Maryland, as principal, and Hartford Accident and Indemnity Company, a body corporate under the laws of the State of Connecticut, as surety, are held and firmly bound unto the State of Maryland, in the full and just sum of fifteen hundred 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 heirs and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents; sealed with our seals and dated this 28th day of July, 1945.

WHEREAS the above bounden George H. Myers, by virtue of a decree of the Circuit Court for Somerset County, in Equity, has been appointed Trustee to sell the property mentioned in the proceedings in the suit of Hammond W. McGrath vs. Wesley Bozman et al, now pending in said Court the same being No. 6009 on the Chancery Docket thereof.

Now the condition of the obligation is such that if the above bounden George H. Myers do and shall well and faithfully perform the trust reposed in him by said decree, or may be reposed in him by any further decree or order in the premises, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Geo. H. Myers Seal

HARTFORD ACCIDENT AND INDEMNITY COMPANY

Test: Benjamin L. Barnes. BY GEO. H. MYERS

Attorney in Fact.

Which said Bond was thus thereon endorsed to wit:

The within bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Twenty-first day of August in the year Nineteen Hundred and Forty Five, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following, to wit:

Hammond W. McGrath	)	NO. 6009 Chancery
Vs.	)	Circuit Court for
Wesley Bozman et al	)	Somerset County, Maryland.
	)	

The report of George H. Myers, Trustee, appointed by decree of this Court, passed on the day of July, nineteen hundred and forty five, to make sale of the real estate therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of the trust reposed in him by said decree, and after having complied with all of the other prerequisites as required by law and by the said decree and having given notice of the time, place, manner and terms of sale by advertisement, inserted in the Crisfield Post, a weekly newspaper printed in said Somerset County, once a week for three successive weeks before the day of sale, he did pursuant to said notice attend in front of the Bank of Crisfield, at Crisfield, Maryland, on Saturday, the eleventh day of August, nineteen hundred and forty five, at about the hour of three o'clock pm and did then and there proceed to sell said property in the manner following, that is to say:

FIRST, YOUR Trustee offered at public auction to the highest bidder, the first parcel of land mentioned and described in said advertisement, situate in Lawsons Election District, in said Somerset County, being all that lot or tract of land located on the Jacksonville State Road, near the Town of Crisfield, where Sarah E. McGrath formerly resided, which said tract is composed of lots one to six, inclusive, as laid down on subdivision No. one of the land of the said Sarah E. McGrath, prepared by W. Ballard Miles, Surveyor, and recorded as plat No. Thirteen in Plat Book BLB No. one among the land records of said Somerset County.

And sold the same to Hammond W. McGrath, of said Somerset County, he being the highest bidder therefor, at and for the sum of twelve hundred and fifty dollars, and the said purchaser has complied with the terms of said sale by paying one third thereof in cash and has agreed to pay the balance in cash upon ratification of said sale by this Honorable Court.

SECOND: Your Trustee then offered for sale by public auction, as aforesaid, to the highest bidder, the second parcel of land mentioned and described in said advertisement, situate in said Lawsons Election District, and more particularly described; All that lot or parcel of land containing eight and one half acres of wood or bursh land, located on the southward side of the County Road leading from the late residence of Dr. George H. Berry to the former residence

of Mrs. Julia Whittington. This property is unimproved and is the second parcel of land described in a deed to the said Hammond W. McGrath et al, dated July 5th, 1944, and recorded Liber No. 128, folio 75.

And sold the same to Henry E. Anderson and Henrietta Anderson, his wife, of said Somerset County, their heirs and assigns, as tenants by the entireties, at and for the sum of one hundred and fifty dollars, they being then and there the highest bidders therefor, and siad purchasers have complied with the terms of said sale by paying one third of said purchase price in cash and have agreed to pay the balance in cash upon ratification of said sale by the Honorable Court.

Respectfully submitted,

Geo. H. Myers
Trustee

State of Maryland, Somerset County, to wit;

I hereby certify that on this 21st day of August, nineteen hundred and forty five, before me the subscriber the Clerk of the Circuit Court for said Somerset County, appeared George H. Myers who made oath in due form of law that the matters and facts reported in the aforegoing report are true as therein stated to the best of his knowledge and belief and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk.

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Hammond W. McGrath	)	NO. 6009 Chancery
Vs.	)	Circuit Court for
Wesley Bozman et al	)	Somerset County
	)	

Ordered, that the sale of property mentioned in the proceedings made and reported by George H. Myers, Trustee, be RATIFIED AND CONFIRMED, unless cause to the contrary thereof be shown on or before the eighteenth day of September, nineteen hundred and forty-five, PROVIDED a copy of this Order be inserted in some weekly newspaper printed in said Somerset County, once in each of three successive weeks before the eighteenth day of September, nineteen hundred and forty five.

The report states the amount of sales to be fourteen hundred dollars.

Benjamin L. Barnes.

And now at this day to wit, on the twenty first day of Nov., nineteen hundred and forty-five a petition for Appointment of Trustee was filed.

Hammond W. McGrath	)	NO. 6009 Chancery
Vs.	)	In the Circuit Court for
Margaret Lou Bozman, and Wesley Bozman	)	Somerset County, Maryland
	)	

To the Honorable, the Judge of said Court:

The petition of the plaintiff in the above cause respectfully represents that heretofore the bill of complaint therein was filed by George H. Myers, Attorney, late of Somerset County, Maryland, deceased, and the property mentioned in the bill was sold at public auction, on August 11, 1945, and the said Hammond W. McGrath, plaintiff herein, became the purchaser of said property, at and for the sum of fourteen hundred dollars; that the said plaintiff complied with the terms of sale to the satisfaction of the said Trustee; that the said sale has been duly reported to this Court and the Order Nisi thereon, has been published in the Crisfield Post, a Somerset County newspaper; that since said sale the said George H. Myers, Trustee, has died without having had the report of sale finally ratified, and without having distributed the proceedings of the sale, and without having given any deed for the property.

Your petitioner, therefore prays the Court to appoint L. Creston Beauchamp, Attorney, of said Somerset County, to act in the place of the said George H. Myers, deceased, so that the said sale can be finally ratified, the proceedings therefrom distributed and the deed for the property sold, to be given to the purchaser.

And as in duty bound, etc.

H. W. McGrath
Plaintiff

State of Maryland, Somerset County, to wit:

I hereby certify that on this 12 day of November, 1945, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared W. Hammond McGrath, the plaintiff named in the above petition, and made oath in due form of law that the matters and facts set forth in said petition are true as therein statedd, to the best of his knowledge and belief.

In testimony whereof, I hereunto subscribe my name and affix my Notarial Seal the day and year aforesaid.

Fred N. Holland — Seal of
Notary Public — Notary.

Upon which said Petition, the Court here passed the following order, to wit:

Hammond W. McGrath	)	No. 6009 Chancery
vs.	)	In the Circuit Court for
Margaret Lou Bozman and Wesley Bozman	)	Somerset County, Maryland.
	)	

On the petition and affidavit of Hammond W. McGrath, filed herein, as of this date, it is ordered and decreed by the Circuit Court for Somerset County, Maryland, this 21st day of November, 1945, that L. Creston Beauchamp, attorney, be and he is hereby appointed trustee to act in the place of George H. Myers, deceased, so that the sale of the real estate in said proceedings can be finally ratified, the proceeds therefrom distributed and the deed for the property given to the purchaser, and that before the said trustee undertakes the discharge of his duties as such he shall first qualify by filing a bond with corporate surety in the penalty of fourteen hundred ($1400.00) dollars.

W. Laird Henry, Jr.
Judge.

And thereupon the said L. Creston Beauchamp, Trustee, filed a bond in the court here in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, L. Creston Beauchamp, of Somerset County, Maryland principal, and the Maryland Casualty Company, a Maryland Corporation, surety are held and firmly bound unto the State of Maryland in the full and just sum of fourteen hundred 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 27th day of November, nineteen hundred and forty five.

Whereas, heretofore George H. Myers was appointed trustee to sell the real estate mentioned and decreed to be sold in a cause pending in said court wherein Hammond W. McGrath is plaintiff and Wesley Bozman and another are defendants, the same bei g No. 6009 on the Chancery Docket of said Court, whereas the said George H. Myers sold said real estate and reported said sale to this Court, and whereas after having reported the said sale and before the same was finally ratified the said George H. Myers, trustee, died, and, whereas, since the death of the said George H. Myers, trustee, the said L. Creston Beauchamp was appointed trustee, with power to have the said sale finally raitified, give the deed to the purchaser and see that the purchase money was

properly distributed, and the said L. Creston Beauchamp was required to give bond in the sum of fourteen hundred dollars for the performance of his trust;

NOW THE CONDITION of the above obligation is such that, if the above bounden L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

L. Creston Beauchamp
Trustee — Seal

Witness; Grace J. Barnes

MARYLAND CASUALTY COMPANY
BY L. C. Beauchamp
Attorney in fact. — Seal

Which said Bond was thus thereon endorsed, to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And now at this day to wit, on the twenty first day of August in the year Nineteen Hundred and forty six, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order to wit:

ORDERED BY THE COURT, This 21st day of August, nineteen hundred and forty six, 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 the Trustee allowed the usual commissions and such proper expense as he shall produce vouchers for to the Auditor.

Levin C. Bailey
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

PER Benjamin L. Barnes CLERK

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Samuel J. Horsey, Administrator of Zipporah F. Horsey, deceased Samuel J. Horsey, individually Howard Hudson, Emma Elizabeth Smith Rogers, Mary Frances Smith and Anna Mae Smith Lawson vs. Cornelius Horsey, Jr.	Be it remembered that heretofore to wit, on the Fourth day of February in the year Nineteen hundred and Forty-six, a certain Samuel J. Horsey, Administrator of Zipporah F. Horsey, deceased, Samuel J. Horsey, individually, Howard Hudson, Emma Elizabeth Smith Rogers, Mary Frances Smith and Anna Mae Smith Lawson, by L. Creston Beauchamp, their solicitor

exhibited and filed in the Circuit Court here a bill of complaint against Cornelius Horsey, Jr. which said Bill of Compalint is in the words following to wit:

Samuel J. Horsey, Administrator of Zipporah F. Horsey, deceased Samuel J. Horsey, individually Howard Hudson, Emma Elizabeth Smith Rogers, Mary Frances Smith and Anna Mae Smith Lawson Vs. Cornelius Horsey, Jr.	NO. 6111 Chancery In the Circuit Court for Somerset County, Maryland.

To the Honorable, the Judge of said Court:

The bill of complaint of Samuel J. Horsey, Administrator, a resident of Washington, D.C., Samuel J. Horsey, individually, and Howard Hudson, Emma Elizabeth Smith Rogers, Mary Frances Smith and Anna Mae Smith Lawson, all of Philadelphia, Pennsylvania, respectfully represents:

1. That heretofore a certain Zipporah F. Horsey, late of Philadelphia, Pennsylvania, deceased, was in her lifetime and at the time of her death, seized of certain real estate in Brinkley's Election District, Somerset County, Maryland, and near Burnettsville, containing twenty eight and one half acres, more or less, which was conveyed to the said Zipporah F. Horsey by Gordon Tull, Trustee, by deed dated July 31, 1940,recorded among the land records of said Somerset County in Liber No. 117, folio 195, with the improvements thereon;

2. That being so seized and possessed the said Zipporah F. Horsey died intestate on or about December 14, 1945, leaving no husband nor descendants but leaving as her only heirs at law the following, all adults:

a. A brother, Samuel J. Horsey, the plaintiff, residing at 2305 Eleventh St., Washington D.C.

b. A nephew, Howard Hudson, one of the plaintiffs, residing at 1728 North Gratz St., Philadelphia, Pennsylvania, a son of Nancy Hudson a deceased sister of the said Zipporah Frances Horsey, deceased.

c. The plaintiffs, Emma Elizabeth Smith Rogers, residing at 2449 West Ingersoll St., Philadelphia, Pennsylvania, Mary Frances Smith, residing at 1421 North Eighteen St. Philadelphia, and Anne Mae Smith Lawson,residing at 3909 West Reno St., Philadelphia, Pennsylvania, children of Sarah Smith, a deceased sister of the said Zipporah F. Horsey.

d. A nephew, Cornelius Horsey, Jr., the defendant, a resident of Marion, Somerset County, Maryland, but now a patient in Crownsville Hospital, Maryland, a son of Cornelius Horsey, a deceased brother of the said Zipporah F. Horsey.

3. That the legal title to the said real estate is now vested in your orators, the said Samuel J. Horsey, Howard Hudson, Emma Elizabeth Smith Rogers, Mary Frances Smith and Anna Mae Smith Lawson, and the defendent, the said Cornelius Horsey, Jr., all of whom are over the age of twenty one years.

4. That the said real estate is not susceptible of partition, with out material loss and injury to the parties entitled to interests thereon as above stateed, 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 among the parties entitled thereto, according to their respective interest therein, but your orators are unable to obtain adequate relief, or make sale of said real estate without the aid of this Honorable Court.

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 among the parties entitled to interests therein according to their respective interests.

(3) That your orators may have such other and further relief as their case may require.

May it please your Honor to grant unto your orators the writ of the State of Maryland, of subpoena directed to the said Cornelius Horsey, Jr., adult, a resident of Marion, Somerset County, Maryland, but now a patient at Crownsville Hospital, Maryland, commanding him to be and appear in this Court, in person or by solicitor, at some certain day to be named therein, to show cause, if any he has, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiff.

And thereupon, in pursuance of the prayer of the foregoing bill the following subpoena was issued:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT — The State of Maryland

To Cornelius Horsey, Jr. , Anne Arundel County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in March next to answer the complaint of Samuel J. Horsey, Administrator & others against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr., Chief Judge of the First Judicial Circuit of Maryland the 7th day of January Anno Domini 1946. ISSUED the 4th day of February Anno Domini 1946.

Per Order,

Benjamin L. Barnes, Clerk.

At which said First Monday in March, in the year Nineteen hundred and forty six and the day and year of the return of the above recited writ, came again into Court here the said Complainant by his solicitor, and the Sheriff of Anne Arundel County, Joseph H. Griscom, to whom the writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

Summoned, copy of subpoena read to and served on the defendant, Cornelius Horsey, Jr. this 6th day of Feb,1946, and copy of subpoena served on Dr. Robert P. Winterode, Supt. of Crownsville State Hosp. and custodian of said defendant Feb. 6, 1946.

Joseph H. Girscom, Sheriff.

And thereafter to wit on the sixth day of March in the year nineteen hundred and forty six, the following Non Military Affidavit was filed.

Samuel J. Horsey, administrator and others)	NO. 6111 Chancery
Vs.)	In the Circuit Court for
Cornelius Horsey, Jr.)	Somerset County, Maryland.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 4th day of March, 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personallyappeared Henry T. Outen, of said Somerset County, who made oath in due form of law that he is well acquainted with Cornelius Horsey, Jr., and that the said Cornelius Horsey, Jr. is not engaged in or employed by the Military Service of the United States of America.

In testimony whereof, I hereunto subscribe my name and affix my Notarial Seal the day and year aforesaid.

Vivian Catlin — Seal of
Notary Public — Notary

And thereafter to wit, on the Sixth day of March, in the year Nineteen Hundred and Forty six, the said Complainants by their solicitor filed in Court here a petition in the words following to wit:

Samuel J. Horsey, Administrator, and others	)	No. 611 Chancery
vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.

To the Honorable, the Judge of said Court

The petition of the plaintiffs in the above cause respectfully represent that the defendant, Cornelius Horsey, Jr., has been duly summoned, but being an infant can not answer and defend this suit for himself, and has no guardian within the jurisdiction of this Court to answer and defend for him.

The plaintiffs therefore pray your Honor to appoint a guardian ad litem to appear and answer for said defendant.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiffs.

Upon which said Petition the Court here passed the following order to wit:

Upon the aforegoing petition, it is this 6th day of March 1946, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that Grace Barnes be and she is hereby appointed Guardian ad litem to appear and answer for Cornelius Horsey, Jr., the infant defendant in the above cause.

W. Laird Henry, Jr.
Judge.

And thereupon the said Grace J. Barnes as guardian specially appointed filed in Court here the following answer, to wit:

Samuel J. Horsey, Administrator and others	)	No. 6111 Chancery
Vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.

To the Honorable, the Judge of said Court:

The answer of Cornelius Horsey, Jr., infant defendant in the above cause, by Grace J. Barnes, guardian ad litem, appointed by this Court, to the bill of complaint of Samuel J. Horsey, Administrator, and others, against him in the said Court exhibited.

This defendant for answer to the said bill of complaint, by his said guardian, answers and says that being ignorant of the matters charged in the said bill and being an infant of tender years, he can not admit any of the allegiations of said bill, but submits his rights to the protection of this Honorable Court.

And as in duty bound, etc.

Grace J. Barnes
Guardian ad litem.

And thereafter, to wit, on the sixth day of March in the year nineteen hundred and forty six the said Complainants by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Samuel J. Horsey, Administrator and others	)	No. 6111 Chancery
vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.

To the Honorable, the Judge of said Court:

The petition of the plaintiffs respectfully represents:

That Cornelius Horsey, Jr., the infant defendant in the above entitled cause, has been duly summoned to appear to the bill of complaint in this cause, and has answered the said bill of complaint by guardian ad litem specially appointed by this Court.

The plaintiffs therefore pray the Court to pass an order to take testimony in said Cause.

And, as in duty bound, etc.

L. Creston Beauchamp
Solicitor for plaintiffs.

Upon which said Order the Court here passed the following order:

Samuel J. Horsey, Administrator and others,	)	NO. 6111 Chancery
Vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.
	)	

It appearing that Cornelius Horsey, Jr., the infant defendant in the above entitled cause has been duly summoned to appear to said bill of complaint, and has answered the said bill of complaint, by guardian ad litem specially appointed by this Court;

It is thereupon this 6th day of March, 1946, upon the foregoing petition ordered, adjudged and decreed by the Circuit Court for Somerset County, in Equity, that the plaintiffs have leave to take testimony before one of the standing examiners of this court.

W. Laird Henry, Jr.
Judge.

And afterwards to wit, on the Eleventh day of May in the year nineteen hundred and forty six, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Samuel J. Horsey, Administrator and others,	)	NO. 6111 Chancery
Vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.
	)	

In this cause an order having been passed for testimony to be taken to support the allegiations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, do hereby certify that on this day of May, 1946, in said Somerset County, I took the following testimony to wit:

Henry T. Outten, a witness of lawful age, produced on the part of the plaintiff, being duly sowrn, deposes and says:

1. Q. State your name, age, residence and occupation?

a. Henry T. Outten, 71 years, Marion, Maryland, retired.

2. Q. Did you know Zipporah F. Horsey in her life time; is she living or dead; if dead did she or not leave a will and what, if any, real estate did she leave?

a. I knew Zipporah Horsey. She died last December and did not leave any will, and was the owner of real estate in Brinkley's Election District, containing twenty eight and one half acres which she purchased from Mr. Gordon Tull. It was formerly the Samuel Horsey property.

3. Q. Please state who were the heirs of Zipporah Horsey and to whom the property descended at her death?

a. She was never married and had no children. She left a brother Samuel J. Horsey, adult, who lives in 2605 Eleventh Street, Washington, D.C.; a nephew, Howard Hudson, adult, who lives at 1728 north Gratz Street, Philadelphia, Pennsylvania, who is the son of Nancy Hudson, a deceased sister of Zipporah F. Horsey, who died before the said Zipporah; Emma Elizabeth Smith Rogers, adult, residing at 2449 West Ingorsoll Street, Philadelphia, Pennsylvania Mary Frances Smith, adult, living at 1421 north 18 Street, Philadelphia, Pennsylvania, and Ann Mae Smith Lawson, adult, who lives at 3909 West Reno Street, Philadelphia, Pennsylvania, children of Sara Smith, a sister of the said Zipporah Horsey, who died before the said Zipporah and a nephew Cornelius Horsey, Jr. adult, a resident of Marion, Somerset County, Maryland, but now a patient in Crownsville Hospital, Maryland, a son of Cornelius Horsey, brother of Zipporah Horsey who died before the said Zipporah; so that the title to the property is now in Samuel J. Horsey, Howard Hudson, Emma Elizabeth Smith Rogers, Mary Frances Smith, Anna Mae Smith Lawson and Cornelius Horsey, Jr.

4. Q. Please state your idea of the value of the property and whether it can be divided equally between the parties thereto interests, or will the land have to be sold and the proceeds divided.

a. I think the property is worth about $1200.00 and it will have to be sold and the proceeds divided, because the land could not be divided equally.

Court question and answer: nothing more except that this land is improved by a comfortable dwelling.

Harry C. Dashiell
Examiner.

Henry T. Outen

Jerome Burnett, a witness of lawful age, produced on the part of the plaintiff, being duly sworn deposes and says:

1. Q. State your name, age, residence and occupation?

a. Jerome Burnett, 78 years, Marion, Maryland, farmer.

2. Q. Did you know Zipporah F. Horsey in her life time; is she living or dead; and if dead when did she die; and state what if any real estate she owned at the time of her death?

a. I knew her very well and lived within one quarter of a mile from her home all of her life. She died December, 1945, without leaving any will and leaving 28½ acres of land and a comfortable house which she purchased from Mr. Gordon Tull, Trustee, and which was formerly owned by her father, Samuel J. Horsey.

3. Q. Please state who were her heirs?

a. She never married or had any children and left as her only heirs a brother, Samuel J. Horsey; a nephew, Howard Hudson; who was a son of Nancy Hudson, a sister of Zipporah Frances Horsey who died previous to Zipporah; three nieces, Emma Elizabeth Smith Rogers, Mary Frances Smith, and Ann Mae Smith Lawson, children of Sarah Smith, a deceased sister of Zipporah, who died before Zipporah; a nephew, Cornelius Horsey, Jr., a son of Cornelius Horsey, a deceased brother of Zipporah Horsey, who died before Zipporah. All of these heirs are over the age of twenty one.

4. Q. Please state what you think the property is worth and whether you think the property can be divided equally between the people entitled to it, or whether it will have to be sold and the proceeds divided?

a. About $1200.00 and it will have to be sold as there is no way it could be divided equally between the parties entitled thereto.

Court question and answer: nothing further.

Harry C. Dashiell.

Jerome Burnett.

There being no further witnesses present to be examined, and at the suggestion of the plaintiff, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct and has been paid in full by the plaintiff.

Harry C. Dashiell Seal
Examiner in Chancery.

And thereafter to wit, on the twenty second day of May in the year Nineteen Hundred and forty-six, the Circuit Court here, passed the following Decree in the premises to wit:

Samuel J. Horsey, Administrator and others	)	NO. 6111 Chancery
Vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.

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

It is thereupon, this 22nd day of May, 1946, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings be sold; that L. Creston Beauchamp be and he is hereby appointed trustee to make such sale, the course and manner of his said proceeding to be as follows: He shall first file in the office of the Clerk of the Circuit Court for said Somerset County, a corporate bond to the State of Maryland, in the sum of fifteen hundred dollars, conditioned upon the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having given at least three weeks previous notice inserted in some newspaper printed in said Somerset County and such other notice as he may think proper of the time, place, manner and terms of sale, which terms shall be cash on the day of sale.

And as soon as may be convenient after any such sale, the trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale annexed. And on the ratification of such sale by this Court and on the payment of the entire purchase money, and not before, the trustee by good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser or purchasers of said property, to his, her or their heirs, the property to him, her or them sold, free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from or under them. And the said trustee shall bring into this Court the money arising from said sale, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commissions to the said trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity where with he shall appear to have discharged his trust.

And, it is further ordered, that at the time of advertising such sale, the trustee shall give notice to the creditors of Zipporah Horsey, deceased, to file with the Clerk of the Court in these proceedings their respective claims, duly proven, within sixty days from the date of sale.

Levin C. Bailey
Judge.

And thereupon the said L. Creston Beauchamp, Trustee, filed a Bond in the Court here in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, L. Creston Beauchamp, of Somerset County, Maryland, principal, and the Maryland Casualty Company, a Maryland Corporation, surety, are held and firmly bound unto the State of Maryland, in the full and just sum of fifteen hundred 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 22nd day of May, nineteen hundred and forty six.

WHEREAS by a decree of the Circuit Court for Somerset County, Maryland, bearing date the 22nd day of May, nineteen hundred and forty six, and passed in a cause in said Court pending wherein Samuel J. Horsey, Administrator, and others, are plaintiffs, and Cornelius Horsey, Jr is the defendant, the same being No. 6111 on the Chancery Docket of said Court, the above named L. Creston Beauchamp was appointed Trustee, with power to sell the real estate in said cause decreed to be sold, and whereas the said L. Creston Beauchamp is about to enter upon the execution of said trust;

NOW THE CONDITION of the above obligation is such that, if the above bounden L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any further decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

L. Creston Beauchamp Seal
principal

Test: Benjamin L, Barnes. Maryland Casualty Company Seal
by L. C. Beauchamp
Attorney in Fact.

Which said Bond was thus thereon endorsed to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Twenty fifth day of June in the Year Nineteen Hundred and Forty six, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following, to wit:

SAMUEL J. HORSEY, ADMINISTRATOR and others	)	NO. 6111 Chancery
	)	In the Circuit Court for
Vs.	)	Somerset County, Maryland.
Cornelius Horsey, Jr.	)	

To the Honorable, the Judge of said Court:

The report of L. Creston Beauchamp, trustee in the above entitled cause, appointed by a decree of this Court dated May 22, 1946, to make sale of the real estate therein mentioned respectfully shows:

That by virtue of the power and authority contained in said decree and after having given bond with approved security as required by law, conditioned upon the faithful performance of the trust reposed in him by said decree, and after having given at least twenty one days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in said county, and by hand bill posted at the Court house door in said Couhty, he did, in pursuance of said notice, attend at the Court House door in Princess Anne, Maryland, on Tuesday, June 25, 1946, at or about the hour of two o'clock P.M. and then and there proceeded to sell at public auction the following described property conveyed by said decree, mamely;

He then offered all that lot or parcel of land situate, lying and being in Brinkleys Election District, Somerset County, Maryland, and near Burnettsville, containing twenty eight and one half acres, more or less, which was conveyed to the said Zipporah F. Horsey by Gordon Tull, Trustee, by deed dated July 31, 1940, recorded among the land records of said Somerset County in Liber No. 117, folio 195, with the improvements thereon; and sold the same to W. Guy Shelton, he being the highest bidder therefore, at and for the sum of nine hundred dollars, which he has paid in cash.

And the trustee prays a ratification of his proceedings in the premises .

All of which is respectfully submitted.

L. Creston Beauchamp
Trustee.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 25th day of June, 1946, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchap, the trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk of the Court.

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

Samuel J. Horsey, Administrator and others,	)	NO. 6111 Chancery
	)	
Vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 25th day of June, 1946, that the report of L. Creston Beauchamp, trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 27th day of July,1946; provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 25th day of July, 1946.

The report states the amount of sale to Be $900.00.

Benjamin L. Barnes
Clerk of Court.

And now at this day to wit, on the twenty first day of August, in the year nineteen hundred and forty six, came again into Court here the said complainants, by their solicitor aforesaid and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following, to wit:

Samuel J. Horsey, Administrator and others,	)	NO. 6111 Chancery
vs.	)	In the Circuit Court for
Cornelius Horsey, Jr.	)	Somerset County, Maryland.

It having been proved to the Court that a copy of the preceding order nisi has been published according to its provisions, and no exceptions having been filed and no cause to the contrary having been showed it is this 21st day of August, 1946, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equty, that the within report of L. Creston Beauchamp, trustee, and the sale by him reported, be and the same are hereby finally ratified and confirmed.

Levin C. Bailey
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. CLERK.

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STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in September, being the Second day of the same month, in the year of our Lord, one thousand nine hundred and forty six.

Were present:

Hon. W. Laird Henry Jr., Chief Judge
Hon. Levin C. Bailey, Associate Judge
Hon. Edmond H. Johnson, Associate Judge

Murray E. Ward, Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following to wit:

Susan McDorman, widow, Lida Bozman Mabel A. Brinkley, William J. Mc Dorman, Robert H. McDorman, Helen McDorman, individually and as next friend of Bettianne McDorman, infant daughter and Oscar W. McDorman, infant son.	Be it remembered that heretofore to wit, on the sixth day of September in the year Nineteen Hundred and Forty-six, a certain Susan McDorman, widow, Lida Bozman, Mabel A. Brinkley, William J. McDorman Robert H. McDorman, Helen McDorman, individually and as next friend of Bettianne McDorman, infant daughter and Oscar W. McDorman, infant son, by Edgar A. Jones,
vs.	
Frederick R. and Margaret Nelson	

their Solicitor, filed in the Circuit Court here a Petition, Exhibit "A", Defendants Answer, and Testimony which said Petition is in the words following, to wit:

Susan McDorman, widow, Lida Bozman Mabel A. Brinkley, William J. Mc Dorman, Robert H. McDorman, Helen McDorman, individually and as next friend of Bettianne McDorman, infant daughter and Oscar W. McDorman infant son.	NO. 6199 Chancery In the Circuit Court for Somerset County, Maryland in Equity.

To the Honorable, the Judges of said Court:

The petition of Susan McDorman, Lida Bozman, Mabel A. Brinkley, William J. McDorman, Robert H. McDorman, Helen McDorman, individually and as next friend of Bettianne McDorman, infant daughter and Oscar W. McDorman, infant son, respectfully represents:

FIRST: That Eli W. McDorman, late of Somerset County, Maryland, deceased, was, in his lifetime and at the time of his death, seized and possessed of all that lot or parcel of land situate in Revell's Neck, in Westover Election District, Somerset County, Maryland, known as part of the George R. Hickman farm, beginning at a large stone set up near the marsh on the west side of the old George R. Hickman private road and running from said stone North 71° 30' East 2 chains; south 40° 30' East 10.81 chains; South 51° west 74 links; north 55° 30' West 4.18 chains to a cedar tree; south 70° west 3.95 chains; north 59° west 3.87 chains; north 22° East 5.50 chains to the place of beginning; containing four and three eights (4-3/8) acres of land, with a right of way over the aforesaid lane to the public highway; said land being the same land which was conveyed unto the said Eli W. McDorman by Frederick R. Nelson and wife, by deed dated December 31, 1908 and recorded among the land records of Somerset County in Liber SFD No. 52, folio 567; which said land, upon the death of the said Eli W. McDorman, intestate, descended unto the said Susan McDorman, widow, Margaret Nelson, Lida Bozman, Mabel A. Brinkley William J. McDorman, Robert H. McDorman and Oscar McDorman, as his only heirs at law; and upon the death of the said Oscar McDorman, intestate, his interest in said land descended unto his widow, the said Helen McDorman and his two children, Bettianne, a daughter and Oscar W., a son.

Second: That the said Susan McDorman, Margaret Nelson, Lida Bozman, Mabel A. Brinkley, William J. McDorman, Robert H. McDorman, and Helen McDorman, Bettianne McDorman and Oscar W. McDorman, now are seized and possessed of said real estate as tenants in common.

Third: That the said real estate is improved by a small frame dwelling house, which is unoccupied and is deteriorating, and is bringing in no revenue, but is an expense to the owners.

For this reason, the said owner did, on the 25th day of June, 1946, enter into a contract with Frederick R. Nelson and Margaret Nelson, for the sale of said property, in consideration of the sum of seven hundred dollars; which said contract is filed herewith as part hereof, and designated as "Petitioners' Exhibit A".

Fourth: That your petitioners deem the said price of seven hundred dollars to be fair and reasonable and your petitioners are advised that the said defendants, Frederick R. Nelson and Margaret Nelson are ready and willing to pay the full purchase price upon ratification of sale by the Court:

Fifth: That the said real estate is not susceptible of partition or division without material loss or injury to the parties entitled to interest therein, and your petitioners allege that it is both necessary and advisable and to the best interest and advantage of all parties concerned and especially to the said Bettianne McDorman and Oscar W. McDorman, infants that said property be sold and that the proceeds therefrom be divided between them according to their respective rights.

Sixth: That your petitioners are advised that the said Bettianne and Oscar W. McDorman are under disability to sell and convey their interests in said property but that this Honorable Court, by virtue of the provisions of Article 16, Section 159 of the Code of Public General Laws of Maryland, has power and jurisdiction to ratify and confirm said contract and to order said property be sold, if it shall appear to be in the interest and advantages of the said infants, to decree a sale thereof.

To the end therefore:

(a) That said contract of sale may be ratified and confirmed and that said property be sold as therein agreed upon and the proceeds therefrom be distributed under order of this Honorable Court:

(b) That some suitable person be appointed Trustee to convey said real estate to the purchasers under said contract of sale.

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

May it please Your Honors to grant unto your petitioners, the Writ of Subpoena, to lie directed to the said Frederick R. Nelson and Margaret Nelson, adults residing in Somerset County, Maryland, commanding them to be and appear in this Court, in person or by solicitor on or before a certain day to be named therein, and answer the premises and abide by and perform such decree or order as may be passed therein.

And, as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainants

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 6th day of September, in the year nineteen hundred and forty six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared William J. McDorman, one of the petitioners, and made oath in due form of law that the matters and things stated in the aforegoing petition are true as therein stated to the best of his knowledge and belief.

As witness my hnand and Notarial Seal the day and year above written.

Sally L. Ford — Seal of
Notary Public — Notary

Exhibit "A" referred to in the aforegoing Petition is in the words following to wit:

This contract of Sale, made this 25th day of June, in the year nineteen hundred forty-six by Susan McDorman, widow, Lida Bozman, Mabel A. Brinkley, William J. McDorman, Robert H. McDorman, all of Somerset County, State of Maryland, and Helen McDorman, widow, individually and as next firend of Bettianne McDorman, her infant daughter and Oscar W. McDorman, her infant son, all of Baltimore City and State of Maryland, hereinafter called the vendors, and

Frederick R. Nelson and Margaret Nelson, his wife, all of Somerset County, hereinafter called the vendees, Witnesseth:

That in consideration of the sum of seven hundred dollars, payable upon ratification of this sale, by the Circuit Court for Somerset County, Maryland, in Equity, the said vendors do hereby bargain and sell and agree to have conveyed unto the vendees, as tenants by the entireties, their heirs and assigns, all that lot or parcel of land situate in Revell's Neck, in Westover Election District, Somerset County, Maryland, known as part of the George R. Hickman farm, beginning at a large stone set up near the marsh on the west side of the old George R. Hickman private road and running from said stone North 71° 30' East 2 chains; south 40° 30' East 10.81 chains; south 51° west 74 links; north 55° 30' west 4.18 chains to a cedar tree; south 70° west 3.95 chains; north 59° west 3.87 chains; north 22° east 5.50 chains to the place of beginning, containing four and three eights (4-3/8) acres of land, with a right of way over the aforesaid lane to the public highway; said land being the same land which was conveyed unto the said Eli W. McDorman by Frederick R. Nelson and wife, by deed dated December 31, 1908 and recorded among the land records of Somerset County in Liber SFD No. 52, folio 567; which said land, upon the death of the said Eli W. McDorman, intestate, descended unto the said Susan McDorman, widow, Margaret Nelson, Lida Bozman, Mabel A. Brinkley, William J. McDorman, Robert H. McDorman and Oscar McDorman, as his only heirs at law; and upon the death of the said Oscar McDorman intestate, his interest in said land descended unto his widow, the said Helen McDorman and his two children Bettianne, a daughter and Oscar W. , a son.

It is understood and agreed that this sale is made subject to ratification of this contract by the Circuit Court for Somerset County in Equity, and that upon such ratification the vendees do hereby covenant and agree to pay the said seven hundred dollars and upon such payment, a trustee, to be appointed, by said Court, shall convey said real estate to the said vendees, as tenants by the entireties, free, clear and discharged of liens.

As witness our hands and seals in duplicate, the day and year first above written.

Fred R. Nelson	Susan McDorman	Seal
	Lida Bozman	Seal
	Mabel A. Brinkley	Seal
	William J. McDorman	Seal
	Robert H. McDorman	Seal
	Helen McDorman, individually	seal
	Helen McDorman, next friend of Bettianne McDorman	Seal
	Helen McDorman, next friend of Oscar W. McDorman	Seal
	Frederick Nelson	Seal
Witness: Edgar A. Jones	Margaret Nelson	Seal

Defendants' Answer referred to in the aforegoing Petition is in the words following, to wit:

Susan McDorman, widow, Lida Bozman, Mabel A. Brinkley, William J. McDorman, Robert H. McDorman, Helen McDorman, individually and as next friend of Bettianne Mc Dorman, infant daughter and Oscar W. McDorman, infant son)	NO. Chancery
Vs.)	In the Circuit Court for
Frederick R. and Margaret Nelson)	Somerset County, Maryland
)	in Equity.

To the Honorable, the Judge of said Court:

The defendants, Frederick R. Nelson and Margaret Nelson, answering the bill of complaint in the above entitled cause, filed against them, respectfully shows:

1. That these defendants admit the matters and things set forth in the bill of complaint and consent to the passage of such decree or order as may be right and proper in the premises.

Frederick R. Nelson

Witness: Sally L. Ford Margaret Nelson

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 6th day of Sept in the year nineteen hundred forty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Frederick R. Nelson and Margaret Nelson, his wife, and made oath in due form of law that the matters and things stated in the foregoing answer are true as therein stated, to the best of their knowledge and belief.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford — Seal of
Notary Public — Notary

Testimony referred to in the aforegoing is in the words following to wit:

Susan McDorman, widow, Lida Bozman Mabel A. Brinkley, William J. Mc Dorman, Robert H. McDorman, Helen McDorman, individually and as next friend of Bettianne McDorman, infant daughter and Oscar W. McDorman infant son.	)	No. Chancery
	)	In the Circuit Court for
	)	Somerset County, Maryland
vs.	)	in Equity.
Frederick R. and Margaret Nelson	)	
	)	

In this cause, the testimony to be taken in support of the allegations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc, do hereby certify that on this 6th day of September, in the year nineteen hundred forty six, in Somerset County aforesaid, did take the following testimony, to:wit:

William J. McDorman, a witness of lawful age, produced on the part of the plaintiff, being first duly sowrn, deposes and says:

Int. 1- Please state your name, age, residence and occupation.

ans. William J. McDorman, 57 years of age, farmer and I live in Westover Election District, Somerset County, Maryland.

Int. 2- Do you know the parties to this suit?

ans. Yes, I am one of the plaintiffs and the other parties are my brothers, sisters and in laws, all of whom are adults, with the exception of Bettianne and Oscar W. McDorman Jr., who are infants, under the age of 21 years.

Int. 3- Where do they live?

ans They all live in Somerset County, with the exception of Helen McDorman, Bettianne McDorman and Oscar W. McDorman.

Int. 4- Who are Helen McDorman, Bettianne and Oscar?

ans. Helen is the widow of my brother, Oscar W. McDorman and Bettianne and Oscar W. are his children.

Int. 5- Please state whether or not the parties to this suit own as tenants in common, any real estate in Somerset County. If so, where is it located, please describe it and state its fair market value?

ans. We own about 4-3/8 acres of land in Westover Election District, situate in Revell's Neck, which descended my mother, Susan McDorman, my sisters Lida Bozman, Mabel A. Brinkley and Margaret Nelson, and my borthers, Robert H. McDorman and Oscar W. McDorman, upon the death of our father, Eli W. McDorman, and is the same property that he acquired by deed from Frederick R. Nelson and wife, dated December 31, 1908, In my opinion $700 is a fair value of the property.

Int. 6- Please state whether or not the property is susceptible of division without material loss to the owners? And whether or not it would be to the interest of the minors, to have the property sold?

ans. The property is certainly not susceptible of division without material loss and I think it wise to sell in order that the infants' interests in the property might be protected, as the house is unoccupied and deteriorating and bringing in no revenue.

COURT QUESTION:

ANSWER: Nothing further.

Harry C. Dashiell, Examiner. — William J. McDorman

Frederick R. Nelson, a witness of lawful age, produced on the part of the plaintiff, being first duly sworn, deposes and says:

Int. 1- Please state your name, age, residence and occupation?

ans. Frederick R. Nelson, age, 70 years, reside at Revell's Neck, in Westover Election District and am a farmer.

Int. 2- Do you know the parties to this suit and if so, please state their ages and residences?

ans Yes, I am one of the defendants, my wife, the other defendant; and the plaintiffs are all members of my wife's immediate family. They all reside in Somerset County except Helen McDorman, Bettianne and Oscar McDorman, who reside in Baltimore City, All of the parties are adults, above the age of twenty one years, except Bettianne and Oscar W. McDorman.

Int. 3-Please state whether or not the parties to this suit own any real estate in Somerset County as tenants in common. If so, please state, where it is , their interests and its value.

ans. Yes, they own a small place in Westover Election District which descended unto Susan McDorman, the widow of Eli W. McDorman and Lida Bozman, Mabel A. Brinkley, William J. McDorman, Robert H. McDorman, Oscar W. McDorman and my wife, Margaret Nelson, upon the death of Eli W. McDorman, intestate. Oscar has since died and his interest in the property descended unto his widow Helen McDorman and his two children, Bettianne and Oscar W. McDorman. The property in my opinion is worth about $700.

Int. 4-Do you know anything about a contract of sale for this property?

ans. My wife and I contracted with the other owners, on June 25th, to buy the property at $700.00, which sum we are ready to pay upon the ratification of the sale.

Int. 5-Do you or not, think think this is for the best interest of the minor owners?

ans Yes the property is depreciating in value, due to the fact that the house is unoccupied, and the land uncultivated and bringing in no revenue.

Int. 6-In your opinion, is the property susceptible of division without material loss or injury to the parties owning same?

ans. The property is not susceptible of division without material loss to the owners.

COURT QUESTION:

ANSWER: Nothing further, except that the purchase price of $700.00 is for the others owners' interest.

Harry C. Dashiell, Examiner Frederick R. Nelson

There being no further witnesses produced to me to be examined, I herewith, at the request of plaintiffs' solicitor, return the above depositions to Court, closed under my hand and seal, and certify that the annexed statement of costs is correct.

Bill of Costs:
Harry C. Dashiell, Examiner $4.00

Harry C. Dashiell Seal
Examiner in Chancery

And thereupon, in pursuance of the prayer of the foregoing petition the following subpoena "to lie" was issued.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT The State of Maryland

To Frederick R. Nelson and Margaret Nelson of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in October next to answer the complaint of Susan McDorman and others against you in the said Court exhibited. Her of fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 2nd day of September Anno Domini 1946. ISSUED the 6th day of September Anno Domini 1946.

Per order,

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Seventeenth day of September in the year nineteen hundred and forty six, the Circuit Court here passed the following Decree in the premises to wit:

Susan McDorman, widow, Lida Bozman Mabel A. Brinkley, William J. McDorman, Robert H. McDorman, Helen McDorman, individually and as next friend of Bettianne McDorman, infant daughter and Oscar W. McDorman infant son	NO. CHANCERY
Vs.	IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND
Frederick R. and Margaret Nelson	IN EQUITY

ORDER

The petition, exhibit, answer and testimony in the above entitled cause having been submitted, the proceedings therein were by the Court read and considered:

IT IS THEREUPON, this 17th day of September, in the year nineteen hundred and forty six by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED AND DECREED that the property described in these proceedings is not susceptible of partition without material loss or injury to the parties interested therein, and that a sale of said property is to the interest and advantage of said parties; that the contract of sale of said real estate exhibited therein as "Petitioner's Exhibit A" be and the same is hereby ratified and confirmed, and that Edgar A. Jones be, and he is hereby appointed Trustee for the purpose of consummating said sale, and the course 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 himself and a surety or sureties, to be approved by this Court or by the Clerk thereof, in the penalty of seven hundred dollars, if a corporate surety be given, and in the penalty of Fifteen hundred dollars, if a private surety be given, conditioned for the faithful performance of the trust reposed in him by this decree or to be reposed in him by any future decree or order in the premises; he shall then proceed to consummate said sale, and upon the ratification of the sale and upon payment to him of the amount owing on the purchase money for said property, the trustee shall, by a good and sufficient deed, to be executed, acknowledged and recorded according to law, convey to the purchasers, as tenants by the entireties, their assigns and the heirs and assigns, of the survivor of them, the property to them sold, free, clear and discharged from all claims of the parties to this cause, and of all those claiming by, from or under them. The said trustee shall thereafter bring into this Court, the money arising from such sale, together with a report of his proceedings, pursuant to this decree, and he shall in such report make distribution of said funds, after deducting the costs of these proceedings and the usual commissions allowed to trustees making sales of real estate in equity, subject to the final ratification or further order of this Court, in the premises.

Levin C. Bailey
Judge.

And thereupon the said Edgar A. Jones, Trustee filed a Bond in the Court here in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Edgar A. Jones and E. Mace Smith and L. Shanley Ford all of Somerset County, State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of Fifteen Hundred dollars, current money, to be paid to the said State of Marylnd or its certain Attorney, to whic payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, jointly and severally, firmly by these presents; sealed with our seals and dated this 17th day of September, nineteen hundred forty six.

Whereas, the above bounden Edgar A. Jones, by a decree of the Circuit Court for Somerset County, has been appointed Trustee to sell the property mentioned in the proceedings in the case of Susan McDorman, et als. vs Frederick R. Nelson and Margaret Nelson, the same being No..... Chancery in said Court.

Now the condition of the above obligation is such, that if the above bounden Edgar A. Jones, 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.

Witness: Benjamin L. Barnes.

Edgar A. Jones, principal Seal
E. Mace Smith Seal
L. Shanley Ford Seal

Which said Bond was thus thereon endorsed to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Eighteenth day of September in the year nineteen hundred and forty six, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following, to wit:

Susan McDorman, widow, Lida Bozman, Mabel A. Brinkley, William J. McDorman, Robert H. McDorman, Helen McDorman, individually and as next friend of Bettianne McDorman, infant daughter and Oscar W. McDorman infant son	NO. CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND IN EQUITY.
vs.	
Frederick R. Nelson and Margaret Nelson	

To the Honorable, the Judges of said Court:

The report of Edgar A. Jones, Trustee appointed by a decree of this Court in the above entitled cause, to consummate the sale of certain real estate therein described respectfully shows:

That after giving bond with sureties for the faithful performance of his trust and after having complied with all other pre-requisites of said decree, he did proceed to consummate the sale of the real estate described in these proceedings, the purchasers, Frederick R. Nelson and Margaret Nelson, his wife, having paid to him the sum of seven hundred dollars as provided for in the contract filed among the proceedings in this case as "Petitioners' Exhibit A", and your trustee is ready to execute and deliver to the said purchasers, a good and sufficient deed to be executed, acknowledged and recorded according to law for said property, in fee simple, free, clear and discharged from all claims of the said Susan McDorman, Lida Bozman, Mabel A. Brinkley, William J. McDorman, Robert H. McDorman, and Helen McDorman, individually and as next friend of Bettianne McDorman, infant daughter and Oscar W. McDorman, infant son, and Margaret Nelson, and of all those claiming by, from or under them, or either of them.

Your Trustee further brings into this Court, as required by said decree, the money arising from such sale and has made distribution of said funds in the following manner, subject to the final retification of this Honorable Court.

To total purchase price for property.....$700.00

Disbursements:

To Solicitor	$10.00		
To Trustee for Commissions	53.00		
To Clerk of Court for Costs	14.50		
To Testimony	4.00		
To Order Nisi	4.00		85.50

Balance to be distributed among parties owning interests..... $ 614.50

To Susan McDorman, widow 1/3	203.81		
To Lida Bozman, daughter 2/15	82.14		
To Mabel Brinkley, daughter 2/15	82.14		
To William J. McDorman, son 2/15	82.14		
To Helen McDorman, widow of Oscar, son	27.37	2/45	
To Edgar A. Jones, Truste: (Shares of Bettianne & Oscar McDorman infant children of Oscar, 2/45 each, pending further order of Court.)	54.76		614.50

Respectfully submitted,

Edgar A. Jones
Trustee.

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 17th day of September, in the year nineteen hundred forty six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Edgar A. Jones, Trustee, and made oath in due form of law that the matters and things stated in the aforegoing report are true to the best of his knowledge and belief, and that the sale therein was fairly made.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford — Seal of
Notary Public — Notary

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit

Susan McDorman, widow, Lida Bozman Mabel A. Brinkley, William J. McDorman, Robert H. McDorman, Helen McDorman, individually and as next friend of Bettianne McDorman, infant daughter and Oscar W. McDorman infant son,	NO. 6199 Chancery In the Circuit Court for Somerset County, Maryland in Equity.
Vs.	
Frederick R. Nelson and Margaret Nelson	

ORDER NISI

Ordered by the Circuit Court for Somerset County, that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof, made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 26th day of October, nineteen hundred forty six.

PROVIDED a copy of this Order be inserted in some weekly newspaper in Somerset County, once in each of three successive weeks before the 25th day of October, next.

The report states the amount of sale to be $700.00 (seven hundred dollars)

Benjamin L. Barnes
Clerk.

And now at this day to wit, on the thirtieth day of October in the year nineteen hundred and forty six, came again into Court here the said complainants by their solicitor aforesaid, and on motion of the said complainants, by their solicitor aforesaid, the Court here passed the following order, to wit:

FINAL ORDER

Ordered by the Circuit Court for Somerset County, this 30th day of October, nineteen hundred forty six, that the sale made and reported by the Trustee aforesaid and the distribution of the proceeds from said sale 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 Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the said Auditor.

Edmond H. Johnson
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK

"""

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

At a term of a Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in November, being the Fourth day of the same month, in the year of our Lord One Thousand Nine Hundred and Forty Six.

Were Present:

Hon. W. Laird Henry, Jr., Chief Judge
Hon. Levin C. Bailey, Associate Judge
Hon. Edmond H. Johnson, Associate Judge.
Murray E. Ward, Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following to wit:

Elva Nelson and Harvey Nelson, her husband Lorraine Milbourne Lewis, and Edwin Lewis, her husband Ronald Milbourne and Julia Milbourne, his wife Theresa Smith and Maurice Smith, her husband Vs. Bertha Sterling Tyler and Arthur Tyler, her husband James Nelson and Mary Nelson, his wife Lemuel Nelson, and Martha Nelson, his wife	BE it remembered that heretofore to wit, on the Twenty First day of September in the year Nineteen Hundred and Forty, a certain Elva Nelson and Harvey Nelson, her husband, Lorraine Milbourne Lewis, and Edwin Lewis, her husband, Ronald Milbourne and Julia Milbourne, his wife, Theresa Smith and Maurice Smith her husband, by L. Atwood Bennett, their Solicitor, exhibited and filed in the Circuit Court here a Bill of Complaint against Bertha Sterling Tyler, and Arthur Tyler, her husband, James Nelson, and Mary Nelson, his wife, Lemuel Nelson and

Martha Nelson, his wife, which said Bill of Complaint is in the words following to wit:

Elva Nelson and Harvey Nelson her husband; Lorraine Milbourne Lewis, and Edwin Lewis, her husband; Ronald Milbourne and Julia Milbourne, his wife; Theresa Smith, and Maurice Smith her husband Vs. Bertha Sterling Tyler and Arthur Tyler, her husband; James Nelson and Mary Nelson, his wife; Lemuel Nelson, and Martha Nelson, his wife	No. 5469 Chancery In the Circuit Court For Somerset County, Maryland In Equity.

TO THE HONORABLE, THE JUDGES OF SAID COURT, YOUR PETITIONERS RESPECTIVELY REPRESENT:

1-That Mary E. Sterling, late of Somerset County, departed this life on or about the 8th day of February, 1940, at her home in Crisfield, Somerset County, and State of Maryland, leaving as her only heirs-at-law, the following children and grandchildren:

A-James Nelson, a son who married Mary Nelson, adults residing in County, Maryland.

B-Lemuel Nelson, son who married Martha Nelson, adults residing in County, Maryland.

C-Julia F. Sterling Milbourne, deceased daughter, died leaving the following as her heirs at law; predeceasing the said Mary E. Sterling:

a-Elva Nelson, who married Harvey Nelson, adults residing in Wicomico County, Maryland.

b-Lorraine Milbourne Lewis who married Edwin Lewis, adults, residing in Somerset County, Maryland.

c-Ronald Milbourne, who married Julia Milbourne, adults residing in Somerset County, Maryland.

d-Theresa Smith who married Maurice Smith, adults residing in County, Maryland.

D-Bertha Sterling Tyler, daughter of Mary E; Sterling, who married Arthur Tyler, adults, residing in Somerset County, Maryland.

2. That the said Mary E. Sterling died seized and possessed of certain realestate situated in the town, or near the town of Crisfield, in that portion known as "Asbury", in Somerset County, and State of Maryland, and located as follows:

1.-All that tract of land situated as aforesaid, and on the south side of and binding upon the county road leading from Jenkins Creek Bridge to Byrd's Landing, known as Byrdtown

Road, and fronting the reon 72 and two third yards and bounded on the East by the Lorenzo D. Lawson land, on the south by the Michael Somers land, and on the west by the lands of Elizabeth Tylers' heirs and extending back on the east side 138 yards, and on the west side 131 yards, containing two acres of land, more or less;

2. All that lot of ground situated in the town, county and state aforesaid, and on the North side of and binding upon the said Byrdtown County Roar, and fronting thereon 113 1/2 feet and extending back 341 feet to the Hester Tyler lands, containing one acre of land, more or less

The above tracts being same land conveyed to Stephen E. Sterling and Mary E. Sterling, his wife by Charles H. Sterling and wife by deed dated December 31st, 1914 and recorded among the land records of Somerset County, Maryland in Liber WJS No. 86, folio 542.

3. That said land is not susceptable of partition among the parties entitled thereto without material loss and injury to the parties entitled thereto, and it will therefore be necessary to sell said real estate and divide the proceeds of sale among the parties entitled thereto.

To the end therefore:

That this Honorable Court pass a decree authorizing the sale of said real estate and the proceeds therefrom be distributed among the parties entitled thereto according to their respective rights and interest.

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

May it please your Honors to grant unto your orators the writ of subpoena directed to James Nelson and Mary Nelson, his wife residing at Rock Hall, Kent County, Maryland, and Lemuel Nelson and Martha Nelson, his wife, residing at Crisfield, Somerset County, Maryland, and Bertha Sterling Tyler and Arthur Tyler, her husband residing at Crisfield, Maryland all adults, commanding them, and each of them to be and appear in this Court on some certain day to be named therein, and show cause, if any they have why a decree ought not be passed as prayed.

And in duty bound etc.

L. Atwood Bennett
Attorneys for the Plaintiffs.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoena was issued, to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO James Nelson and Mary Nelson of Kent County, Greeting:

YOU ARE HEREBY COMMANDED that, allexcuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First Monday in October next to answer the complaint of Elva Nelson and others against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable Benjamin A. Johnson, Chief Judge of the First Judicial Circuit of Maryland, the 2nd day of September Anno Domini 1940. ISSUED the 21st day of September Anno Domini 1940.

Per Order
Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO: Lemuel Nelson, Martha Nelson, Bertha Sterling Tyler and Arthur Tyler of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, allexcuses and delays set apart you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the First Monday in October next to answer the complaint of Elva Nelson and others against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Benjamin A. Johnson, Chief Judge of the First Judicial Circuit of Maryland, the 2nd day of September Anno Domini 1940. ISSUED the 21st day of September Anno Domini 1940.

Per, order, , clerk.

At which said first MONDAY in October, in the year nineteen hundred and Forty and the day of the return of the above recited writ, came again into Court here the said Complainant by their solicitors and the Sheriff of Somerset County, I. Fred Phoebus, to whom the first writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned severly .

I. Fred Phoebus, Sheriff

On the day and year aforesaid came into Court here the said Complainants by their solicitor and the Sheriff of Kent County to whom the second writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the second of said writs: Summoned Ambos and copy left this 25th day of Sept. 1940.

Robt. E. Lee, Sheriff.

And thereafter to wit, on the twenty sixth day of November in the year nineteen hundred and forty, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Elva Melson et al.	)	No. 5469 Chancery
Vs.	)	In the Circuit Court For Somerset County,
Bertha Sterling Tyler, et al.	)	State of Maryland. In Equity.
	)	

To the Honorable, the Judges of said Court:

The petition of the plaintiff in the above entitled cause, respectfully, represents;

(1) That James Nelson, Mary Nelson, his wife, Lemuel Nelson, Martha Nelson, his wife, Bertha Sterling Tyler and Arthur Tyler, her husband, have all been returned summoned as will appear by reference to Sheriffs returns filed in this case.

(2) That James Nelson, Mary Nelson, his wife, Lemuel Nelson, Martha Nelson, his wife, Bertha Sterling Tyler and Arthur Tyler, her husband, adult defendants, having been summoned and not having appeared or filed an answer either in person or by attorney, in said cause, although time has passed for their so doing, your petitioners therefore ask said court to pass a Decree Pro Confesso as to the said James Nelson, Mary Nelson, his wife, Lemuel Nelson, Martha Nelson, his wife, Bertha Sterling Tyler and Arthur Tyler, her husband, adults defendants.

(3) And the said plaintiff also prays your Honorable Court to be granted the right to take testimony on behalf of the plaintiff in this cause to prove the allegations set forth in the Bill of Complaint filed in these proceedings before one of the Standing Examiners of this Court.

And, as in duty bound, etc.

L. Atwood Bennett
Solicitor for the Plaintiff.

Upon which said petition the said Court here passed the following order:

Ordered and Decreed, by the Circuit Court for Somerset County, and State of Maryland, in equity, this the 26th day of November, A.D. 1940, upon the aforegoing petition that a Decree Pro Confesso is hereby entered against the defendants, James Nelson, Mary Nelson, his wife, Lemuel Nelson, Martha Nelson, his wife, Bertha Sterling Tyler, Arthur Tyler, her husband, and permission is hereby granted the plaintiff to take Depositions before one of the Standing Examiners of this Court to prove the allegations set forth in the Bill of Complaint.

James M. Crockett, Judge.

And afterwards to wit, on the Fourteenth day of December, in the year nineteen hundred and Forty, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Elva Nelson et als.	)	NO. 5469 Chancery
Vs.	)	In the Circuit Court for
Bertha Sterling Tyler Et. Als	)	Somerset County,
	)	in Equity.

In the above entitled cause, an order having been passed for the taking of testimony to support the allegations of the bill of complaint, I, Harry C. Dashiell, a standing examiner of said Court, do hereby certify that at my law office in Princess Anne, Maryland, on Friday, the thirteenth day of December, in the year nineteen hundred and forty, I did take the following depositions, that is to say:

Then personally appeared Elva Nelson, a witness of lawful age, produced to me on behalf of the complainant, and being duly sworn deposeth, as follows:

Examination by L. Atwood Bennett, cousel for the complainant.

Q1. Plase state your name, age, residence and occupation.

A. Elva Nelson, adult, Salisbury, Md., housewife.

Q2. Did you know Mary E. Sterling during her lifetime; is she living or dead; if dead, when and where did she die; did she die intestate or testate, and who are her heirs-at-law?

A. I knew Mary E. Sterling; she is dead and died at Somerset Co., Maryland, on February 8th, 1940, she did not leave any will, and her heirs at law are the following.

James Nelson, a son who married Mary Nelson, adults, residing in Rock Hall, Kent County, Maryland.

Lemuel Nelson, a son, who married Martha Nelson, adults, residing in Crisfield, Somerset County, Maryland;

Julia F. Sterling Milbourn, deceased daughter, who predeceased the said Mary E. Sterling and who left the following heirs at law;

1. Elva Nelson, who married Harvey Nelson, adults, residing in Wicomico County, Maryland.

2. Lorraine Milbourn Lewis, who married Edwin Lewis, adults, resididng in Somerset County, Maryland.

3. Ronald Milbourn, who married Julia Milbourn, adults, residing in Somerset County, Maryland.

4. Theresa Smith, who married Maurice Smith, adults, residing in Baltimore City Maryland.

Bertha Sterling Tyler, daughter, who married Arthur Tyler, adults, resididng in Somerset County, Maryland.

Q3. Has there been any administration on the Estate of Mary E. Sterling, if so, who was appointed the Administrator.

A. There has been no administration on this Estate.

Q4. Was Mary E. Sterling indebted to any person, persons or corporations at the time of her death, if so, please state to whom as far as you know.

A. I do not know of any debts owing by Mary E. Sterling.

Q5. Did the said Mary E. Sterling own any real estate at the time of her death, if so, describe same and give its value?

A. She owned the following property:

1. All that tract of land situated in that section of Crisfield known as "Asbury" Somerset County, State of Maryland, and on the south side of and binding upon the County Road leading from Jenkins Creek Bridge to Byrd Landing known as Byrdtown Road, and fronting thereon 72-2/3 yards; and bounded on the east by the Lorenzo D. Lawson land, on the south by the Michael Somers land; and on the west by the lands of Elizabeth Tyler's heirs; and extending back on the east side 138 yards; and on the west side 131 yards, containing two (2) acres of land, more or less; and I value this property at three hundred dollars ($300.00).

2. All that lot of ground situated in Crisfield, Somerset County, Maryland, and on the north side of and binding upon said Byrdtown County Road, and fronting thereon 113-1/2 feet, and extanding back 341 feet to the Hester Tyler land, containing one (1) acre of land, more or less; and I value the above property at one hundred dollars ($100.00)

The above two tracts of land being the same land conveyed to Stephen E. Sterling and Mary E. Sterling, his wife, by Charles H. Sterling and wife, by deed dated December 31st, 1914, and

recorded among the land records of Somerset County, Maryland, in Liber WJS No. 86, folio 542.

Stephen E. Sterling died a number of years ago.

Q.6 Is this real estate susceptible of partition among the heirs at law?

A. No, it could not be divided; therefore, it is necessary to sell same so that each may receive their respective right and interest in cash.

The witness in answer to the general question replied, "I do not".

Harry C. Dashiell
Examiner

Elva Nelson
Witness

Then personally appeared Harvey Nelson, a witness of lawful age, produced to me on behalf of the complainant, and being duly sworn deposeth, as follows:

Examination by L. Atwood Bennett, counsel for the complainant.

Q1. Please state your name, age, residence and occupation?

A. Harvey Nelson, adult, Salisbury, Maryland, meat packing house Webb Packing Co, Salisbury,Md.

Q2. Did you know Mary E. Sterling, is she living or dead, if dead, when and where did she die; did she die intestate or testate, and who are her heirs at law?

a. I knew Mary E. Sterling, she is dead, and died at Crisfield, Somerset County, Maryland, on Februray 8th, 1940, she did not leave any will, and her heirs at law are as follows:

James Nelson a son, who married Mary Nelson, adults, residing in Rock Hall, Kent County, Maryland.
Lemuel Nelson, a son, who married Martha Nelson, adults, residing at Crisfield, Maryland;
Julia F. Sterling Milbourn, deceased daughter, who predeceased the said Mary E. Sterling, and who left the following heirs at law:

1. Elva Nelson, who married Harvey Nelson, adults, resididng in Wicomico County, Maryland.
2. Lorraine Milbourn Lewis, who married Edwin Lewis, adults, residing in Somerset County, Maryland.
3. Ronald Milbourn, who married Julia Milbourn, adults, resididng in Somerset County, Maryland.
4. Theresa Smith, who married Maurice Smith, adults, residing in Baltimore City, Md.

Bertha Sterling Tyler, daughter, whomarried Arthur Tyler, adults, residing in Somerset county, Maryland.

Q3. Has there been any administration on the Estate of Mary E. Sterling, if so, who was appointed the Administrator?

A. There has been no administration on this estate.

Q4. Was Mary E. Sterling indebted to any person, persons or corporations at the time of her death, if so, please state to whom and the amount as far as you know.

A. I do not know of any debts owing by the said Mary E. Sterling.

Q5. Did the said Mary E. Sterling own any real estate at the time of her death, if so, describe same, and give its value?

A. She owned the following described Real estate.

1. All that tract of land situated in that section of Crisfield known as "Asbury" Somerset County, Maryland, on south side of County road and binding thereon leading from Jenkins Creek Bridge to Byrd Landing known as Byrdtown Road, and fronting thereon 72-2/3 yards; and bounded on the east by the Lorenzo D. Lawson land; on the south by the Michael Somers land; and on the west by the lands of Elizabeth Tyler's Heirs; and extending back on the east side 138 yards; and on the west side 131 yards; containing two (2) acres of land, more or less; and I value this property at Three hundred dollars ($300.00)

2. All that lot of ground situated in Crisfield, Somerset County, Maryland, and on the north side of and binding upon said Byrdtown County road, fronting thereon 113-1/2 feet and extending back 341 feet to the Hester Tyler land, containing one (1) acre of land more or less.

I value this property at $100.

The above two tracts of land being the same land conveyed to Stephen E. Sterling and Mary E. Sterling, his wife, by Charles H. Sterling and wife, by deed dated December 31st, 1914, and recorded among the land records of Somerset county, Maryland, in Liber WJS No.86, folio 542; the said Stephen E. Sterling having predeceased Mary E. Sterling, his wife, therefore the property became vested absolutely in Mary E. Sterling, the survivor.

Q.6 Is this real estate susceptible of partition among the heirs at law?

A. No, it could not be divided; therefore, it is necessary to sell same so that each may receive their respective right and interest in cash.

The witness in answer to the general question replied, "I do not".

Harry C. Dashiell
Examiner.

Harvey Nelson
Witness:

Then personally appeared Lorraine Lewis, a witness of lawful age, produced to me on behalf of the complainant, and being duly sworn deposeth, as follows:

Examination by L. Atwood Bennett, counsel for the complainant.

Q1. Please state your name, age, residence and occupation.

A. Lorraine Lewis; age 36 years; residence Crisfield, Md. occupation house wife.

Q2. Did you know Mary E. Sterling, is she living or dead, if dead, when and where did she die, and did she die intestate or testate, and who are her heirs at law?

A. I knew Mary E. Sterling; she is dead, and died at Crisfield, Maryland, on February 8th, 1940, and did not leave any will, her heirs at law are as follows:

James Nelson, son, who married Mary Nelson, adults.
Lemuel Nelson, son, who married Martha Nelson, adults;
Julia F. Sterling Milbourn, deceased daughter, who predeceased her mother, Mary E. Sterling and who left the following heirs at law;
1. Elva Nelson, who married Harvey Nelson, adults.
2. Lorraine Milbourn Lewis, who married Edwin Lewis, adults;
3. Ronald Milbourn, who married Julia Milbourn, adults;
4. Thresa Smith, who married Maurice Smith, adults.

Bertha Sterling Tyler, daughter, who married Arthur Tyler, adults.

Q3. Has any one administered on the Estate of Mary E. Sterling in Somerset County, Maryland; if so, who was appointed the Administrator.

A. There has been no administration on the Mary E. Sterling Estate.

Q.4. Did Mary E. Sterling own any real estate at the time of her death, if so, describe same and give its value?

A. She owned the following described real estate;

1. All that tract of land situated in that section of Crisfield known as "Asbury", Somerset County, Maryland, on the south side of County road leading from Jenkins Creek Bridge to Byrd landing known as Byrdtown road, and fronting thereon 72-2/3 yards; bounded on the east by the Lorenzo D. Lawson land; on the south by the Michael Somers land; on the west by the lands of Elizabeth Tyler's heirs; extending back on the east side 138 yards; and on the west side 131 yards; containing two (2) acres of land, more or less; and I value this property at Three hundred dollars ($300.00).

2. All that lot of ground situated in Crisfield, Somerset County, Maryland, on the north side of and binding upon said Byrdtown County road, fronting thereon 113-1/2 feet and extending back 341 feet to the Hester Tyler land; containing one (1) acre of land, more or less.

I value this property at $100.

The above tracts of land being the same land conveyed to Stephen E. Sterling and Mary E. Sterling, his wife, by Charles H. Sterling and wife, by deed dated December 31st, 1914, recorded among the land records of Somerset County, Maryland, in Liber WJS No. 86, folio 542; and the said Stephen E. Sterling having predeceased Mary E. Sterling, his wife, therefore, the property became vested in Mary E. Sterling, the survivor, absolutely.

Q.6 Is this real estate susceptible of partition among the heirs at law?

A. No, it could not be divided; therefore, it is necessary to sell same so that each may receive their respective right and interest in cash.

The witness in answer to the general equestion replied, "I do not".

Harry C. Dashiell
Examiner.

Lorraine Lewis
Witness

There being no further witnesses produced to me to be examined, I herewith at the request of plaintiff's solicitor, return the above depositions to Court, closed under my hand and seal and certify that the annexed statement of costs is correct.

Given under my hand and seal this thirteenth day of December nineteen hundred and forty.

Harry C. Dashiell
Examiner in Chancery.

Seal

Bill of Costs:

Harry C. Dashiell, Examiner, $4.00

And thereafter to wit, on the Thirtieth day of January in the year Nineteen Hundred forty one, the said Complainant by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Elva Nelson, et al	)	No. Chancery
Vs.	)	In the Circuit Court for
Bertha Sterling Tyler, et al	)	Somerset County, Maryland
	)	In Equity.

To the Honorable, the Judges of said Court:

Your orators respectfully represent:

(1) They ask leave to amend the titling and bill of complaint in the above entitled cause by changing wherever the same occurs either in the titling or bill of complaint the names of "Elva Melson and Harvey Melson, her husband "to "Elva Nelson and Harvey Nelson, her husband".

And as induty bound, etc.

L. Atwood Bennett
Attorney for complainants.

Upon which said petition the Court here passed the following order to wit:

Upon the aforegoing petition, it is this 30th day of January A.D. 1941, ordered and Decreed by the Circuit Court for Somerset County, and State of Maryland, in Equity, that leave be and the same is hereby granted to plaintiff to amend the titling and bill of complaint in said cause, by changing the name of "Elva Melson and Harvey Melson, her husband " wherever same may occur in said titling and bill of complaint filed in these preceedings to "Elva Nelson and Harvey Nelson, her husband".

James M. Crockett
Judge.

And thereupon the said L. Atwood Bennett, Trustee, filed a Bond in the Court here in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, L. Atwood Bennett of Wicomico County and State of Maryland, as principal, and Maryland Casualty Company, of Baltimore, Maryland, a body corporate duly organized and existing under and by virtue of the Laws of the State of Maryland, as surety are held and firmly bound unto the State of M ryland in the full and just sum of one thousand dollars ($1000;00) 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 respective heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SEALED with our seals this 18th day of July in the year nineteen hundred and forty one.

WHEREAS, The above bounden L. Atwood Bennett by virtue of a decree of Court to sell real estate of Stephen E. Sterling and Mary E. Sterling, his wife, both deceased, and mentioned in the proceedings in the cause of Elva Nelson, et al, vs. Bertha Sterling Tyler, et al, the same being number in Chancery, now pending in the Circuit Court for Somerset County, State of Maryland in Equity.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH THAT, if the above bounden L. Atwood Bennett do and shall well and truly and faithfully perform the trust imposed in him by the aforesaid decree of court--or that may be reposed in him by any future decree or order in the premises, then the abo e obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of	L. Atwood Bennett	Seal
	MARYLAND CASUALTY COMPANY	
J. Asbury Holloway	BY L. Atwood Bennett Attorney in Fact.	

Which said Bond was thus thereon endorsed to wit:

The within Bond approved .

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Twenty fifth day of July in the year nineteen hundred and forty one, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an

affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following to wit:

Elva Nelson, et al.	)	No. 5469 Chancery.
Vs.	)	In the Circuit Court
Bertha Sterling Tyler, et al.	)	For Somerset County, Maryland
	)	In Equity.

To the Honorable, the Judges of said Court,

The report of L. Atwood Bennett, Trustee appointed by a decree of this Honorable Court, passed in the above entitled cause, to make sale of certain real estate therein mentioned respectfully, shows unto your Honors:

That after giving bond with security for the faithful performance of his trust, and after having complied with all the other requisites as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement in "The Crisfield Times", a newspaper published in Somerset County, Maryland, for at least three successive weeks before the day of sale, and by hand bills extensively circulated throughout said county, he did, pursuant to said notice attend the sale at the front door of the Court House, at Princess Anne, Somerset County, Maryland, on Tuesday, July 22nd, 1941, at 2 o'clock pm, and then and there proceeded to sell said property in manner following, that is to say:

1. All that lot of ground situated in the neighborhood of "Asbury" in Somerset County, Maryland, and on the south side of and binding upon county road leading from Jenkins Creek Bridge to Byrds Landing, known as Byrdtown Road, and fronting thereon 72 yards and 8 inches bounded on theeast by the Lorenzo D. Lawson land, on the south by the Michael Somers land; on the west by the lands of Elizabeth Tyler's heirs, and extending back 131 yards, containing two acres of land, more or less; improved by dwelling;

And your Trustee sold the said property to Elva Nelson, of Salisbury, Maryland, at and for the sum of seventy five dollars ($75.00)--she being then and there the highest bidder therefor and the said purchaser will comply with the terms of sale upon the final ratification of this Report of Sale.

2. All that lot of ground situated in "Asbury" in County and State aforesaid, and on the north side of and binding upon the "Byrdtown County road" fronting on same 113.5 feet, and extending back 341 feet to Hester Tyler lands, containing one acre of land, more or less.

And your Trustee sold the said property to Elva Nelson, of Salisbury, Maryland at and for the sum of Twenty-five dollars ($25.00) and being then and there the highest bidder therefor and the said purchaser will comply with the terms of sale upon the final ratification of this Report of Sale.

The above land being the same land conveyed to Stephen E. Sterling and Mary E. Sterling his wife, by Charles H. Sterling and wife, by deed dated December 31st, 1914, and recorded among the land records of Somerset County, Maryland, in Liber WJS No. 86, folio 542.

Respectfully submitted,

L. Atwood Bennett
Trustee.

State of Maryland, Wicomico County, to wit;

I hereby certify, that on this 22nd day of July, A.D. 1941, before me, the subscriber, a Notary Public, of the State of Maryland, in and for Wicomico County, aforesaid, personally appeared L. Atwood Bennett, Trustee named in the above Report of Sale, and made oath in due form of law that the matters and things stated in the aforegoing report are true and correct and that the sales therein reported was fairly made.

As witness my hand and notarial seal.

Alice C. Bennett
Notary Public

Seal of
Notary

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

L. Atwood Bennett, Solicitor.

Elva Nelson, et al.	)	No. 5469 Chancery.
Vs.	)	In the Circuit Court
Bertha Sterling Tyler, et al.	)	For Somerset County,
_____ _____	)	State of Maryland.
		In Equity.

ORDER NISI

Ordered, this the 25th day of July, in the year Nineteen Hundred and Forty one, by the Circuit Court for Somerset County, and State of Maryland, in Equity, that the sale of the property mentioned in these proceedings, made and reported by L. Atwood Bennett, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 26th day of August, 1941; provided, a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, at least once a week for three successive weeks before the 23rd day of August, 1941.

The report states the amount of the sale to be one hundred dollars ($100.00).

Benjamin L. Barnes,

Clerk, Circuit Court.

And thereafter to wit, on the Twenty Second day of April in the year Nineteen hundred and forty two the Circuit Court here, passed the following Decree in the premises to wit:

Elva Nelson, et al	)	No. 5469 Chancery
		In the Circuit Court
Vs.	)	For Somerset County,
		State of Maryland.
Bertha Sterling Tyler, et al.	)	
		In Equity.
_____	)	

This cause standing ready for hearing and being submitted, the proceedings were read and considered:

It is thereupon, this the 22nd day of April, in the year Nineteen Hundred and Forty two, by the Circuit Court for Somerset County, and State of Maryland, in Equity, Adjudged, ordered and Decreed that the property mentioned in these proceedings, be sold at either public or private sale and that L. Atwood Bennett, be, and he is, hereby appointed Trustee to make sale and that the course 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 himself and personal sureties, in the penalty of two thousand dollars ($2,900.00) and to be approved by this Court or the Clerk thereof or executed by himself and corporate surety a bond in the penalty of one thousand dollars ($1,000.00). and to be approved by this Court or the Clerk thereof conditioned for the faithful performance of the trust imposed in him by this Decree or to be reposed in him by any future decree or order in the premises;

He shall then proceed to make said sale and if at public sale having given at least three weeks' notice by advertisement inserted in such newspaper or newspapers published in Somerset County, Maryland, as he shall think proper of the time, place, manner and terms of sale, which terms shall be one third cash, one third in six months, and one third in twelve months, or all cash, at the option of the purchaser or purchasers, the credit portion to bear interest and to be secured to the satisfaction of the Trustee, and as soon as may be convenient after such sale or sales the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale; and on obtaining the Court's raitifcation of such sale, 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 accordingly 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 calims 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 the said sale; and to be distributed under the direction of this court, after deducting 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 a pear to have discharged his trust.

James M. Crockett
Judge.

And therafter to wit, on the Twenty fifth day of June, in the year Nineteen Hundred and Forty Two, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following to wit:

Elva Nelson, et al	)	NO. 5469 Chancery
Vs.	)	In the Circuit Court
Bertha Sterling Tyler, et al	)	For Somerset County, Maryland.
	)	

To the Honorable, the Judges of said Court:

The report of L. Atwood Bennett, appointed by decree of this Honorable Court, passed in the above entitled cause, to make sale of certain real estate therein mentioned, respectfully shows unto your Honors:

1. That before securing a decree to make sale of said property, your Trustee, attempted to make sale of same at public sale on July 22nd, 1941, and said sale being null and void, because of authority to make said sale as aforesaid, and also the purchasers at said proposed sale, failed to qualify with the terms of said sale;

2. That in accordance with the decree filed in this cause, your Trustee sold the hereinafter described at private sale to Alice C. Bennett, at and for the same respective amounts that same bid in at public sale, aforesaid.

3. That after giving bond for the faithful performance of his duties as Trustee, aforesaid, your Trustee sold unto Alice C. Bennett, the following real estate described in said proceedings.

a. All that lot of ground situated in the neighborhood of "Asbury", in Somerset County, and State of Maryland, an on the south side of and binding upon the county road leading from Jenkins Creek Bridge to Byrds Landing, known as Byrdtown Road, and fronting thereon 72 yards and 8 inches, bounded on the east by the Lorenzo D. Lawson land, on the south by the Michael Somerss land, and on the west by the lands of Elizabeth Tylers' heirs, and extending back 131 yards, containing 2 acres of land, more or less, at and for the sum of seventy five dollars;

b. And a l that tract of land situated in neighborhood of "Asbury", in the county and State aforesaid, and on the north side of and binding upon the said "Byrdtown Road", fronting thereon 113.5 feet, and extending back 341 feet to Hester Tyler lands, containing 1 acre of land, more or less, at and for the sum of twenty five dollars.

Property paid for in cash.

L. Atwood Bennett
Trustee.

State of Maryland, Wicomico County, to wit:

I hereby certify that on this 23rd day of June, 1942, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County, aforesaid, personally appeared L. Atwood Bennett, Trustee, in the aforegoing cause, and made oath in due form of law that the matters and things set forth in the aforegoing report of sale are true and correct and that the sale was fairly made.

As witness my hand and notarial seal the day and year just above written.

L. Morris Byrd
Notary Public.

Seal of
Notary.

Upon which said Report the Clerk of the Circuit Court here passed the following order, to wit:

Eva Nelson et al	)	No. 5469 Chancery
Vs.	)	In the Circuit Court
Bertha Sterling Tyler, et al.	)	For Somerset County, Md.
_____	)	

ORDER NISI

Ordered this 25th day of June, in the year nineteen hundred and forty two by the Circuit Court for Somerset County, and State of Maryland, in Equity, the sales of the property mentioned in these proceedings, made and reported by L. Atwood Bennett, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 27th day of July 1942, provided a copy of this order be inserted in some newspaper published in Somerset County, at least once a weeks for three successive weeks, before the 25th day of July, 1942.

The report of sale states the amount thereof to be one hundred dollars, $100.00.

Benjamin L. Barnes
Clerk of the Circuit Court

And now at this day to wit, on the Tenth day of December in the year Nineteen Hundred Forty Six came again into Court here the said Complainants by their Solicitor aforesaid, and on motion of the said Complainants by their solicitor aforesaid, the Court here passed the following order to wit:

Ordered by the Circuit Court for Somerset County, State of Maryland, in Equity, this the 10th day of December A.D., 1946, that the sales made by L. Atwood Bennett, Trustee as aforesaid, be and the same are 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 be allowed usual commissions and such expenses as he shall produce vouchers for to the auditor.

Edmond H. Johnson

Judge.

And thereupon it is ordered by the Court here tha the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. CLERK.

" " " "

Lena Bedsworth and William H. Bedsworth, her husband Vs. Eva Laird, widow, Vella Somers, widow, Della Malone, widow; Herman Bloodsworth and Annie Bloodsworth , his wife, Norwood Bloodsworth and Atrice Bloodsworth, his wife, Cora Hornsby and Luther Hornsby, her husband; James Bloodsworth and Bessie Bloodsworth, his wife	Be it remembered that heretofore to wit, on the Twenty-Seventh day of May in the year Nineteen Hundred and Forty Six, a certain Lena Bedsworth and William H. Bedsworth, her husband by Edgar A. Jones, their Solicitor, exhibited and filed in the Circuit Court here a Bill of Complaint against Eva Laird, Vella Somers, Della Malone, Herman Bloodsworth and Annie Bloodsworth, Norwood Bloodsworth and Atrice Bloodsworth, Cora Hornsby and Luther Hornsby, and James Bloodsworht and Bessie Bloodsworth, his wife, which

said Bill of Complaint is in the words following to wit:

Lena Bedsworth and William H. Bedsworth, her husband Vs. Eva Laird, widow; Vella Somers, widow; Della Malone, widow; Herman Bloodsworth and Annie Bloodsworth, his wife; Norwood Bloodsworth and Atrice Bloodsworth, his wife; Cora Hornsby and Luther Hornsby, her husband, James Bloodsworth and Bessie Bloodsworth, his wife	No. 6155 Chancery In the Circuit Court for Somerset County, Maryland In Equity.

To the Honorable, the Judges of the Circuit Court for Somerset County, in Equity:

Your Orators, complaining, say:

1. That James D. Bloodsworth, late of Somerset County, deceased, died seized and possessed of the following real estate located in St. Peters Election District, Somerset County, Maryland, on the county road leading from Bennett's Store to the Deals Island Road; and more particularly described as follows:

(1) All that lot or parcel of land situate as aforesaid, adjoining the lands owned or formerly owned by John T. Laird and William A. Phoebus, containing three fourths of an acre which was conveyed unto the said James D. Bloodsworth by Gordon Tull and Warren B. Long, Receivers, by deed dated May 2, 1904, recorded among the land records of Somerset County in Liber OTB No. 39, folio 21; duly certified copy of which said deed is filed herewith, marked "Exhibit A".

(2) All that lot or parcel of land, situate as aforesaid, adjoining the lands owned or formerly owned by H. F. Lankford and John T. Laird, containing one acre, more or less, which was conveyed unto the said James D. Bloodsworth by William W. Windsor and Effie J. Windsor, by deed dated July 10, 1904 and recorded among the aforesaid land records in Liber WJS No. 66 folio 551; duly certified copy of which said deed is filed herewith, marked "ExhibitB".

(3) All that lot or parcel of land situate as aforesaid, adjoining the lands owned or formerly owned by James F. Hall, John W. Laird, Biddie Brewington and William J. Phillips, containing six acres, more or less, which was conveyed unto the said James D. Bloodsworth by the said Biddie Brewington and Richard Brewington, by deed dated June 15, 1914 and recorded as aforesaid in Liber WJS No. 66, folio 569; duly certified copy of which said deed is filed herewith, marked "Exhibit C".

(4) All that lot or parcel of land, situate as aforesaid, adjoining the lands owned or formerly owned by Frederick H. Waters, Isaac Windsor and Clarence Laird, containing ten acres, more or less, and being the same and all the land which was conveyed unto the said James D. Bloodsworth by Frederick H. Waters and wife, by deed dated February 28, 1920 and recorded among the aforesaid land records in Liber WJS No. 80, folio 124; duly certified copy of which said deed is filed herewith, marked "Exhibit D".

2. That the above lands descended unto the said Eva Laird, Lena Bedsworth, Vella Somers, Della Malone, Herman Bloodsworth, Norwood Bloodsworth, Cora Hornsby and James Bloodsworth, children of the said James D. Bloodsworth, and Cora Bloodsworth, his wife, upon the death of the said James D. Bloodsworth intestate, about 1945; that in or about the year 1941 the said Cora Bloodsworth died intestate, leaving her interest in the aforesaid lands to her children, the said Eva Laird, widow; the plaintiff, Lena Bedsworth, who intermarried with William H. Bedswoth; Vella Somers, widow; Della Malone, widow; Herman Bloodsworth, who intermarried with Annie Bloodsworth; Norwood Bloodsworth, who intermarried with Atrice Bloodsworth, Cora Hornsby who intermarried with Luther Hornsby; and James Bloodsworth who intermarried with Bessie Bloodsworth.

3. That the said Eva Laird, Lena Bedsworth, Vella Somers, Della Malone, Herman Bloodsworth Norwood Bloodsworth, Cora Hornsby and James Bloodsworth are seized in fee simple, in equal shares, as tenants in common, of the lands and premises above described and mentioned.

4. That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that in order to make division of said interest, 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: (a) That a decree may be passed for the sale of the said real estate.

(b) That the proceeds of said sale may be distributed among your orator, Lena Bedsworth and the said Eva Laird, Vella Somers, Della Malone, Herman Bloodsworth, Norwood Bloodsworth, Cora Hornsby and James Bloodsworth, according to their respective rights and interests.

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

May it please your Honors, to grant unto your orators, the writ of subpoena directed to the said Eva Laird, an adult, residing at 743 E. Fort Avenue, Baltimore 13, Maryland, and to Vella Somers, widow; Della Malone, widow; Herman Bloodsworth and Annie Bloodsworth, his wife, Norwood Bloodsworth and Atrice Bloodsworth, his wife; Cora Hornsby and Luther Hornsby, her husband; and James Bloodsworth and Bessie Bloodsworth, his wife; all adults above the age of twenty one years, residing in Somerset County, Maryland; commanding them to be and appear in this court at some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein.

And, as in duty bound, etc.

Edgar A. Jones
Solicitor for Complainants.

Exhibit "A" referred to in the aforegoing bill is in the words following to wit:

Deed	)	This Deed, made this second day of May, in the year one thousand
James D. Bloodsworth	)	nine hundred and four by Gordon Tull and Warren B. Long, Receivers
From	)	of the Somerset Savings Bank & Loan Association; both of Somerset
Gordon Tull & another receivers	)	County and State of Maryland, witnesseth: Whereas, by a mortgage
	)	made the 21st day of September, 1897, George W. Somers & wife

mortgaged the hereinafter described land to the Somerset Savings Bank & Loan Association; and whereas, after default the said mortgage was foreclosed on the 19th day of June, 1900, and was bought in by the said mortgagee, as will more fully appear by reference to the proceedings in No. 2065 Chancery; and, whereas, by a decree of the Circuit Court for Somerset County passed on the 12th day of Feby, 1902, wherein W.F. Corkran was complainant and the said Somerset Savings Bank & Loan Association was defendant, the same being No. 2175 on the chancery docket in said court, Gordon Tull and Warren B. Long were appointed receivers of the said Somerset Savings Bank & Loan Association with power to take charge of the affairs thereof and dispose of its propoerty & c; And whereas, by an order of said Court passed on the 6th day of February, 1903, the said receivers were authorized and empowered to sell the said

hereinafter described land at private sale to the best bidder; And whereas in compliance with said order the said receivers did sell the same to James D. Bloodsworth at and for the sum of Sixty dollars which said sale has by an order of Court passed on the 2nd day of May 1904, been finally ratified and confirmed, and the receivers authorized to make this deed. Now therefore this deed witnesseth, that in consideration of the said sum of sixty dollars the receipt whereof is hereby acknowledged, the said Gordon Tull and Warren B. Long, receivers of the Somerset Savings Bank and Loan Association, a body corpora e under the laws of Maryland, do grant and convey unto James D. Bloodsworth, of Somerset County, Md. his heirs and assigns, in fee simple all that lot and parcel of land, situate lying and being in St. Peters District, Somerset County, Md and described as follows, that is to say: Beginning for the same adjoining the lands of John T. Laird and Wm. A. Phoebus containing three fourths of an acre of land, more or less, and described in a deed from Wm. A. Phoebus & wife to Geo. W. Somers, dated August 3rd, 1896 and recorded among the land records of Somerset County in Liber OTB No. 21, folios 209 & C. Being the same place mortgaged by the said Geo. W. Somers to the Somerset Savings Bank & Loan Association, and purchased at the foreclosure sale by said Association, as will more fully appear by reference to the proceedings on No. 2065 Chancery in the said Court. Together with the buildings and improvements thereupon erected, made or being; and all and every, the rights alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging or in anywise appertaining. To have and to hold the said land, lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said James D. Bloodsworth, his heirs and assigns forever, in fee simple. Witness the hands and seals of said grantors.

Gordon Tull Seal

Test: H.W. Lankford
Samuel W. Kennerly

Warren B. Long Seal
Receivers & C.

State of Maryland, Somerset County, to wit;

I hereby certify that on this second day of May, in the year one thousand nine hundred and four before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Somerset County aforesaid, personally appeared Gordon Tull, one of the receivers of the Somerset Savings Bank &Loan Asn and acknowledged the foregoing deed to be his act.

Hariam W. Lankford J.P.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 2nd day of May, in the year nineteen hundred and four, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Somerset County aforesaid, personally appeared Warren B. Long one of the receivers of the Somerset Savings Bank and Loan Association, and acknowledged the aforegoing deed to be his act and the deed of the said Association.

Samuel W. Kennerly J.P.

Received for Record 3rd May 1904 and recorded in Liber O.T.B. No. 39 folio 21 & C one of the land records of Somerset County.

Per Oliver T. Beauchamp, Clerk.

STATE OF MARYLAND, SOMERSET COUNTY, to wit:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, hereby certify that the foregoing is truly and correctly copied from Liber O.T. B. No. 39, folio 21, one of the land records of Somerset County, Maryland.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court, this twenty seventh day of May, Nineteen Hundred and Forty Six.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County.

Exhibit "B" referred to in the aforegoing Bill is in the words following to wit:

Deed)
James D. Bloodsworth)
From)
Wm. Windsor and wife)
)

THIS DEED made this 10th day of July, 1904, by us William Windsor and Effie Windsor, his wife, of Laurel Del:

Wintess that for and in consideration of the sum of Eight dollars to us in hand paid by James D. Bloodsworth of Somerset County and the receipt whereof is hereby acknowledged, we, William Windsor and Effie Windsor do grant, bargain and sell unto the said James D. Bloodsworth all that lot or parcel of land here and after described, being a part of the tract of land that was deeded to William A. Phoebus by Executor Sallie R. Phoebus. Said lot of land conveyed is situated in St. Peters District and Somerset County, Maryland and adjoins the lands of H. F. Lankford and John T. Laird and beginning and bein as follows, at the south east corner (corner of William H. Phoebus lot at a planted stone and running with and by line of John T. Laird a Northerly course 60 yds to a Mulbury three then a westerly course 90 yes to a persimon tree on ditch bank then a southerly course with said ditch 50 yes to William H. Phoebus lot running with line of William H. Phoebus line 95 yds and easterly course to stone at place of beginning said lot of land conveyed is to contain one acre, more or less.

Witness our hands and seals.

Test, Sealed and Delivered In the presence of — Wm. W. Windsor — Seal

State of Delaware, Sussex County, SS — Effie J. Windsor — Seal

Be it remembered that on this fifteenth day of July in the year of our Lord one thousand nine hundred and four, personally came before me, Chas. S. Workman, Notary Public for the State of Delaware, Wm. W. Windsor and Effie J. Windsor, his wife, parties to this indenture known to me personally to be such and they acknowledged this indenture to be their deed. And the said Effie J. Windsor being at the same time privately examined by me a part from her husband acknowledged that she executed the said indenture willingly without compulsion or threats or fear of her husband displeasure.

Chas. S. Workman — Seal of
Notary Public — Notary

Received for Record 20th June, 1914, and recorded in Liber WJS No. 66, folio 551 one of the land records of Somerset County.

Per W. Jerome Sterling, Clerk.

STATE OF MARYLAND, SOMERSET COUNTY, to wit;

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, hereby certify that the foregoing is truly and correctly copied from Liber WJS No. 66, folio 551, one of the land records of Somerset County, Maryland.

In testimony whereof, I hereunto subscribe my name and affix the Seal of said Court, this twenty seventh day of May, Nineteen Hundred and Forty six.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland.

Exhibit "C" referred to in the aforegoing Bill is in the words following to wit:

DEED)
James D. Bloodsworth)
From)
Richard Brewington and wife)
)

This deed made this 15th day of June, one thousand nine hundred and fourteen, by us Biddie Brewington and Richard Brewington, her husband, of Somerset County in the State of Maryland, Witnesseth: That in consideration of the sum of forty five dollars the receipt of which is hereby acknowledged, we the said Biddie R. Brewington and Richard Brewington, her husband, do grant and convey unto James D. Bloodsworth of said County and State, his heirs and assigns, all that lot or parcel of land situate, lying and being in Somerset County, Maryland, and more particularly described as follows:

All that lot or parcel of land lying and being situate in St. Peters Election District, in Somerset County, Maryland, and adjoining the property of James F. Hall on the west the land known as the John W. Laird property on the south; the land of Biddie Brewington on the East and the land of William J. Phillips on the north, and containing six acres of land more or less, and being a part of the property which was conveyed unto the said Biddie Brewington by John H. Phoebus and wife, by deed dated on the 2nd day of January in the year 1877, and which said deed is duly recorded among the land records of Somerset County Marylandin Liber L.W. No. 16, folio 635 et seq. Together with the buildings and improvements thereupon erected, made or being, and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining. To have and to hold the said 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 James D. Bloodsworth in fee simple. And the said Biddie Brewington and Richard Brewington, her husband, covenant that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of said land as may be requisite.

Witness the hands and seals of the said grantors.

her
Biddie X Brewington Seal
mark

test: Paul J. Winning, J.P.

his
Richard X Brewington Seal
mark

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I HEREBY CERTIFY, That on this 15th day of June in the year one thousand nine hundred and fourteen, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Somerset County aforesaid, personally appeared Biddie Brewington and Richard Brewington, her husband, and did each acknowledge the foregoing deed to be their respective act.

June 15-1914 Paul J. Willing. J.P.

Received for Record 27 June 1914, and recorded in Liber WJS No. 66, folio 569 & C one of the land records of Somerset County.

Per W. Jerome Sterling, Clerk.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, hereby certify that the foregoing is truly and correctly copied from Liber JMT No. 66, folio 569, one of the land records of Somerset County, Maryland.

In testimony whereof, I hereunto subscribe my name and affix the Seal of said Court, this twenty seventh day of May, Nineteen Hundred and forty six.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland.

Exhibit "D" referred to in the aforegoing bill is in the words following to wit:

DEED)
James D. Bloodsworth)
From)
Frederick H. Waters)
_____)

THIS DEED, made this 28th day of February, Nineteen hundred and twenty, by Frederick H. Waters, and Ada Waters, his wife, of Somerset County, and State of Maryland, witnesseth that in consideration of the sum of two hundred and twenty five dollars, in hand paid the receipt of which is hereby acknowledged, the said Frederick H. Waters, and Ada Waters, his wife, do grant and convey unto James D. Bloodsworth, of said Somerset County, his heirs and assigns, all that lot or parcel of land situate in St. Peters Election District, in said Somerset County, containing ten acres, more or less, known as a part of the home place of William A. Phoebus, situated on the private road leading from

William S. Bennetts store house to the home of E. James Hall, and beginning for the outlines of same at a gum tree standing on the west side of said road on the line between the land hereby conveyed and the land of Charles R. Disharoon, thence in a westerly direction two hundred and forty seven yards to an iron bounder near a ditch, thence in a northerly direction by and with a ditch and the woodland of the said Frederick H. Waters, one hundred and ninety five yards to the land of the said James D. Bloodsworth, thence by and with the land of the said James D. Bloodsworth to the land of Isaac Windsor, thence by and with the said Windsor land to the land of Clarence Laird, thence by and with the land of the said Clarnece Laird, to other land of the said James D. Bloodsworth, thence by and with the land of the said Bloodsworth to the aforesaid private road, thence by and with the said priviate road to the place of beginning, and being part of the land that was conveyed to the said Frederick H. Waters, by George H. Hall and wife by deed dated February 12, 1918, and recorded among the land records of said Somerset County in LiberWJS No. 74, folio 32 et seq. To which said deed and all the references therein contained, special reference is hereby made as part hereof for a more full and particular description of the land and premises hereby conveyed. Together with the buildings and improvements thereupon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining. To have and to hold the said 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 James D. Bloodsworth, his heirs and assigns, in fee simple. And the said Frederick H. Waters, and Ada Waters, his wife, covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of said land as may be requisite. Witness the hands and seals of the said grantors.

Test: U.S. Internal $.50 Revenue Stamp — Fred H. Waters, Seal — Ada M. Waters, Seal

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 28th day of February, Nineteen hundred and twenty, before me the subscriber, a Notary Public, of the State of Maryland, in and for the County aforesaid personally appeared Frederick H. Waters and Ada Waters, his wife, and each acknowledged the aforegoing deed to be their respective act and deed. In testimony whereof, I have hereunto set my hand and affixed my Notarial Seal, this the day and year last above written.

Joseph A. Croswell — Seal of
Notary Public — Notary

With the privilege of a right away through the land.

Received for Record, 2 March 1920, and recorded in Liber WJS No. 80, folio 124, & C one of the land records of Somerset County.

Per W. Jerome Sterling, Clerk.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, hereby certify that the foregoing is truly and correctly copied from Liber WJS No. 80, folio 124, one of the land records of Somerset County.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court, this twenty eighth day of May, Nineteen hundred and forty six.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Md.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenaes were issued, to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO Eva Laird of Baltimore City Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of Lena Bedsworth and William H. Bedsworth, her husband against you & others in the said Court exhibited. Herof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr., Chief Judge of the First Judicial Circuit of Maryland. the 6th day of May Anno Domini 1946. ISSUED the 27th day of May Anno Domini 1946.

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO Vella Somers & Della Malone of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of Lena Bedsworth and William H. Bedsworth, her husband against you in the said Court exhibited. Herof fail not at your peril.

Witness the Honorable W. Laird Henry Jr., Chief Judge of the First Judicial Circuit of Maryland. the 6th day of May Anno Domini 1946. ISSUED the 27th day of May Anno Domini 1946.

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO: Herman Bloodsworth and Annie Bloodsworth of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, allexcuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of Lena Bedsworth and William H. Bedsworth, her husband against you & others in the said Court exhibited. Herof fail not at your peril

Witness the Honorable W. Laird Henry Jr., Chief Judge of the First Judicial Circuit of Maryland the 6th day of May Anno Domini 1946. ISSUED the 27th day of May Anno Domini 1946.

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO: Norwood Bloodsworth and Atrice Bloodsworth of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in June next to answer the complaint of Lena Bedsworth and William H. Bedsworth, her husband, against you and others in the said Court exhibited. Hereof fail not at your peril.

Witness, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 6th day of May Anno Domini 1946. ISSUED the 27th day of May Anno Domini 1946.

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO CORA HORNSBY AND LUTHER HORNSBY OF SOMERSET COUNTY, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of Lena Bedsworth and William H. Bedsworth, her husband against you & others in the said Court exhibited. Herof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 6th day of May Anno Domini 1946. ISSUED the 27th day of May Anno Domini 1946.

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO: James Bloodsworth and Bessie Bloodsworth, his wife of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town on the first MONDAY in June next to answer the complaint of Lena Bedsworth and William H. Besworth, her husband against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland, the 6th day of May Anno Domini 1946. ISSUED the 27th day of May Anno Domini 1946.

Benjamin L. Barnes, Clerk.

At which said first MONDAY in June, in the year nineteen hundred and Forty six and the day of the return of the above reicted writ, came again into Court here the said Complainants by their solicitor and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the first writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned and a copy of the process left with the defendant.

Joseph C. Deegan, Sheriff.
5-28-46

On the same day and year aforesaid came into Court here the said Complainants by their Solicitor and the Sheriff of Somerset County to whom the second, third, fourth, fifth and sixth wirts aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the second of said writs: Summoned severally and copy left with each.
Murray E. Ward, Sheriff
Woodland Jackson, Deputy.

To the third of said writs: Summoned severally and copy left with each
Murray E. Ward, Sheriff
Woodland Jackson, Deputy.

To the Fourth of said writs: Summoned severally and copy left with each
Murray E. Ward, Sheriff
Woodland Jackson, Deputy.

To the Fifth of said writs: Summoned severally and copy left with each
Murray E. Ward, Sheriff
Woodland Jackson, Deputy.

To the sixth of said writs: Summoned severally and copy left with each
Murray E. Ward, Sheriff
Woodland Jackson, Deputy.

And thereafter to wit, on the Nineteenth day of June in the year Nineteen Hundred and Forty six the Court here passed the following order:

Lena Bedsworth and William H. Bedsworth, her husband	)	NO. CHANCERY
Vs.	)	IN THE
Eva Laird, widow; Vella Somers, widow; Della Malone, widow; Herman Bloodsworth and Annie Bloodsworth and Atrice Bloodsworth, his wife; Cora Hornsby and Luther Hornsby, her husband; James Bloodsworth and Bessie Bloodsworth, his wife	)	CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND IN EQUITY.

The defendants, Eva Laird, Vella Somers, Della Malone, Herman Bloodsworth and Annie Bloodsworth, Norwood Bloodsworth and Atrice Bloodsworth, Cora Hornsby and Luther Honrsby, James Bloodsworth and Bessie Bloodsworth, having been duly summoned to appear to the bill of complaint and having failed to appear thereto and answer said bill

It is thereupon this 19th day of June in the year nineteen hundred forty six, by the Circuit Court for Somerset County in Equity, adjudged, ordered and decreed, that the said bill of complaint be and the same is hereby taken pro-confesso against the said adult defendants.

And, it is further ordered that depositions be taken before one of the standing examiners of this Court in support of the allegations of the bill.

Edmond H. Johnson
Judge.

On the day and year aforesaid the following Military Affidavit was filed in the words following to wit:

Lena Bedsworth and William H. Bedsworth, her husband	)	NO. CHANCERY
Vs.	)	IN THE CIRCUIT COURT
Eva Laird, widow, et als.	)	FOR SOMERSET COUNTY, MARYLAND IN EQUITY.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify, that on this 18th day of June, nineteen hundred and forty six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Edgar A. Jones, and made oath in due form of law that he has personally made an investigation for the purpose of determining whether or not the defendants, Eva Laird, widow; Vella Somers, widow; Della Malone, widow; Herman Bloodsworth and Annie Bloodsworth, his wife; Norwood Bloodsworth and Atrice Bloodsworth, his wife; Cora Hornsby and Luther Hornsby, her husband; and James Bloodsworth and Bessie Bloodsworth, his wife, or either of them are in the military service of the United States so as to be entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, and that from information obtained through such investigation, he certifies that neither of the defendants is in the military service of the United States as defined in Section 101(1) of the Soldiers' and Sailors' Civil Relief Act of 1940, nor has either received a discharge from such services within sixty (60) days prior to the date of ths affidavit.

As witness my hand and notarial seal the day and year above written.

Sally L. Ford — Seal of
Notary Public — Notary

And thereafter to wit on the Ninth day of August in the year nineteen hundred and forty six, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following to wit:

Lena Bedsworth and William H. Bedsworth her husband	)	NO. 6155 Chancery
Vs.	)	IN THE CIRCUIT COURT FOR
Eva Laird, widow: Vella Somers, widow; Della Malone, widow; Herman Bloodsworth and Annie Bloodsworth, his wife; Norwood Bloodsworth and Atrice Bloodsworth, his wife; Cora Hornsby and Luther Hornsby, her husband; James Bloodsworth and Bessie Bloodsworth, his wife	)	SOMERSET COUNTY, MARYLAND IN EQUITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

It appearing in the above entitled cause, that Harry C. Dashiell, the regular examiner of this Court, is the solicitor for Norwood Bloodsworth, one of the defendants in this cause.

Your petitioner therefore prays the Court to appoint a special examiner to take the depositions in this cause.

Edgar A. Jones
Solicitor for the Complainants

Upon which said petition the Court here passed the following Order:

Upon the aforegoing petition, it is hereby ordered this 9th day of August, in the year nineteen hundred forty six, by the Circuit Court for Somerset in Equity, that Sally L. Ford be, and she is hereby appointed special examiner to take the depositions in this cause.

Levin C. Bailey
Judge.

And thereafter to wit on the Thirty first day of August, Nineteen Hundred and Forty Six, the answer of Norwood Bloodsworth was filed, in the words following to wit:

LENA BEDSWORTH, ET AL	)	NO. CHANCERY
VS.	)	IN THE CIRCUIT COURT FOR
EVA LAIRD, ET AL	)	SOMERSET COUNTY, MARYLAND
	)	IN EQUITY.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Norwood Bloodsworth one of the defendants in the above entitled cause to the Bill of Complaint, filed in said cause against him, and others, respectfully represents:

That James Bloodsworth, the father of this respondent, in his lifetime gave to this respondent a parcel of land, containing one acre and lying and binding on the west side of the County Road, known as the Jerusalem County Road, and being apart of the land which is described and referred to in the Bill of Complaint, heretofore filed in this cause.

That upon the gift of said parcelof land, by his father, as aforesaid, your respondent, erected a dwelling on said parcel of land, during the lifetime of his father, and your respondent, and his family resided in said dwelling for several years during his father's lifetime, and has continued to reside therein, continously down to the present time; and that said dwelling was erected entirely at the cost and expense of the respondent.

That since the institution of this suit, all of the brothers and sisters of the respondent who are the heirs at law, of James Bloodsworth, deceased, and who are the parties defendant, to this suit; together with the husbands and wives, of such respondents, who are married have conveyed their interest in said parcel of land, to your respondent, by a deed duly executed as required by law, and having as a part thereof, a plat of said parcels of land; that said deed has been duly recorded among the land records of said Somerset County and a certified copy of said deed is herewith filed as a part of this answer marked"Respondent Exhibit Deed", all of which his respondent submitted.

Harry C. Dashiell
Solicitor for Norwood Bloodsworth

The Respondents Exhibit Deed referred to in the aforegoing answer is inthe words following to wit

Deed	)
Norwood Bloodsworth	)
from	)
Eva Laird Et Als.	)
	)

THIS Deed made this 25th day of June, in the year 1946, by Eva Laird (Widow) of Baltimore City and State of Maryland, Della Malone (Widow), Vella Somers (Widow), Herman Bloodsworth and Annie Bloodsworth, his wife, Cora Hornsby and Luther Hornsby, her husband, and James Bloodsworth, and Bessie Muir Bloodsworth, his wife all of Somerset County and State of Maryland.

Witnesseth, that in consideration of the sum of one dollar and other good and valuable considerations, the receipt of which is hereby acknowledged the said Eva Laird, Della Malone, Vella Somers, Hermab Bloodsworth and Annie Bloodsworth, his wife, Cora Hornsby and Luther Hornsby her husband, James Bloodsworth and Bessie Muir Bloodsworth, his wife, do grant and convey unto Norwood Bloodsworth of the said County and State, his heirs and assigns, in fee simple; all the grantors undivided right, title, interest, and estate, both at law and in equity, in and to all that lot or parcel of land, situate lying and being in St. Peters Election District in said Somerset County and State of Maryland, and more fully described as follows, that is to say:

All that lot or parcel of land, situate as aforesaid, and lying and binding on the east side of the Jerusalem County Road, adjoining the reserved land of the parties to this deed, and being the same lot of land which is laid down on a plat prepared by W. Ballard Miles, Surveyor, on the fourth day of June, 1946, hereto attached, and made a part hereof, and containing one acre of land, more or less.

The land hereby conveyed being the same land which was given by James Bloodsworth (deceased) in his lifetime to his son, the grantee in this deed Norwood Bloodsworth, and upon which land the said Norwood Bloodsworth erected a home and has lived thereon for a number of years; and is a part of the same land which upon the death of the said James Bloodsworth, descended unto his children, who are the parties to this deed as his only heirs at law.

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

To have and to hold the land and premises above described and mentioned and hereby intended to be conveyed, unto and to the proper use and benefit of the said Norwood Bloodsworth, his heirs and assigns, in fee simple.

And the said grantors and each of them do hereby covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of the said land as may be requisite.

As witness the hands and seals of the said grantors.

Test: Charles F. Nash as to...../...	Eva Laird	Seal
	Della Malone	Seal
	Vella Somers	Seal
	Herman Bloodsworth	Seal
	Annie Bloodsworth	Seal
	Cora Hornsby	Seal
	Luther Hornsby	Seal
	James Bloodsworth	Seal
	Bessie Muir Bloodsworth	Seal

STATE OF MARYLAND, BALTIMORE CITY TO WIT:

I hereby certify that on this 25 day of June, 1946, before me the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, aforesaid, personally appear-

ed Eva Laird and acknowledged the aforegoing deed to be her act and deed; and I do further certify that the said Eva Laird, signed the aforegoing deed and that I witnessed her signature to the same.

As witness my hand and notarial seal the day and year above written.

Charles F. Nash — Seal
Notary Public — of Notary

STATE OF MARYLAND, BOMERSET COUNTY, TO WIT:

I hereby certify that on this 25th day of June, 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared and her husband, Della Malone, Vella Somers, Herman Bloodsworth and Annie Bloodsworth, his wife COra Hornsby, and Luther Hornsby, her husband, James Bloodsworth and Bessie Muir Bloodsworth, his wife, and acknowledged the aforegoing deed to be their act and deed; and I do further certify that the said Della Malone, Vella Somers, Herman Bloodsworth and Annie Bloodsworth, his wife, Cora Hornsby and Luther Horsby, her husband, James Bloodsworth and Bessie Muir Bloods- his wife, signed the aforegoing deed in my presence and that I witnessed their signatures to the same.

As witness my hand and notarial seal the day and year above written.

Gertrude H. Bozman — Seal of
Notary Public — Notary

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, hereby certify that the foregoing is truly and correctly copied from Liber BLB No. 136, folio 525 one of the land records of Somerset County.

In Testimony whereof, I hereunto subscribe my name and affix the Seal of said Cour this twenty second day of August, Nineteen Hundred and Forty six.

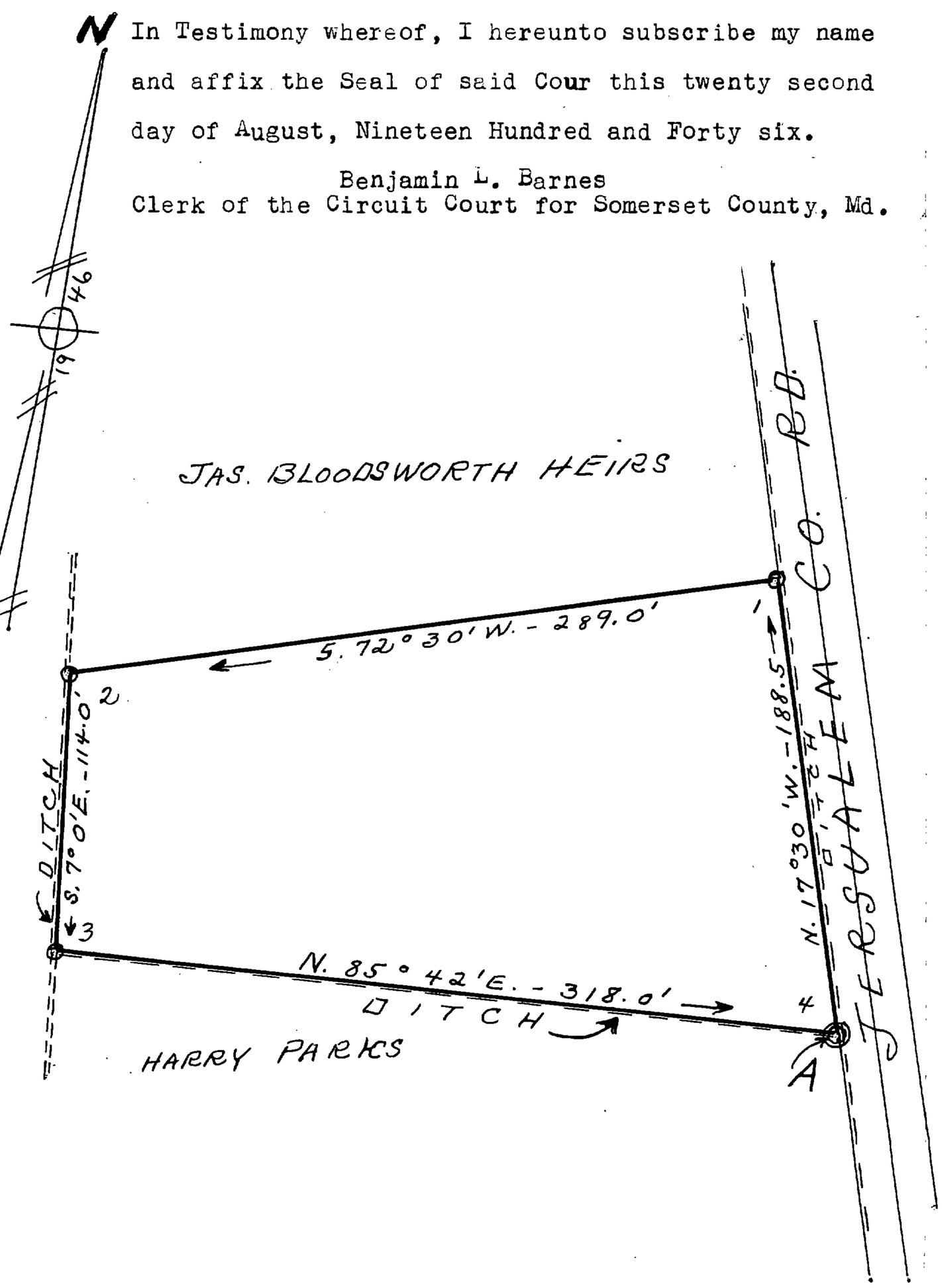
Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Md.

Being a part only of all that land of which James Bloodsworth died seized and possessed.

PLAT OF A LOT
SURVEYED FOR
NORWOOD BLOODSWORTH

El Dist. St. Peters	FILE D-69
DATE June 4, 1946	Scale 1"-60'
Area 1 Acre	Drawn W.B.M.

W. BALLARD MILES, REG. SURV 575
Surveyor for Somerset County, Maryland.



And afterwards to wit, on the Tenth day of September in the year Nineteen hundred and Forty Six, Sally L. Ford, specially appointed Examiner, to whom the papers in the aforegoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Lena Bedsworth and William Bedsowrth, her husband	)	NO. 6155 Chancery
Vs.	)	In the Circuit Court
Eva Laird, widow, Vella Somers, widow, et als.	)	for
	)	Somerset County, Maryland

In this cause, the testimony to be taken in support of the allegations of the bill, I, Sally L. Ford, Special Examiner to take the depositions in this cause, duly appointed by the Circuit Court for Somerset County, on the 9th day of August, 1946, do hereby certify that on this 10th day of September, in the year nineteen hundred forty six, in Somerset County aforesaid did take the following testimony, to wit:

Lena Bedsworth, a witness of lawful age, produced on the part of the plaintiff being first duly sworn, deposes and says:

Int. 1-Please state your name, age, residence and occupation.

Ans. Lena Bedsworth, age 51 years, live at Champ, Somerset County and am a housewife.

Int. 2-Do you know the parties to this suit? If So, where do they reside and what are their ages.

Ans- Yes, My husband and I are the plaintiffs and the defendants are my brothers and sisters and their respective spouses. They all reside in Somerset County except Eva Laird, who resides in Baltimore City. They are all adults above the age of twenty one years and none of them is in the military service of the United States nor has either of them been in the service during the past war.

Int 3- In your bill of complaint you say your father, James D. Bloodsworth, late of Somerset County, deceased, died seized and possessed of certain real estate in St. Peters Election District. Please described this and tell to whom it descended upon his death.

Ans - My father died on the 15th day of September, 1936 without a will and leaving as his only heirs at law, his widow, Cora Bloodsworth and the following children: Eva Laird, Vella Somers, Della Mabne, Herman Bloodsworth, Norwood Bloodsworth, Cora Hornsby, James Bloodsworth and myself. My mother, Cora Bloodsworth, died in November 1941 without a will and left as her only heirs the above named children. The property described below is therefore owned by the eight children above named. in equal shares, except one acre thereof described as Respondents' Exhibit Deed, filed herewith. In that deed, Eva Laird, Della Malone, Vella Somers, Herman Bloodsworth, Cora Hornsby and James Bloodsworth conveyed their interests to the aforesaid one acre, to Norwood Bloodsworth, who is now seized with seven eighths interest in that particular piece of land, The other lands which descended unto us at the death of our parents, is described as follows:

(1) All that lot or parcel of land situate as aforesaid, adjoining the lands owned or formerly owned by John T. Laird and William A. Phoebus, containing three fourths of an acre, which was conveyed unto the said James D. Bloodsworth by Gordon Tull and Warren B. Long, Receiver, by deed dated May 2, 1904, recorded among the land records of Somerset County in Liber OTB No. 39, folio 21.

(2) All that lot or parcel of land, situate as aforesaid, adjoining the lands owned or formerly owned by H. F. Lankford and John T. Laird, containing one acres, more or less, which was conveyed unto the said James D. Bloodsworth by William W. Windsor and Effie J. Windsor, by deed dated July 10, 1904 and recorded among the aforesaid land records in Liber WJS No. 66, folio 551;

(3) All that lot or parcel of land situate as aforesaid, adjoining the lands owned or formerly owned by James F. Ha ll, John W. Laird, Biddie Brewington and William J. Phillips, containing six acres, more or less, which was conveyed unto the said James D. Bloodsworth by the said Biddie Brewington and Richard Brewington, by deed dated June 15, 1914 and recorded as aforesaid in Liber WJS No. 66, folio 569.

(4) All that lot or parcel of land, situate as aforesaid, adjoining the lands owned or formerly owned by Frederick H. Waters, Isaac Windsor and Clarence Laird, containing ten acres, more or less, and being the same and all the land which was conveyed unto the said

James D. Bloodsworth by Frederick H. Waters and wife, by deed dated February 28, 1920 and recorded as aforesaid in Liber WJS No. 80, folio 124.

Int. 4- The above tracts or land are adjoining and form one small farm, do they not?

ans Yes.

Int. 5- What in your opinion, is the value of this real estate?

ans Approximately $1500.00

Int. 6- Please state whether or not this real estate is susceptible or partition or division without material loss and injury to the parties entitled to interests therein.

ans. No, it is not susceptible of division or partition without material loss and injury to the parties.

Int. 7- Are you making any claim to the house that Norwood Bloodsworth is alleged to have erected upon the lot of ground described in his deed, copy of which is filed among these papers?

ans No, as far as I am concerned he can move it off.

COUR QUESTION:

ANSWER: Nothing further.

Lena Bedsworth

Sally L. Ford
Special Examiner

William H. Bedsworth, a witness of awful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int. 1- Please state your name, age, residence and occupation?

ans. William H. Bedsworth, age 73 years, reside at Champ and am a waterman.

Int. 2- Do you know the parties to this suit? If so, please state their residence and ages?

ans Yes, I know all of the parties to this suit, having married into the Bloodsworth family. All of the parties are of full age and they all reside in Somerset County except Eva Laird, who resides in Baltimore City.

Int. 3- Please state, if you know, whether or not these parties own any property as tenants in common, in Somerset County, and if so, where it is and how they acquired it?

ans. They own four tracts of land in St. Peters Election District, which are all adjoining and total approximately seventeen acres. This land descended unto my wife, Lena Bedsworth, Eva Laird, Vella Somers, Della Malone, Herman Bloodsworth, Norwood Bloodsworth, Cora Hornsby and James Bloodsworth and Mrs. Cora Bloodsworth the widow of James D. Bloodsworth, upon his death in 1936. Several years later, Cora Bloodsworth died and her interest in the above property descended unto the aforesaid parties who were the children of the said James D. & Cora Bloodsworth. These lands were acquired by the said James D. Bloodsworth by four deeds; one from Gordon Tull and Warren B. Long, Receiver, dated May 2, 1904; the second from William and Effie Windsor, dated July 10, 1904; the third from Biddie Brewington and husband dated June 15, 1914 and the fourth from Frederick H. Waters and wife dated February 28, 1920.

Int. 4 -Please state, if you can, just what interest, each of the parties to this suit, has in the land.

ans - When this suit was started they each owned an undivided one eighth interest. Since the institution of this suit, Eva Laird, Vella Somers, Della Malone, Herman Bloodsworth, Cora Hornsby and James Bloodsworth have conveyed their interests in one acre of the aforesaid land unto Norwood Bloodsworth, who the refore owns a seven eighths interest in that acre while Lena Bedsworth still owns an undivided one eighth interest.

Int. 5 - Please state whether or not the above real estate is susceptible of partition or division without material loss or injury to the parties entitled to interests therein.

ans. No, it is not susceptible of division or partition without material loss and injury to the parties interested.

Int. 6-Please state what, in your opinion, is the value of this real estate?

ans I think it should be worth in the neighborhood of $1500.00.

COURT QUESTION:

ANSWER: Nothing further.

Sally L. Ford
Special Examiner

Wm. H. Bedsworth

Thomas E. Bedsworth, a witness of lawful age, produced on the part of the plaintiff, being first duly sworn, deposes and says:

Int. 1- Please state your name, age, residence and occupation?

Ans. Thomas E. Bedsworth, age 31 years, reside in St. Peters Election District, Somerset County, Maryland and am a farmer.

Int. 2-Do you know the parties to this suit? If so, where do they reside and what are their ages.

ans. Yes, the plaintiffs are my parents and the defendants are all uncles or aunts. They are all adults above the age of 21 years and are all living in Somerset County except Eva Laird, who lives in Baltimore.

Int. 3- Please state whether or not these parties own as tenants in common, any real estate in Somerset County. If so, describe it and tell, if you can, how they acquired it?

ans. Yes, they own a little farm in St. Peters Election District, on the Jeruselum Road. It contains about 17 acres and was originally owned by my grandfather James D. Bloodsworth. Upon his death intestate, it descended unto his widow, Cora Bloodsworth and the following children: Lena Bedsworth, Eva Laird, Vella Somers, Della Malone, Herman Bloodsworth, Norwood Bloodsworth, Cora Hornsby and James Bloodsworth. Upon the death of my grandmother about 1941 her interest in the above property descended unto the above named eight children as her only heirs and law. At the begeinning of this suit mymother and the other seven children owned this property as tenants in commin, each having an undivided one eighth interest. Since this suit was begun, I understand that Eva Laird, Vella Somers, Della Malone, Herman Bloodsworth, Cora Hornsby and James Bloodsworth conveyed their undivided interests in one acre of the aforesaid land to Norwood Bloodsworth. In that one acre therefore, he owns an undivided seven eighths interest and my mother Lena Bedsworth, an undivided one eighth interest.

Int. 4- Please state whether or not this property is susceptible of division or partition without material loss or injury to the parties interested therein.

ans. No is it not susceptible or partition or division without loss to the parties interested.

Int. 5- What in your opinion, is the value of this property?

ans. $1500.00

COURT QUESTION:

ANSWER: Nothing further.

Sally L. Ford
Special Examiner

Thomas E. Bedsworth

There being no further witnesses produced to me to be examined, I herewith, at the request of plaintiffs' solicitor, return the above depositions to Court, closed under my hand and sealed and certify that the annexed statement of costs is correct.

Sally L. Ford
Special Examiner

Seal

Examiners Costs $4.00

I, Harry C. Dashiell, as Attorney for the defendant, Norwood Bloodsworth, hereby waive notice and consent to the taking of depositions on behalf of the plaintiffs in the above cause.

Harry C. Dashiell
Solicitor for Norwood Bloodsworth.

And thereafter to wit, on the twenty third day of September in the year nineteen hundred and forty six, the Circuit Court here passed the following Decree in the premises to wit:

Lena Bedsworth and William H. Bedsworth, her husband	)	NO. CHANCERY
Vs.	)	CIRCUIT COURT FOR
Eva Laird, widow; Vella Somers; Della Malone, Herman Bloodsworth and Annie Bloodsworth; Norwood Bloodsworth and Atrice Bloodsworth; Cora Hornsby and Luther Hornsby; James Bloodsworth and Bessie Bloodsworth	)	SOMERSET COUNTY, MD.

THE ABOVE CAUSE STANDING READY FOR HEARING and having been submitted, the proceedings therein were by the Court read and considered:

It is Thereupon, this twenty third day of September in the year nineteen hundred and forty six by the Circuit Court for Somerset County ADJUDGED, ORDERED AND DECREED, That the property in the proceedings mentioned be sold, and that Edgar A. Jones, be and he hereby appointed Trustee to make 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 personal surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of three thousand dollars, conditioned for the faithful performance

of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement inserted in such weekly newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one third cash on day of sale and the balance within six months from the day of sale, the credit portion if any, to bear interest from the day of sale and to be secured by the bond or bonds or the purchaser or purchasers, or all cash at the option of the purchaser or purchasers. and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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, the said Trustee shall, by a good and sufficient deed, to be exectued, acknowledged and recorded, according to law, convey to the purchaser or purchasers, his, her or their heirs and assigns the property and estate to him, her or them sold, free clear and discharged from all claims of the parties hereto, 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 the Court, after deducting 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.

Levin C. Bailey
Judge

And thereupon the said Edgar A. Jones, Trustee filed a Bond in the Court here in the words following, to wit:

Lena Bedsworth and William H. Bedsworth her husband)	NO. 6155 Chancery
Vs.)	In the Circuit Court for
Eva Laird, widow et als)	Somerset County, Maryland.

KNOW ALL MEN BY THESE PRESENTS, That we, Edgar A. Jones and L. Shanley Ford and E. Mace Smith, all of Somerset County and State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of Three 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 and administrators, jointly and severally, firmly by these presents; sealed with our seals and dated this 16th day of Octbber, in the year nineteen hundred forty six.

Whereas, the above bounden Edgar A. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed Trustee to sell the property mentioned in the proceedings in the case of Lena Bedsworth and William H. Bedsworth, her husband, vs Eva Laird, widow, et als the same being No. 6155 Chancery now pending in said Court

Now the condition of the above obligation is such, that if the above bounden Edgar A. Jones doe 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, other wise to be and remain in full force and virtue in law.

	Edgar A. Jones	Seal
Witness: Grace J. Barnes	L. Shanley Ford	Seal
	E. Mace Smith	Seal

Which said Bond was thus thereon endorsed to wit:

The within Bond approved

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Thirtieth day of October in the year nineteen hundred and forty six, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affadavit thereunto annexed which said report and affidavit, so as aforesaid filed is in the words following to wit:

Lena Bedsworth and William H. Bedsworth, her husband	)	NO. CHANCERY
Vs.	)	IN THE
Eva Laird, widow; Vella Somers widow; Della Malone, widow; Herman Bloodsworth, and Annie Bloodsworth, his wife; Norwood Bloodsworth and Atrice Bloodsworth, his wife, Cora Hornsby and Luther Hornsby, her husband; James Bloodsworth and Bessie Bloodsworth, his wife	)	CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND IN EQUITY.

TO THE HONORABLE, THE JUDGES OF THE CIRCUIT COURT FOR SOMERSET COUNTY:

The report of Edgar A. Jones, Trustee appointed by a decree of this Court passed in the above entitled cause to make sale of certain real estate therein mentioned, respectfully shows

That after giving bond with security for the faithful performance of his trust and after having complied with all the other prerequisites as required by law and the said decree and giving notice of the time, place, manner and terms of sale by advertisement in the Marylander & Herald, a weekly newspaper published in Somerset County, Maryland for at least three successive weeks before the day of sale, he did, pursuant to said notice, attend in front of the Court House door in Princess Anne, Maryland, on Tuesday, October 29, 1946 at or about the hour of two o'clock P.M. and then and there proceeded to sell said property in manner following, that is to say:

Your Trustee offered at public sale to the highest bidder, all those lots or parcels of land situate in St. Peters Election District, of which James D. Bloodsworth died seized (excepit one acre thereof which was conveyed to Norwood Bloodsworth by the heirs of the said James D. Bloodsworth) described as follows: containing in the aggregate sixteen and three quarters acres, more or less, on both sides of what is known as the Jerusalem County Road, adjoining the lands owned or formerly owned by Russell Hall, H.B.Phoebus, Harry Parks, Warren Shores, James Hall, Norwood Bloodsworth, et als; said lots having been conveyed unto the said James D. Bloodsworth by the following deeds: From Gordon Tull and Warren B. Long, Receivers dated May 2, 1904, recorded among the land records of Somerset County in Liber QTB No. 39, folio 21; from William W. Windsor and wife, dated July 10, 1904, recorded as aforesaid in Liber WJS No. 66, folio 551, from Biddie Brewington and husband, dated June 15, 1914, recorded as aforesaid in Liber WJS No. 66, folio 569 from Frederick H. Waters and wife, dated February 28, 1920, recorded as aforesaid in Liber WJS No. 80, folio 124, and your trustee sold the above described property to J. Leonard Shreeves for Five Hundred dollars he being at that sum the highest bidder therefor and the purchaser has complied with the terms of sale to the satisfaction of your trustee.

Respectfully submitted,

Edgar A. Jones
Trustee

State of Maryland, Somerset County, to wit;

I hereby certify, that on this 30th day of October, in the year nineteen hundred forty six, before me, the subscriber a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Trustee and made oath in due form of law that the matters and things stated in the aforegoing 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 the day and year above written.

Sally L. Ford
Notary Public

Seal of Notary.

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Lena Bedsworth and William H. Bedsworth, her husband	)	NO. 6155 Chancery
	)	In the Circuit Court for
Vs.	)	Somerset County, Maryland.
Eva Laird, et als.	)	

ORDER NISI

Ordered by the Circuit Court for Somerset County, that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 30th day of November next,

Provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 29th day of November, next.

The report states the amount of sale to be five hundred ($500.00) dollars.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland.

And thereafter to wit, on the Third day of December in the year nineteen hundred and forty six, came again into Court here the said Complainants by their solicitor aforesaid, and on motion of the said Complainants by their solicitor aforesaid, the Court here passed the following order to wit:

FINAL ORDER

ORDERED by the Circuit Court for Somerset County, this 3rd day of December, nineteen hundred forty six, 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 thereof having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

Edmond H. Johnson

Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. CLERK.

"""

George A. Noble, Anna Hall, Ethel Edley, Harry Noble, Ruth Parks Ralph Noble, Robert Noble)
Vs.)
Dwight Wilson, Ruth King, Rita Fields, Paulene Parks, Ilene Wallace, Brent Oliver Wilson, Donald Wilson)

Be it remembered that heretofore to wit, on the First Day of July in the year Nineteen Hundred and Forty six, a certain George A. Noble, Anna Hall, Ethel Edley, Harry Noble, Ruth Parks ralph Noble, Robert Noble, by L. Creston Beauchamp, their solicitor exhibited and filed in the Circuit Court here a bill of complaint against Dwight Wilson, Ruth King, Rita Fields, Paulene Parks, Ilene Wallace, Brent Oliver Wilson, and Donald Wilson, which said Bill of Complaint is in the words following to wit:

George A. Noble, Anna Hall, Ethel Edley, Harry Noble, Ruth Parks, Ralph Noble, Robert Noble)
Vs.)
Dwight Wilson, Ruth King, Rita Fields, Paulene Parks, Ilene Wallace, Brent Oliver Wilson, Donald Wilson)

NO. 5931 Chancery
In the Circuit Court for
Somerset County, Maryland.

To the Honorable, the Judge of said Court.

The orators complaining say:

1. That George W. Noble, late of Somerset County, Maryland, deceased, was at the time of his death seized and possessed of certain real estate in St. Peters election district, Somerset County, Maryland, as follows:

(1) one acre, and improvements, adjoining lands of Rufus Laird and May Cannon; (2) twelve and one half acres on the old county road adjoining the lands of George Hall, Mammie Horner and William Horner; (3) and one half interest in nineteen and one half acres of land adjoining the lands of James Noble and Mammie Horner which were conveyed to George W. Noble and James A. Noble by Katie Wallace by deed dated September 8, 1919, recorded among land records of said Somerset County, Maryland, W.J.S., No. 79, folio 192.

2. That being so seized and possessed, the said George W. Noble departed to life intestate on April 30, 1930 without leaving any widow and leaving the following as his only children and heirs of law:

Your Orator, George A. Noble, adult, resident of Somerset County, Maryland.
Your orator, Anna Hall, adult, resident of said Somerset County.
Your Orator, Ethel Edley, adult, resident of Gails Creek, Oregon.
Your Orator, Harry Noble, resident of said Somerset County
Your Oratorix, Ruth Parks, adult, resident of said Somerset County
Your Orator, Ralph Noble, adult, resident of said Somerset County
Your orator, Robert Noble, adult, resident, of Wicomico County.
The defendant Dwight Wilson, adult, husband of Rotha Wilson, resident of said Somerset County.
The defenant, Ruth King, adult, resident of said Wicomico County, a daughter of said Rotha Wilson
The defendant, Rita Fields, adult, daughter of Rotha Wilson, resident of said Wicomico County.
The defendant, Pauline Parks, adult, of said Somerset County, daughter of the said Rotha Wilson
The defendant, Ilene Wallace, adult, of said Somerset County, daughter of the said Rotha Wilson.
The defendant Donald Wilson, infant, resident of said Somerset County, son of the said Rotha Wilson.
The defendant Brent Oliver Wilson, infant, of said Wicomico County, son of Oliver Wilson who was a deceased son of the said Rotha Wilson.

3. 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 interest it will be necessary that the said real estate be sold and the proceeds therefrom divided among the parties entitled thereto according to their respective interests,

but your orators that are unable to obtain adequate relief and make sale of said real estate without the aid of this Honorable Court.

To the end, therefore,

(1) That the decree may be passed by the sale of said real estate.

(2) That the proceeds from said sale may be distributed among the parties entitled to interest therein, according to their respective interests.

(3) That your orators may have such other and further relief as their case may acquire.

May it please Your Honor to grant unto your orators the writ of subpoena of the state of Maryland directed to the said Dwight Wilson, Pauline Parks, Ilene Wallace, adults, all of Somerset County, Maryland, Ruth King and Rita Fields, adults, of Wicomico County, Maryland., Donald Wilson, infant of said Somerset County and Brent Oliver Wilson, a minor of Wicomico County, Maryland, comanding them and each of them to be and appear in this court, in person or by solicitor, on some certain date 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.

L. Creston Beauchamp
Solicitor for Plaintiff.

And thereupon, in pursuance of the prayer of the foregoing bill the following subpoenaes were issued.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND,

TO Dwight Wilson, Pauline Parks, and Ilene Wallace of somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answer the complaint of George A. Noble, et als against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey Chief Judge of the First Judicial Circuit of Maryland, the first day of May Anno Domini 1944. ISSUED the first day of July Anno Domini 1944.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND,

TO DONALD WILSON, INFANT OF SOMERSET COUNTY, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of George A. Noble, et als, against you & others in the said Court exhibited. Hereof fail not at your peril

WITNESS, the Honorable Levin Claude Bailey Chief Judge of the First Judicial Circuit of Maryland, the first day of May Anno Domini 1944. ISSUED the first day of July Anno Domini 1944.

per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND,

TO Ruth King and Rita Fields of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answer the complaint of George A. Noble, et als. against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable Levin Claude Bailey Chief Judge of the First Judicial Circuit of Maryland, the first day of May Anno Domini 1944. ISSUED the first day of July Anno Domini 1944.

Per Order, Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO Brent Oliver Wilson, a minor of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of George A. Noble, et als against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, The Honorable Levin Claude Bailey, Chief Judge of the First Judicial Circuit of Maryland, the first day of May Anno Domini 1944. ISSUED the first day of July Anno Domini 1944.

per order,
Benjamin L. Barnes, Clerk.

At which said First MONDAY in August, in the year nineteen hundred and Forty six and the day of the return of the above recited writs, came again into Court here the said Complainants by their solicitor and the Sheriff of Somerset County, Murray E. Ward, to whom the first writ and second writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned severally and copy left.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy

To the second of said writs: Non Est.

Murray E. Ward, Sheriff
Woodland Jackson, Deputy.

On the same day and year aforesaid came into Court here the said Complainants by their Solicitor and the Sheriff of Wicomico County to whom the third and fourth writs aforesaid were in form aforesaid delivered for sercice, also came, and amde return thereof to the Court here in the words following to wit:

To the third of said writs: Summoned Ruth King and Rita Fields and copy of subpoena left with each of them this 27th day of July, 1944.

L.H. Brewington, Sheriff

To the fourth of said writs: Summoned Brent Oliver Wilson, a minor, by service upon and copy left with said minor, and copy left with Catherine Wilson, guardian of said infant, this 27th day of July, 1944.

L. H. Brewington, Sheriff.

And thereafter to wit on the twentieth day of October, Nineteen Hundred and Forty five a Petition was filed in Court here in the words following to wit:

George A. Noble, and others	)	NO. 5931 Chancery
vs.	)	In the Circuit Court for Somerset County
Dwight O. Wilson, and others	)	Maryland.
	)	

To the Honorable, the Judge of said Court:

The petition of Cathryn Wilson, respectfully represents that she is the widow of Oliver Wilson, a deceased son of Rotha Wilson, deceased daughter of George W. Noble, deceased; that she claims to be an heir of the said George W. Noble, deceased, and should be made a party to this suit.

Your petitioner, therefore, prays the Court to pass an order making her a party defendant in the above entitled cause.

And as in duty bound, etc.

Cathryn K. Wilson
Petitioner

Upon which said Petition the Court here passed the following order:

Upon the aforegoing petition of Cathryn Wilson, adult, of Wicomico County, Maryland, it is this 20th day of October, 1945, by the Circuit Court of Somerset County, Maryland, in Equity ordered that the said Cathryn Wilson be and she is hereby decreed to be a party defendant in

the above cause, and that subpoena be issued forthwith for the said Cathryn Wilson, as a party defendant herein.

Levin C. Bailey
Judge.

And thereupon in pursuance of the prayer of the foregoing petition the following subpoena "to lie" was issued.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO Cathryn Wilson, of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of George A. Noble & others against you & others in the said Court exhibited. Hereof fail not at your peril.

Witness, the Honorable W. Laird Henry Jr., Chief Judge of the First Judicial Circuit of Maryland the third day of September Anno Domini 1945. ISSUED the Twentieth day of October Anno Domini 1945.

Per Order,
Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Twenty Fifth day of April, Nineteen Hundred and Forty Six, the answer of Donald Wilson was filed in the words following to wit:

George A. Noble and others)	
Vs.)	NO. 5931 Chancery
Dwight O. Wilson and others)	In the Circuit Court for
)	Somerset County, Maryland.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The answer of Donald Wilson, one of the defendants in the above cause, respectfully represents that he has become twenty one years of age since the bill of complaint was filed, and that he neither admits nor denies the matters and facts alleged in said bill, but submits his rights to this honorable Court.

James D. Wilson
Defendant.

And afterwards to wit, on the Fourth day of May in the year Nineteen Hundred and Forty six, the answer of Catherine Wilson was filed in the words following to wit:

George A. Noble, and others)	
vs.)	NO. 5931 Chancery
Dwight O. Wilson, and others)	In the Circuit Court for Somerset County,
)	Maryland.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The answer of Cathryn Wilson, one of the defendants in the above cause, respectfully represents that she neither admits nor denies the matters and facts alleged in the bill of complaint in said cause; but submits her right to this Honorable Court.

Cathryn K. Wilson
Defendant.

And thereafter to wit, on the Fourth day of May in the year Nineteen Hundred and Forty six, the Solicitor aforesaid filed in Court here a petition in the words following to wit:

George A. Noble and others)	
Vs.)	NO. 5931 Chancery
Dwight O. Wilson and others)	In the Circuit Court for
)	Somerset County, Maryland.

To the Honorable, the Judge of said Court:

The petition of the plaintiffs in the above cause respectfully represent that Brent Oliver Wilson, a defendant in the above casue, has been duly summoned, but, being an infant, he cannot answer and defend this suit for himself, and has no guardian within the jurisdiction of this Court to answer and defend for him,

The plaintiffs therefore pray this Court to appoint a guardian ad litem to appear and answer for said infant defendant.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiffs.

Upon which said petition the Court here passed the following, order to wit:

Upon the foregoing petition it is ordered by the Circuit Court for Somerset County, Maryland in Equity this 4th day of May 1946, that Grace Barnes be and she is hereby appointed guardian ad litem to appear and answer for Brent Oliver Wilson, infant defendant in the above cause.

Levin C. Bailey
Judge.

And afterwards to wit, on the same day and the dame year the said Grace J. Barnes, as Guardian specially appointed, to represent the defendant, Brent Oliver Wilson, filed in Court here the following answer to wit:

George A. Noble and others	)	NO. 5931 Chancery
Vs.	)	In the Circuit Court for
Dwifght O. Wilson and others	)	Somerset County, Maryland.
	)	

To the Honorable, the Judge of said Court.

The answer of Brent Oliver Wilson, infant defendant in the above cause, by Grace Barnes, guardian ad litem appointed by the Circuit Court for Somerset County, to the bill of complaint of George A. Noble and others against Dwight O. Wilson and others in the said Court exhibited.

This defendant, for answer to the said bill of complaint, by his said guardian, answers and says, that being ignorant of the matters charged in the said bill, and being an infant of tender years, he cannot admit any of the allegations of said bill, but submits his rights to the protection of this Honorable Court.

And as in duty bound, etc.

Grace J. Barnes
Guardian Ad litem.

And afterwards to wit on the Fourth day of May, Nineteen Hundred and Forty six the following Non Military Affidavit was filed.

George A. Noble and others	)	NO. 5931 Chancery
vs.	)	In the Circuit Court for
Dwight O. Wilson and others	)	Somerset County, Maryland.
	)	

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 4th day of May, 1946, before me, the Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp, who made oath in due form of law that the said Dwight Wilson, Pauline Parks, Ilene Wallace, Ruth King and Rita Fields, nor any of them, are not engaged in or employed by the Military Service of the United States.

Benjamin L. Barnes
Clerk of the Court.

And thereafter to wit, on the Fourth day of May in the year Nineteen Hundred and Forty six, the said complainants by their solicitor filed in Court here a petition in the words following to wit:

George A. Noble and others	)	NO. 5931 Chancery
Vs.	)	In the Circuit Court for
Dwight O. Wilson and others	)	Somerset County, Maryland.
	)	

To the Honorable, the Judge of said Court:

The petition of the plaintiffs in the above cause respectfully represents that the

defendants, Dwight Wilson, Pauline Parks, Ilene Wallace, Ruth King and Rita Fields, adults, have all been summoned and have failed to file their answers to the said bill of complaint; and, Cathryn Wilson and Donald Wilson, both adults, have filed their answers to said bill of Complaint, and the said Brent Oliver Wilson, infant, has filed his answer by guardian ad litem appointed by this Court; the plaintiffs therefore pray the Court to pass a decree proconfesso against the said adult non-answereing defendants; and also to pass an order to take testimony in said cause.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiffs.

Upon which said petition the Court here passed the following order:

It appearing in the above cause that the said adult defendants, Dwight Wilson, Pauline Parks, Ilene Wallace, Ruth King and Rita Fields, have all been summoned to appear to the bill of complaint, and have failed to file their answer or to appear to said bill.

It is, thereupon, this 4th day of May, 1946, upon the aforegoing petition, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in equity, that the bill of complaint in the above cause be, and the same is hereby taken pro confesso against the said adult non answering defendant.

And it is further ordered that the plaintiffs have leave to take testimony before one of the standing examiners of this Court.

Levin C. Bailey
Judge.

And afterwards to wit, on the twenty-eighth day of May, in the year nineteen hundred and forty six, Harry C. Dashiell, Examiner in Chancery to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

George A. Noble and others	)	NO. 6931 Chancery
vs.	)	In the Circuit Court for
Dwight O. Wilson and others	)	Somerset County, Maryland.
	)	

In this cause an order having been passed for testimony to be taken to support the allegiations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, do hereby certify that on this _____day of May, 1946, in said Somerset County, I took the following testimony to wit:

George A. Noble, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1.Q. State your name, age, residence and occupation?

a. George A. Noble, 47 years, Monie, Maryland, carpenter.

2.Q. Did you know George W. Noble in his life time; is he living or dead, and, if dead, did he or not die intestate.?

a. George W. Noble was my father. He died on April 30, 1930, without leaving any will.

3. Q. Please state who are his heirs at law?

a. He left no widow and the following descendants:
A Son, George A. Noble; a daughter, Annie Hall; a son, Harry Noble; a daughter, Ruth Parks; a son, Ralph Noble, all adults, residing in Somerset County, Maryland, and Ethel Edley, an adult daughter, residing in Gails Creek, Oregon; and a son, Robert Noble, adult, resident of Wicomico County, Maryland, all of the above being plaintiffs in this case; and Dwight Wilson, of said Somerset County, Ruth King, Rita Fields, both of Wicomico County, Maryland, Pauline Parks and Ilene Wallace, both of said Somerset County, all of the above being adults and being the surviving husband and children of Rotha Wilson, a deceased daughter of the said George W. Noble, and Donald Wilson, adult, resident of said Somerset County, son of the said Rotha Wilson, and Brent Oliver Wilson, infant, of said Wicomico County, son of Oliver Wilson who was the deceased son of the said Rotha Wilson, deceased; and Cathereine Wilson, adult resident of said Wicomico County, widow of the said Oliver Wilson, deceased, and all of the above named people being defendants in this suit.

Q. 4. Please state what, if any, real estate the said George W. Noble left at his death, and give your idea of the value of it, and state whether or not the said real estate can be divided equally between the parties entitled to interests, or whether it must be sold and the money therefrom divided?

a. One acre with the house and out buildings adjoining the lands of Rufus Laird and Mae Cannon and being the residence of my father at his death, which I would say is worth about $1000.00; 12½ acres on the old county road adjoining the lands of James Noble, Mamie Horner and William Horner, which I think is worth about $500.00; and he also owned an one half interest in 19½ acres of woodland adjoining the lands of James Noble and Mamie Horner, which 19½ acres were conveyed to the said George W. Noble and James A. Noble by Katie Wallace by deed dated September 8, 1919, recorded among the land records of said Somerset County in Liber No. 79, folio 192, which I would value at $1500.00. It would be impossible to divide the property equally between the parties entitled to interests, but the same must be sold and the money divided.

Court Question and answer:

George A. Noble

Harry C. Dashiell

Harry E. Noble, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Q. 1. State your name, age, residence and occupation?

a. Harry E. Noble, 43 years, Monie, Maryland, carpenter.

Q. 2. Did you know George W. Noble in his life time; is he living or dead, and, if dead, did he or not die intestate?

a. George W. Noble was my father. He died on April 30, 1930, without leaving any will.

Q. 3. Please state who are his heirs at law?

a. He left no widow and the following descendants?
A son, George A. Noble; a daughter, Annie Hall; a son, Harry Noble, a daughter, Ruth Parks; a son, Ralph Noble, all adults, residing in Somerset County, Maryland, and Ethel Edley, an adult daughter, residing in Gails Creek, Oregon; and a son, Robert Noble, adult, resident of Wicomico County, Maryland, all of the above being plaintiffs in this case; and Dwight Wilson, of said Somerset County, Ruth King, Rita Fields, both of Wicomico County, Maryland, Pauline Parks and Ilene Wallace, both of said Somerset County, all of the above being adults and being the surviving husband and children of Rotha Wilson, a deceased daughter of the said George W. Noble, and Donald Wilson, adult, resident of said SomersetCounty, son of the said Rotha Wilson, and Brent Oliver Wilson, infant, of said Wicomico County, son of Oliver Wilson who was the deceased son of the said Rotha Wilson, deceased; and Catherine Wilson, adult resident of said Wicomico County, widow of the said Oliver Wilson, deceased, and all of the above named people being defendants in this suit.

Q. 4. Please state what, if any, real estate the said George W. Noble left at his death and give your idea of the value of it, and state whether or not the said real estate can be divided equally between the parties entitled to interests, or whether it must be sold and the money therefrom divided?

a. One acre with the house and out buildings adjoining the lands of Rufus Laird and Mae Cannon and being the residence of my father at his death, which I would say is worth about $1000.00; 12½ acres on the old county road adjoining the lands of James A. Noble, Mamie Horner and William Horner, which I think is worth about $500.00 and he also owned an one half interest in 19½ acres of woodland adjoining the lands of James Noble and Mamie Horner, which 19½ acres were conveyed to the said George W. Noble, and James A. Noble by Katie Wallace by deed dated September 8, 1919, recorded among the land records of said Somerset County in Liber No. 79, folio 192, which I would value at $1500.00. It would be impossible to divide the property equally between the parties entitled to interests but the same must be sold and the money divided.

Court question and answer: nothing further

Harry Noble

Harry C. Dashiell.

There being no further witness present to be examined, and at the suggestion of the plaintiff, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct and has been paid in full by the plaintiff.

Harry C. Dashiell
Examiner in Chancery. Seal

Harry C. Dashiell Examiner $4.00

And thereafter to wit, on the Twelfth day of June in the year nineteen hundred and forty six, the Circuit Court here passed the following decree in the premises to wit:

George A. Noble, and others	)	No. 5931 Chancery
Vs.	)	In the Circuit Court for
Dwight Wilson and others	)	Somerset County, Maryland.
_____	)	

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

It is thereupon, this 12th day of June, 1946, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings be sold; that L. Creston Beauchamp be and he is hereby appointed trustee to make such sale, the course and manner of his said proceeding to be as follows: He shall first file in the office of the Clerk of the Circuit Court for said Somerset County a corporate bond to the State of Maryland in the sum of twenty five hundred dollars, conditioned upon the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate having given at least three weeks previous notice inserted in some newspaper printed in said Somerset County and such other notice as he may think proper of the time, place, manner and terms of sale, which terms shall be cash on the day of sale.

And as soon as may be convenient after any such sale, the trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale annexed. And on the ratification of such sale by this Court and on the payment of the entire purchase money, and not before, the trustee by good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser or purchasers of said property to his, her or their heirs, the property to him, her or them sold, free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from or under them. And the said trustee shall bring into this Court the money arising from said sale, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commissions to the said trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

And, it is further ordered, that at the time of advertising such sale, the trustee shall give notice to the creditors of George W. Noble, deceased, to file with the Clerk of the Court in these proceedings their respective claims, duly proven; within sixty days from the date of sale.

Edmond H. Johnson
Judge.

And thereupon the said L. Creston Beauchamp, Trustee filed a Bond in the Court here in the words following to wit:

George A. Noble, and others	)	NO. 5931 Chancery
Vs.	)	In the Circuit Court for
Dwight Wilson, and others	))	Somerset County, Maryland.
	)	

KNOW ALL MEN BY THESE PRESENTS, That we, L. Creston Beauchamp, of Somerset County, Maryland, principal, and the Maryland Casualty Company, a Maryland Corporation, surety, are held and firmly bound unto the State of Maryland in the full and just sum of twenty four hundred 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 23" day of August, 1946.

WHEREAS by a decree of the Circuit Court for Somerset County, bearing date the 12th day of June, 1946, and passed in a cause in said Court pending wherein George A. Noble and others are complainants and Dwight Wilson and others are defendants, the same being No. 5931 on the Chancery Docket of said Court, the above named L. Creston Beauchamp was appointed Trustee, with power to sell the real estate in said cause decreed to be sold, and whereas the said L. Creston Beauchamp, is about to enter upon the execution of said trust;

NOW THE CONDITION of the above obligation is such that, if the above bounden L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue of law.

L. Creston Beauchamp Seal

MARYLAND CASUALTY COMPANY BY

Test: Benjamin L, Barnes. Seal.

L. C. Beauchamp
Attorney in Fact

Which said Bond was thus thereon endorsed to wit:

The within Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Nineteenth day of September in the year Nineteen hundred and forty six, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following to wit:

George A. Noble and others	)	NO. 5931 Chancery
Vs.	)	In the Circuit Court for
Dwight Wilson, and others	))	Somerset County, Maryland.
	)	

The report of L. Creston Beauchamp, Trustee in the above entitled cause, appointed by a decree of this court dated June 12, 1946, to make sale of the real estate mentioned, respectfully shows:

That by virtue of the power and authority contained in said decree and after having given bond with approved security, as required by law, conditioned upon the faithful performanc of the trust reposed in him by said decree, and after having given at least twenty one days notice of the time place, manner and terms of sale by advertisement in the Marylander & herald, a weekly newspaper published in said county and by handbill posted at the Court House door in said county, he did in pursuance of said notice, attend at the Court House door in Princess Anne, Maryland, on Tuesday, September 17, 1946, at or about the hour of two O'clock P.M. and then and there proceeded to sell at public auction the following described property mentioned in said decree namely:

1. He first offered all that tract of land in St. Peter's Election District, Somerset County, Maryland, on the old county road adjoining the lands of George Hall, Mamie Horner and William Horner, and containing twelve and one half acres, more or less; which was conveyed to George W. Noble by William M. McDaniel, Executor, by deed dated April 19, 1896, recorded among the land records of said Somerset County in Liber No. 24, folio 437, and sold the same to Ralph Noble, of Somerset County, Maryland, at and for the sum of one hundred dollars, which he has paid in cash.

2. He next offered all that lot of land in St. Peter's Election District, Somerset County Maryland, on the old county road leading to Deal Island, adjoining the lands of Rufus Laird and Mae Cannon, and containing one acre, more or less, where the said George W. Noble resided at the time of his death, being the same land which was conv eyed to George W. Noble by Thomas J. Windsor and wife, by deed dated November 18, 1922, recorded among the said land records in Liber No. 86, folio 396, improved by a large and comfortable dwelling and necessary outbuildings, and sold the same to Ralph Noble, of Somerset County, Maryland, at and for the sum of three hundred dollars, which he has paid in cash.

3. He next offered for sale all that one half interest in all that tract of woodland in St. Peter's Election District, Somerset County, Maryland, adjoining the lands of James Noble and Mamie Horner, which was conveyed to George W. Noble and James A. Noble by Katie Wallace by deed dated September 18, 1919, recorded among the said land records in Liber No. 79, folio

192, and sold the same to J. Denwood Noble, of Somerset County, Maryland, at and for the sum of one hundred dollars, which he has paid in cash.

And the trustee prays a ratification of his proceedings in the premises.

All of which is respectfully submitted.

L. Creston Beauchamp
Trustee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 19th day of September, 1946, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp the trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk of Court.

Upon which said Report the Clerk of the Circuit Court here passed the following order, to wit:

George A. Noble, and others	)	NO. 5931 Chancery
Vs.	)	In the Circuit Court for
Dwight Wilson and others	)	Somerset County, Maryland.
	)	

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 19th day of September, 1946, that the report of L. Creston Beauchamp, trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported, be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 22nd day of October, 1946, provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 21st day of October 1946.

The report states the amount of sale to be $600.00.

Benjamin L. Barnes
Clerk of Court.

And now at this day to wit, on the Twentieth day of November, Nineteen hundred and forty six, came again into Court here the said Complainants by their solicitor aforesaid, and on motion of the said complainants by their solicitor aforesaid, the Court here passed the following order, to wit:

George A. Noble and others	)	No. 5931 Chancery
Vs.	)	In the Circuit Court for
Dwight Wilson and others	)	Somerset County, Maryland.
	)	

It having been proved to the Court that a copy of the preceding order nisi has been published according to its provisions, and no exceptions having been filed and no cause to the contrary having been shown, it is this 20th day of November, 1946, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the within report of L. Creston Beauchamp, trustee, and the same by him reported, be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
Judge.

And thereafter to wit on the Tenth day of December, Nineteen Hundred and Forty six, the Trustee aforesaid filed in Court here a Petition which petition is in the words following to wit:

George A. Noble and others)	No. 5093 Chancery
Vs.)	In the Circuit Court for
Dwight O. Wilson and others)	Somerset County, Maryland.
)	

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of L. Creston Beauchamp, Trustee in the above cause, respectfully represents that the report of sale heretofore filed was incorrect in the statement made in the third paragraph that the one half interest of the property therein sold was sold for two hundred dollars, as the entire property mentioned in said third paragraph sold for two hundred dollars and only an one half interest was offered for sale, so that there is one hundred dollars due to the Trustee from the sale of the property mentioned in paragraph number three.

That the Order Nisi reports the total amount of sale to be six hundred dollars, when the correct total is five hundred dollars.

Your petitioner asks leave of the Court to correct the report of said sale by changing the word "two" to "one" so as to make the phrase in the last complete line in paragraph number three read "at and for the sum of one hundred dollars", instead of being as it now is "at and for the sum of two hundred dollars";

And your petitioner further prays that this Court pass a corrected order Nisi making the amount of sale to be five hundred dollars and to have the said corrected Order Nisi published in the said newspaper.

And as in duty bound, etc.

L. Creston Beauchamp.
Trustee.

Upon which said Petition the Court here passed the following order:

Upon the aforegoing petition it is this 10th day of December, nineteen hundred and forty six, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the said L. Creston Beauchamp, Trustee in this proceeding, be and he is hereby authorized to correct and amend the report of sale heretofore filed in this cause by changing the phrase in the last line of paragraph number three of said report to read "at and for the sum of one hundred dollars", instead of "at and for the sum of two hundred dollars.".

And it is further ordered that a corrected Order Nisi stating the amount of sales to be five hundred dollars, be passed in this cause.

Edmond H. Johnson
Judge.

And afterwards to wit on the Thirteenth day of December, Nineteen hundred and forty six, an Amended Order Nisi was filed in the words following to wit:

George A. Noble and others)	No. 5939 Chancery
Vs.)	In the Circuit Court for
Dwight O. Wilson and others)	Somerset County, Maryland.
)	

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 13th day of December 1946, that the report of L. Creston Beauchamp, trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported, be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 20th day of January, 1947; provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 18th day of January 1947.

The report states the amount of sale to be $500.00.

Benjamin L. Barnes
Clerk of Court.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK.

"""""""""""""""""""""""""""""""""""""

Glenwood Evans Vs. Joseph H. Peed, Olivia Peed and Glenwood Evans, Administrators of the Estate of Otho L. Peed deceased.	)))))	Be it remembered that heretofore to wit on the Eighteenth day of June in the year Nineteen Hundred and Forty six, a certain Glenwood Evans by Edgar A. Jones, his solicitor exhibited and filed in the Circuit Court here a bill of complaint against Joseph H. Peed, Olivia Peed and Glenwood Evans, Administrator of the Estate of Otho L. Peed,

deceased, which said Bill of Complaint is in the words following to wit:

Glenwood Evans vs. Joseph H. Peed, Olivia Peed and Glenwood Evans Administrator of the Estate of Otho L. Peed, deceased.	)))))	No. 6166 Chancery In the Circuit Court for Somerset County, Maryland In Equity.

To the Honorable, the Judge of the Circuit Court for Somerset County:

Your Orator, who sues as well for himself as for all other creditors of Otho L. Peed, late of Somerset County, deceased, who will come in and contribute to the expenses of this suit, complaining says:

1. That a certain Otho L. Peed being indebted to your orator and divers other persons and being seized of real estate in Somerset County, departed this life on or about the third day of June, nineteen hundred forty six.

2. That the said Otho L. Peed was in his lifetime, indebted to the complainant on a certain judgment entered against the said Otho L. Peed, on the second day of October nineteen hundred thirty nine, for the sum of $406.57, with interest from said date and $40.60 collection charges and $7.00 costs, and of record among the records of Somerset County in the Circuit Court, in No. 35 Appearances, September Term, 1939, a short copy of which said judgment is filed herewith and marked "Exhibit A"; no part of which said judgment has been paid.

3. That the said Otho L. Peed left surviving as his only heirs a law, his father, Joseph H. Peed and his mother, Olivia Peed, both adults, residing in Northampton County, Virginia.

4. That the said Otho L. Peed died intestate and your orator is advised that the personal estate in the hands of his administrator, is wholly insufficient for the payment of all his just debts and that your orator and other creditors are entitled to have their claims paid out of the real estate of said deceased.

5. That the said Otho L. Peed died, seized and possessed of certain real estate, located in Somerset County, Maryland, in Westover Election District, between the State Road running from Kings Creek to Westover and the Crisfield line of the Pennsylvania Railroad Company; part of which said land was conveyed unto the said Otho L. Peed by Helen V. Ames and Charles B. Ames her husband, by deed dated June 8, 1938, recorded among the land records of Somerset County in Liber JMT No. 115, folio 70; certified copy of which said deed is filed herewith, marked, " Exhibit B" and the remaining said real estate which adjoins the above described lot was purchased by the said Otho L. Peed from the said Helen V. Ames but the said Otho L. Peed died before receiving a deed or deeds for said property.

To the end therefore:

(a) That the real estate of the said Otho L. Peed or so much thereof as may be necessary may be sold for the purpose of the payment of the claim of your orator and those of other unsatisfied creditors of the deceased.

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

May it please Your Honor, to grant unto your orator, the writ of subpoena, directed to the said Glenwood Evans, administrator of the estate of Otho L. Peed, residing in Somerset County, commanding him to be and appear, either in person or by solicitor, in this court on or before a certain day to be named therein and show cause, if any he has, why a decree ought not to be passed as prayed, also, the order of publication, giving notice to the said Joseph H. Peed and Olivia Peed, adults, nonresidents, residing in Northampton County, Virginia, of the object and substance of this bill, warning them to be and appear in this court, in person or by solicitor, on or beofre a certain day to be named therein, and show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

Edgar A. Jones
Solicitor for Plaintiff.

Exhibit "A" referred to in the aforegoing bill is in the words following to wit:

Glenwood Evans	)	IN THE CIRCUIT COURT FOR SOMERSET COUNTY, Sept. Term, 1939
	)	Short copy of Judgment No. 35 appearances
Vs.	)	Damages $406.57
	)	Costs 7.00
	)	Collection fee 40.60
	)	Judgment Oct. 2, 1939
Otho L. Peed	)	Interest from date
	)	Exemption waived.
		Test: Benjamin L. Barnes , Clerk.

Exhibit "B" referred to in the foregoing bill is in the words following to wit:

Deed	)	THIS DEED, Made this 8th day of June, in the year nineteen hundred
Otho L. Peed	)	and thirty eight, by Helen V. Ames and Charles B. Ames, her husband
From	)	both of Somerset County and State of Maryland, witnesseth;
Helen V. Ames Charles B. Ames	)	That in consideration of the sum of seventy five dollars (
	)	$75.00) the receipt of which is hereby acknowledged, the said Helen

V. Ames and Charles B. Ames do hereby grant and convey unto Otho L. Peed, of said County and State, all that lot or parcel of land situate in Westover Election District, Somerset County, Maryland, between the State road running from Kings Creek to Westover and the Crisfield line of the Pennsylvania Railroad more fully described as follows:

Beginning for the same at a culvert on the east side of the said State road which goes over a ditch running from the Pennsylvania Railroad to the land of George Hickman and being the extreme corner of the land of the said Helen V. Ames which lies on the east side of said State Road running from said culvert in an easterly direction at a right angle of said road to the aforesaid Pennsylvania Railroad right of way; thence with the said Railroad right of way in a northerly direction a distance of 105 ft. to a stone; thence in a westerly direction and parallel to the first line to a stone at the aforesaid state road; thence with the said state road in a southerly direction 105 ft to the place of beginning containing one half acre more or less, said lot or parcel of land being part only of what is described as Lot No. 4 of Part No. 2, as laid down and described on a plat filed with a deed to Henry F. Barnes from Isaac T. Barnes, dated May 1, 1902, and recorded among the land records of Somerset County in Liber OTB No. 33, folio 80, etc, and being part only of the woodland which was devised to the said Helen V. Ames by Henry F. Barnes by will dated October 21, 1935, and recorded among the testamentary records of Somerset County, to which said deed and will, reference is here made for a more accurate description of the land and premises of which the lot hereby conveyed is a part.

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

To have and to hold the said lot of 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 Otho L. Peed.

And the said Helen V. Ames and Charles B. Ames, her husband, do hereby covenant that they will warrant specially the property hereby conveyed; and that they will execute such further assurances of said land as may be requisite.

As witness the hands and seals of the said grantors.

Witness: Eunice Pilchard. Helen V.B. Ames Seal

Chas. B. Ames Seal

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 8th day of June, in the year nineteen hundred and thirty eight, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Helen V. Ames and Charles B. Ames, her husband, and acknowledged the foregoing deed to be their act and deed.

As witness my hand and Notarial Seal the day and year first above written.

10¢ State Stamps: Eunice Pilchard Seal of

Notary Public Notary

Received for Record June 8th, 1938, and recorded in Liber JMT No. 115, folio 70, one of the land records of Somerset County.

Per J.Millard Tawes, Clerk.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, hereby certify that the foregoing is truly and correctly copied from Liber JMT No. 115, folio 70, one of the land records of Somerset County.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court, this eighteenth day of June, Nineteen Hundred and forty six.

Benjamin L. Barnes, Clerk.

And afterwards to wit on the First day of July, in the year Nineteen Hundred and Forty six, the answer of Joseph H. & Olivia Peed was filed in the words following to wit:

Glenwood Evans)	NO. CHANCERY
Vs.)	IN THE CIRCUIT COURT FOR
Joseph H. Peed and) Olivia Peed and Glenwood Evans, administrator of) the Estate of Otho L. Peed) deceased)	SOMERSET COUNTY, MARYLAND
)	IN EQUITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT

The defendants, Joseph H. Peed and Olivia Peed, for answer to the bill of complaint in the above case, respectfully represents:

1. That these defendants admit the matters and things alleged in said bill of complaint and consent to the passage of such decree as may be right and proper in the premises.

And, as in duty bound, etc.

Joseph H. Peed

Olivia Peed

Howard H. Adams
Solicitor for Defendants. Defendants.

STATE OF VIRGINIA, NORTHAMPTON COUNTY, TO WIT:

I hereby certify, that on this 27 day of June, in the year nineteen hundred and forty six, before me, the subscriber, a Notary Public of the State of Virginia in and for the County aforesaid personally appeared Joseph H. Peed and Olivia Peed and each made oath in due form of law that the matters and things stated in the foregoing answer are true to the best of their knowledge and belief.

As witness my hand and Notarial Seal the day and year above written.

Mabel Pruitt Adams — Seal of Notary

Notary Public
my commission expires Sept. 22, 1946.

And afterwards to wit, on the twenty third day of July in the year Nineteen Hundred and forty six, the answer of the Defendant was filed in the words following to wit:

Glenwood Evans	)	NO. CHANCERY
Vs.	)	IN THE CIRCUIT COURT FOR
Joseph H. Pedd and Olivia Peed and Glenwood Evans, Administrator of the Estate of Otho L. Peed, Deceased.	)	SOMERSET COUNTY, MARYLAND
	)	IN EQUITY.

TO THE HONORABLE THE JUDGE OF SAID COURT:

The defendant, Glenwood Evans, Administrator of the Estate of Otho L. Peed, deceased, for answer to the bill of complaint in the above case, respectfully represents:

1. That this defendant admits the matters and things alleged in said bill of complaint and consents to the passage of such decree as may be reight and proper in the premises.

and, as in duty bound, etc.

Glenwood Evans
Administrator of the Estate of Otho L.Peed.

State of Maryland, Somerset County, to wit:

I hereby certify, that on th s 22n day of July, in the year nineteen hundred forty six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Glenwood Evans, Administrator of the Estate of Otho L. Peed deceased, and made oath in due form of law that the matters and things stated in the aforegoing answer are true to the best of his knowledge and belief.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford — Seal of Notary

Notary Public

And afterwards to wit, on the twenty ningh day of August in the year Nineteen Hundred and Forty six, Harry C. Dashiell, Examiner in Chancery to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Glenwood Evans	)	No. Chancery
Vs.	)	In the Circuit Court for
Joseph H. Peed, Olivia Peed and Glenwood Evans, administrator of the Estate of Otho L. Peed, deceased.	)	Somerset County, Maryland
	)	In Equity.

In the cause, the testimony to be taken in support of the allegations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc, do hereby certify that on this 29th day of August, in the year nineteen hundred forty six, in Somerset County aforesaid, I did take the following testimony to wit:

Glenwood Evans, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Int. 1. Please state your name, age, residence and occupation.

ans. Glenwood Evans, age 45 years, residence-Crisfield, Maryland, occupation, gasoline distributor.

Int. 2.-Do you know the parties to this suit?

ans. Yes, I am the plaintiff and I knew the defendant in his lifetime. He died, intestate about the 3rd day of June, 1946.

Int. 3- Has there been any administration on his estate and if so, are the personal assets sufficient to pay the debts of the said Otho L. Peed?

ans. I was appointed Administrator of the Estate, on which I am now administering. The assets of that estate are wholly insufficient to pay his debts.

Int. 4- Please state, if you know, the heirs at law of the said Otho L. Peed?

ans. Peed was unmarried and left as his only heirs at law, his mother, Olivia Peed and his father Joseph H. Peed, both of whmm are adults, residing in Northampton County Virginia.

Int. 5- Please state whether or not Otho L. Peed was indebted to you at the time of his death, and if so, to what extent and has said indebtedness bee paid.

ans. Peed was indebted to me in the principal sum of $406.57 with interest from October 2, 1939; $40.60 collection charges and $7.00 costs, secured by a judgment entered in No. 35 Appearances, September Term, 1939 in the Circuit Court for Somerset County.

Int. 6- Did Otho Peed own any real estate in Somerset County at the time of his death?

ans. Yes, he owned a small piece of land in Westover Election District, on the State Road leading from Princess Anne to Westover, which was conveyed to him by Helen B. Ames and husband, by deed dated June 8, 1938 and recorded among the land records of Somerset County in Liber JMT No. 115, folio 70. This property is improved by a small frame store house and in my opinion is not worth more than $500 or $600. dollars.

Court Question

answer: Nothing further

Glenwood Evans Seal

Witness: Harry C. Dashiell

Harry T. Phoebus, a witness of lawful age, produced on the part of the plaintiff being first duly sworn, deposes and says:

Int. 1- Please state your name, age, residence and occupation.

ans. Harry T. Phoebus, age_____years, reside at Oriole, Somerset County and my occupation is that of used car dealer.

Int. 2- Do you know the parties to this suit, if so, how long have you know them and where do they reside?

ans. I know the plaintiff, and have known him for many years. I know of the defendants who reside in Northampton County, Virginia. They are all adults above the age of 21 years.

Int. 3-Did you know Otho Peed in his lifetime and if so, is he living or dead, and if dead did he leave a will?

ans. Yes, I knew him for a number of years. He died in the summer of 1946, intestate.

Int. 4- Please state whether or not there was ever any administr tion on his estate and whether or not his personal estate was sufficient to pay his debts?

ans. Administration is being had on his estate at this time, but it is wholly insufficient to pay the debts that I know he had.

Int. 5- Please state whether or not Otho Peed left any real estate in Somerset County?

ans. Yes, he left a lot in Westover Election District, improved by a small store house.

Int. 6- Please state where he acquired this property, and in your opinion, its value?

ans. He bought the land from Mrs. Helen Ames six or eight years ago and built a small store house on it. In my opinion this property is not worth over $700.00.

Int. 7- What, if anything, do you know the debts of the deceased?

ans. I know that he has not paid the funeral expenses and owes Frank B. Holland, the undertaker approximately $300 for these. I understand that he also owes T. L. Ruark and Company something over $100.00 and that I understand that Mr. Evans has a judgment against him for several hundred dollars.

Court Question:

answer: Nothing further.

Harry C. Dashiell. Harry T. Phoebus Seal

There being no further witnesses produced to me to be examined, I herewith at the request of the plaintiff's Solicitor return the above depositions to Court, closed under my hand and seal and certify that the annexed statement of costs is correct.

Given under my hand and seal this 29th day of August, nineteen hundred and forty six.

Bill of Costs: Harry C. Dashiell

Harry C. Dashiell, Examiner $4.00 Examiner in Chancery

And thereafter to wit, on the Fourteenth day of September in the year nineteen hundred and forty

six, the Circuit Court here passed the following decree in the premises to wit:

Glenwood Evans vs. Joseph H. Peed, Olivia Peed and Glenwood Evans, Administrator of the Estate of otho Peed, deceased.	NO. 6166 Chancery CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND.

The above cause standing ready for hearing and having been submitted, the proceedings therein were by the Court read and considered:

It is thereupon this fourteenth day of September in the year nineteen hundred and forty six, by the Circuit Court for Somerset County, Maryland ADJUDGED, ORDERED AND DECREED, that the property in the proceedings mentioned be sold, and that Edgar A. Jones, he is hereby appointed Trustee to make 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 hi self and a personal surety or sureties to be approved by this Court or by the Clerk thereof, in the penalty of Fifteen Hundred dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises he shall then proceed to make the said sale, having given at least three weeks notice by advertisement inserted in such weekly newspaper or newspapers published in Somerset County as he shall think proper, of the time, place, manner and terms of sale, which shall be one half cash upon the day of sale, and the balance to be paid within six months from the date of sale, or allcash, at the option of the purchaser or purchasers, the credit portion if any, to bear interest from the day of sale and soon as may be conveneinet after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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, 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 thier heirs or assigns 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 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 the Court, after deducting 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.

Levin C. Bailey
Judge.

And thereupon the said Edgar A. Jones, Trustee filed a Bond in the Court here in the words following to wit:

Know all men by these presents, That we, Edgar A. Jones and E. Mace Smith and L. Shanley Ford, all of Somerset County, State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of fifteen hundred 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 jointly and severally, firmly by these prsents; sealed with our seals and dated this 17th day of September 1946.

Whereas, the above bounden Edgar A. Jones, by a decree of the Circuit Court for Somerset County, has been appointed Trustee to sell the property mentioned in the proceedings in the case of Glenwood Evans vs Joseph H. Peed, et als, the same being No. 6166 Chancery in said Court

Now the condition of the above obligation is such, that if the above bounden Edgar A. Jones, 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.

Witness: Benjamin L. Barnes.

Edgar A. Jones, principal Seal
E. Mace Smith Seal
L. Shanley Ford Seal

Which said bond was thus thereon endorsed to wit:

The within bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Sixteenth day of October in the year Nineteen Hundred and Forty Six, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following to wit:

Glenwood Evans Vs. Joseph H. Peed, Olivia Peed and Glenwood Evans, Administrator of the Estate of Otho Peed, deceased.	)))))	NO. 6166 Chancery In the Circuit Court for Somerset County, Maryland.

To the Honorable, the Judge of the Circuit Court for Somerset County:

The report of Edgar A. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the fourteenth day of September, 1946, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of his trust, and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement inserted in the Marylander & Herald, a weekly newspaper published in Somerset County for at least three successive weeks before the day of sale, and by posters conspicuously placed throughout the vicinity of the property, he did, pursuant to said notice, attend at the Court House Door inPrincess Anne, Maryland, on the 12th day of October; 1946, and then and there proceeded to sell the said property in manner following, that is to say:

Your trustee offered at public sale to the highest bidder, the property mentioned in said decree, situate in Westover Election District, Somerset County, Maryland,between the State Road running from Kings Creek to Westover and the Crisfield Branch of the Pennsylvania Railroad Company, beginning for the same at a culvert on the east side of the said State Road which goes over a ditch running from the Pennsylvania Railroad to the land of George Hickman and being the extreme corner of the land of Helen V. Ames which lies on the east side of said State Road running from said Culvert in an easterly direction at a right angle of said road to the aforesaid Pennsylvania Railroad right of way; thence with the said Railroad right of way in a northerly direction a distance of 105 feet to a stone; thence in a westerly direction and parallel to the first line to a stone at the aforesaid state road; thence with the said State Road in a southerly direction 105 feet to the place of beginning, containing one half acre more or less, being the same land conveyed unto Otho L. Peed by Helen V. Ames and husband by deed dated June 8, 1938 recorded among the land records of Somerset County in Liber JMT No. 115, folio 70, and your Trustee sold the above described property to Glenwood Evans, at and for the sum of six hundred fifty dollars, he being at that sum, the highest bidder therefor, and the purchaser has complied with the terms of sale.

Respectfully submitted,

Edgar A. Jones.
Trustee.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify, that on this 16th day of October, in the year nineteen hundred and forty

six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Trustee, and made oath in due form of law that the matters and things stated in the aforegoing report 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 the day and year above written.

Sally L. Ford — Seal of
Notary Public — Notary

Upon which said Report the Clerk of the Circuit Court here passed the following order to wit:

Glenwood Evans	)	
Vs.	)	NO. 6166 CHANCERY
Joseph H. Peed, Olivia Peed and Glenwood Evans, Administrator of the Estate of Otho L. Peed, deceased	)	IN THE CIRCUIT COURT FOR
	)	SOMERSET COUNTY, MARYLAND
	)	

ORDER NISI

Ordered by the Circuit Court for Somerset County, this 16th day of October, in the year nineteen hundred forty six, that the sale of the property mentioned in these proceedings made and reported by Edgar A. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 18th day of November, 1946.

Provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 16th day of November next.

The report states the amount of sale to be six hundred fifty ($650.00) dollars.

Benjamin L. Barnes, Clerk.

And now at this day to wit, on the Twenty seventh day of November, Nineteen Hundred and forty six, came again into Court here the said Complainant by his solicitor aforesaid, and on motion of the said complainant by his solicitor aforesaid, the Court here passed the following order to wit:

ORDER

Ordered by the Circuit Court for Somerset County, this 27th day of November, 1946, 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 the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes. CLERK

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In the Matter of William Sidney Causey, Non Compos Mentis) Be it remembered that heretofore to wit on the Eighth Day of July in the year Nineteen Hundred and Forty Six, a certain Maude V. Causey by Edgar A. Jones, her solicitor exhibited and filed in the Circuit Court here a Petition and Order and Certificates of attending physicians which papers aforesaid are in the words following to wit:

In the matter of	No. 6175 Chancery
William Sidney Causey	In the Circuit Court for
Non Compos Mentis	Somerset County, Maryland.

To the Honorable, the Judges of said Court:

The petition of Maude V. Causey, next friend of William Sidney Causey respectfully represents:

First: That the said William Sidney Cause is the husband of Maude V. Causey, both residence of Somerset County, in the State of Maryland.

Second: That for a period of approximately thirteen years, the said William S. Causey has been suffering from melancholia to such an extent as to make him totally mentally incompetent at certain periods.

Third: Since February, 1946, he has been confined in the Eastern Shore State Hospital at Cambridge, Maryland and the said Maude V. Causey is advised that he is non compos mentis.

Fourth: That on thi 21st day of January, 1925, the said William Sidney Causey and Maude V. Causey acquired by deed from Clayton T. Marriner and wife, recorded among the land records of Somerset County in Liber WJS No. 91, folio 341, a farm containing approximately forty and three quarters acres in East Princess Anne Election District, Somerset County, Maryland, on the north side of the County Road leading from Princess Anne to West Post Office, adjoining the lands owned or formerly owned by Charles C. Ball. This property is improved by a nice dwelling and out-buildings but it is located some five miles from Princess Anne and it is impossible for the said Maude V. Causey to operate said farm by herself; consequently the fields are growing up and the buildings will depreciate. She desires that this farm be sold and the proceeds invested in a home near the daughter of the said William Sidney Causey and Maude V. Causey. The said farm is worth approximately three thousand dollars.

Your petitioner therefore prays that the said William Sidney Causey may be adjudicated a lunatic and that a committee or trustee be appointed of his estate.

And as in duty bound, etc.

Edgar A. Jones
Solicitor for Petitioner

Maude V. Causey
Petitioner.

State of Maryland, Somerset County, to wit:

I hereby certify that on this 27th day of June, in the year nineteen hundred and forty six before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Maude V. Causey and made oath in due form of law that the matters and things stated in the aforegoing petition are true to the best of her knowledge and belief.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford
Notary Public

Seal of
Notary.

STATE OF MARYLAND, DORCHESTER COUNTY, TO WIT:

I hereby certify that on this 3rd day of July, in the year nineteen hundred and forty six, before the subscriber, a Notary Public of the State of Maryland, in and for Dorchester County, personally appeared Robert E. Gardner, M.D. of Cambridge, Maryland, who, after having been duly sworn deposed and said as follows:

That he is a medical doctor, duly licensed to practice his profession in the State of Maryland, and that he is a neuropsychiatrist and a member of the Staff of Eastern Shore State Hospital at Cambridge, Maryland; that he knows Mr. Sidney Causey, who is a patient at the said Eastern Shore State Hospital, and that he has examined the said Sidney Causey within the last ten (10) days and found his condition to be as follows:

That he is mentally incompetent to take charge of and manage his property and estate, and that the probable duration of said incompetency is unknown; that he is of the opinion that it would be seriously detrimental to the said Sidney Causey, both physically and mentally, to require him to appear before a Court as a witness, or to be present at a hearing before a Court concerning his mental and physical condition and his capacity to manage his property and estate.

Robert E. Gardner, M.D.

Subscribed and sworn to before me this 3rd day of July, A.D., 1946.

Bessie O'Neal Orem — Seal of Notary

Notary Public

STATE OF MARYLAND, DORCHESTER COUNTY, TO WIT:

I hereby certify that on this 2nd day of July, in the year nineteen hundred and forty six before the subscriber, a Notary Public of the State of Maryland, in and for Dorchester County personally appeared Grace M. Branscombe, M.D. of Cambridge, Maryland, who, after having been duly sworn, deposed and said as follows:

That she is a medical doctor, duly licensed to practice her profession in the State of Maryland, and that she is a neuropsychiatrist and a member of the staff of Eastern Shore State Hospital at Cambridge, Maryland; that she knows Mr. Sidney Causey, who is a patient at the said Eastern Shore State Hospital, and that she has examined the said Sidney Causey within the last ten days (10) and found his condition to be as follows:

That he is mentally incompetent to take charge of and manage his property and estate, and that the probable duration of said incompetency is unknown; that she is of the opinion that it would be seriously detrimental to the said Sidney Causey, both physically and mentally to require him to appear before a Court as a witness, or to be present at a hearing before a Court concerning his mental and physical condition and his capacity to manage his property and estate.

Grace M. Branscombe

Subscribed and sworn to before me this 2nd day of July, A.D. 1946.

Bessie O'Neal Orem — Seal of Notary

Notary Public

In the Matter of)	NO. 6175 Chancery
William Sidney Causey)	In the Circuit Court for
Non Compos Mentis)	Somerset County, Maryland.
_____ _____)	

ORDER

Upon the foregoing petition it is ordered this 8th day of July, 1946, by the Circuit Court for Somerset County, in Equity, that the said William Sidney Causey, alleged incompetent be summoned within ten days from this date and that within the same time a copy of the summons petition and order shall be left with the person with whom the alleged incompetent resides and that the petition be set for hearing on the 24th day of July, 1946, but an appearance and answer for the alleged incompetent may be made at any time before or after a decree is passed/

W. Laird Henry, Jr.
Judge.

And thereupon in pursuance of the prayer of the foregoing petition the following subpoena was issued:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO: WILLIAM SIDNEY CAUSEY, OF SOMERSET COUNTY, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town before July 18, 1946 next to answer the complaint of against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland the 1st day of July Anno Domini 1946. ISSUED the 8th day of July Anno Domini 1946.

Per order,

Benjamin L. Barnes, Clerk.

On which said Eighteen day of July in the year Nineteen Hundred and Forty Six and the day of the return of the above recited writ came again into Court here the said Complainant by her Solicitor and the Sheriff of Dorchester County, Rufus W. Dean, to whom the writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

Return to writ of subpoena: Served by reading to and leaving copy of within subpoena with the defendant, William Sideny Causey, and a copy with, Dr. Robt. E. Gardner, Supt. E. S. State Hospital, this 13th day of July, 1946.

Rufus W. Dean
Sheriff of Dorchester County.

Return to Petition and Order. This is to certify that a copy of thw within Petition Order and Summon as served upon the within defendant, William Sideny Causey, and a copy left with the defendant, and a copy left with Dr. Robt. E. Gardner, Supt. of the Eastern Shore State Hospital this 13th day of July, 1946.

Rufus W. Dean
Sheriff of Dorchester Co.

And thereupon the twenty fourth day of July, Nineteen Hundred and Forty Six, an Order of Court appointing Trustee was filed in the words following to wit:

In the Matter of	)	
William Sidney Causey	)	NO. 6175 Chancery
Non Compos Mentis	)	In the Circuit Court For
	)	Somerset County, Maryland.

Upon hearing of the above entitled matter, it being submitted without appearance on behalf of William Sidney Causey, and it appearing that the said William Sideny Casuey is incompetent by reason of mental disability, to take charge of and manage his property, and that it is necessary and for the advantage and benefit of the said William Sideny Causey that a Trustee be appointed by this Court for that purpose.

It is thereupon, this 24th day of July, in the year nineteen hundred forty six, by the Circuit Court for Somerset County, in Equity, order that Edgar A. Jones of said County and State, be and he is hereby appointed Trustee of the property and estate of the said William Sideny Causey, with full power and authority to take charge of and manage the same under the direction of this Court; but before the said Edgar A. Jones shall proceed to act as such Trustee he shall give bond to the State of Maryland, with surety to be approved by this Court or the Clerk thereof, in the amount of three thousand dollars, corporate bond, for the faithful discharge of his duties as Trustee.

And, it is further ordered that the Court hereby reserves the power to revoke, modify or alter this or any other decree or order herein, at any time after appearance and answer, for good cause shown.

W. Laird Henry, Jr.
Judge.

And thereupon on the Twenty fourth day of July, Nineteen hundred and Forty six, a petition & Order to Sell Real Estate was filed in the words following to wit:

In the Matter of)	
William Sideny Causey)	NO. 6175 Chancery
Non Compos Mentis)	In the Circuit Court For
)	Somerset County, Maryland.

To the Honorable the Judge of said Court:

The petition of Edgar A. Jones, Trustee in the above entitled case, and Maude V. Causey wife of the said William Sideny Causey, respectfully represents:

1. That heretofore, to wit; on the 24th day of July, 1946, the said William Sidney Causey was adjudicated an incompetent by reason of mental disability and the said Edgar A. Jones, was appointed Trustee to take charge of and manage his property.

2. That the said William Sideny Causey and Maude V. Causey own, as tenants by the entireties, a farm containing approximately forty and three fourths acres in East Princess Anne Election District, Somerset County, Maryland, on the north side of the County Road leading from Princess Anne to West Post Office, adjoining the lands owned or formerly owned by Charles C. Ball, which said farm was conveyed unto the said William Sideny Causey and Maude V. Causey by deed from Clayton T. Marriner and wife, dated January 21, 1925, and recorded among the land records of Somerset County in Liber WJS No, 91, folio 341.

3. Your petitioners believe it to the best interest of the incompetent and the said Maude V. Causey, that the above described property be sold and that the proceeds from said sale be invested in such manner as the Court may find proper.

Your Petitioners therefore pray Your Honor, to pass an order, directing the Trustee to sell the above described property and to hold the proceeds therefrom for investment pending further order of this Court.

And, in duty bound, etc.

Maude V. Causey

Edgar A. Jones, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 24th day of July, in the year nineteen hundred forty six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Maude V. Causey and Edgar A. Jones, Trustee, and each made oath in due form of law that the matters and things stated in the aforegoing petition are true to the best of his knowledge and belief.

As witness my hand and Notarial Seal the day and year above written.

Sally L. Ford — Seal of

Notary Public — Notary

Upon which said Petition the Court here passed the following Order.

Order

Upon the foregoing petition and affidavit, it is ordered this 24th day of July 1946, by the Circuit Court for Somerset County in Equity, that the said Edgar A. Jones, trustee be and he is hereby authorized and directed to sell at either public or private sale, the property described in the above petition, and shall return to this Court a full and particular report of his proceedings, relative to such sale, with an affidavit annexed of the truth thereof, and of the fairness of said slae, and on obtaining the Court's ratification of the sale and on payment of the whole purchase money, 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 or assigns, the aforesaid property.

W. Laird Henry, Jr.

Judge.

And thereupon the said Edgar A. Jones, Trustee, filed a Bond in the Court here in the words following to wit:

KNOW ALL MEN BY THESE PRESENTS, that we Edgar A. Jones, of Somerset County, State of Maryland, and National Surety Corporation, a body corporate of the State of New York, are held and firmly bound unto the State of Maryland, in the full and just sum of Three Thousand dollars to be paid to the said State of Maryland aforesaid, or its certain attorney; to the payment whereof, well and truly to be made and done, we hereby ind ourselves and each of us, our and each of our heirs, personal representatives, successors and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this first day of August, nineteen hundred forty six.

WHEREAS, the above bounden Edgar A. Jones, by virtue of an order of the Circuit Court for Somerset County, has been appointed Trustee of the property and estate of William Sidney Causey, in the Matter of William Sideny Causey, Non Compos Mentis, now pending in this Court.

NOW THEREFORE THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Edgar A. Jones, does 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 in the premises then this obligation to be void, otherwise to remain in full force and virtue in law.

Edgar A. Jones, Trustee — Seal

NATIONAL SURETY CORPORATION

Signed and sealed in the presence of:

BY Edgar A. Jones
Attorney in Fact.

Seal of Corporation.

Sally Ann Lawson

Which said Bond was thus thereon endorsed to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Twenty Second day of October in the year Nineteen hundred and Forty six, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following to wit:

In the Matter of)	NO. 6175 Chancery
William Sideny Causey)	In the Circuit Court for
Non Compos Mentis)	Somerset County, Maryland.
)	

To the Honorable, the Judge of said Court:

The report of Edgar A. Jones, Trustee appointed by a decree of this Court to take charge of and manage the property of William Sideny Causey, non compos mentis, and by further decree authorized and directed to sell at eigher public or private sale, the property hereinafter described, respectfully shows:

That after giving bond with sureties for the faithful performance of his trust, and after having complied with all the pre-requisites of said decree, he did advertise the said property for sale in the New York Times, The Salisbury Times and the Maryland & Herald and as a result of said advertisements, he procured Ira Ashley and Minnie Ashley as purchasers thereof, at and for the sum of three thousand dollars.

Your trustee, before agreeing to sell said property to the said Ira Ashley and Minnie Ashley, at and for the sum aforesaid, consulted with several persons familiar with property values in Somerset County and was advised that the price was fair and to the advantage of the owners. Your trustee then sold unto the said Ira Ashley and Minnie Ashley, at and for the sum of Three Thousand dollars, all that farm or tract of land situate in East Princess Anne Election District, Somerset County, Maryland, on the north side of the County Road leading from Princess Anne to West Post Office, adjoining the lands owned or formerly owned by Charles C. Ball,

et als, being the same and all the land which was conveyed unto the said William Sidney Causey and Maude V. Causey, by Clayton T. Marriner and wife, by deed dated January 21, 1925, recorded among the land records of Somerset County in Liber WJS No. 91, folio 341, and the purchasers have complied with the terms of sale to the satisfaction of your trustee.

Respectfully submitted,

Edgar A. Jones
Trustee.

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 21st day of October, in the year nineteen hundred forty six before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Trustee, and made oath in due form of law that the matters and things stated in the aforegoing 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 the day and year above written.

Sally L. Ford — Seal of
Notary Public — Notary

Upon which said Report the Clerk of the Circuit Court here passed the following order, to wit:

In the Matter of	)	NO. 6175 Chancery
William Sideny Causey	)	In the Circuit Court for
Non Compos Mentis	)	Somerset County, Maryland.
	)	

ORDER NISI

Ordered by the Circuit Court for Somerset County, Maryland, that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Trustee, appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 23rd day of November, nineteen hundred forty six,

Provided, a copy of this order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 22nd day of November, next.

The report states the amount of sale to be Three Thousand ($3,000.00) dollars.

Benjamin L. Barnes
Clerk of The Circuit Court for Somerset County, Maryland.

And now at this day to wit, on the twenty seventh day of November in the year nineteen hundred and forty six, came again into Court here the said Complainants by their solicitor aforesaid and on motion of the said complainants by their solicitor aforesaid, the Court here passed the following order, to wit:

Ordered by the Circuit Court for Somerset County, this 27th day of November, nineteen hundred forty six, 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 the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the said Auditor.

W. Laird Henry, Jr.
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK.

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In the matter of the Voluntary adoption of Infant male child Taylor	)))))	IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND IN EQUITY NO. 6269

Application having been made by Harry Percy Culp and Leila Nelson Culp, his wife, resid- in the city of Crisfield, Somerset County and State of Maryland, for a decree allowing and confirming the adoption by them of an infant male child born December 28, 1946, at Crisfield, Maryland, to Rena Mae Taylor, by their petition sworn to April 4, 1947.

And the said Harry Percy Culp and Leila Nelson Culp, his wife, having presented to me an instrument containing substantially the consent of Rena Mae Taylor, the unmarried mother of the said infant,

And there appearing to the satisfaction of the Court from the examination and investigation caused by it to be made, that the moral and temporal interests of the said infant will be promoted by the said adoption, for the reason that the mother of said infant is unable to provide for him and wishes to have him placed in a good home where he will be cared for, and for that purpose voluntarily and unconditionally surrendered the said infant to the care and custody of the petitioners herein,

And the said petitioners are persons of sufficient means and are fit and proper persons to have the care and custody of the said infant,

And that no objection exists to the changing of the name of the said infant to the name designated in the petition, it is

ORDERED, ADJUDGED AND DECREED by the Circuit Court for Somerset County, in Equity this 15th day of April, 1947, that the said adoption by Harry Percy Culp and Leila Nelson Culp, his wife, of infant male child Taylor, born on December 28, 1946, to Rena Mae Taylor, be and the same hereby is allowed and confirmed, and it is further

ORDERED, ADJUDGED AND DECREED that the said child shall henceforth be regarded in all respects as the lawful child of the said Harry Percy Culp and Leila Nelson Culp, his wife, and it if further

ORDERED, ADJUDGED AND DECREED that the name of the said infant be changed to Harry Percy Culp, Jr.

Edmund H. Johnson
Judge

For Adoption proceedings see No. 6269 Chancery.

Filed for Record Filed April 15, 1947 and recorded in Chancery Record B.L.B. No. 34, folio 444,

Test: Benjamin L. Barnes Clerk

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MARCH TERM, 1947

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in March, being the Third day of the same month, in the year of our Lord, one thousand nine hundred and forty seven.

Were present:

Hon. W. Laird Henry Jr., Chief Judge
Hon. Levin C. Bailey, Associate Judge
Hon. Edmond H. Johnson, Associate Judge

Woodland Jackson, Sheriff and Benjamin L. Barnes, Clerk

In the record of proceedings of said Court, among others were the following to wit:

William B. Tilghman Company, a corporation,
George C. Bounds and William H. Phillips, partners trading as G. A. Bounds and Comapny, and Ernest C. Clark, assignee of The Somerset Mortage & Certificates Corporation, a body corporate,
Complainants,

vs.

Samuel Smith Webster, Jr. and Blanche Tagart Webster, his wife, Verna E. Webster, a widow, Robert Olin Webster, William H. Webster and Molly Webster, his wife, Ellen Webster Tawes and Weldon Tawes, her husband, Arthur Workman, Doris Workman Hastings and Benjamin Hastings, her husband, Samuel S. Workman, heirs of Samuel S. Webster
L. W. Gunby Co, a corporation, C. Edwin Hayman and Lee L. Hayman, trading as C. H. Hayman & Sons Co., Warren F. Sterling, Receiver for the Deals Island Bank, and his successors,
Defendants.

William B. Tilghman Company, a corporation,
George C. Bounds and William H. Phillips, partners trading as G. A. Bounds and Company, and Ernest C. Clark, assignee of The Somerset Mortage & Certificates Corporation, a body corporate,
Complainants,

vs.

Samuel Smith, Webster, Jr. and Blanche Tagart Webster, his wife, Verna E. Webster, a widow, Robert Olin Webster, William H. Webster and Molly Webster, his wife, Ellen Webster Tawes and Weldon Tawes, her husband, Arthur Workman, Doris Workman Hastings and Benjamin Hastings, her husband, Samuel S. Workman, heirs of Samuel S. Webster
L. W. Gunby Co. a corporation, C. Edwing Hayman and Lee L. Hayman, trading as C. H. Hayman & Sons Co., Warren F. Sterling, Receiver for the Deals Island Bank, and his successors,
Defendants.

Be it remembered that heretofore to wit, on the seventh day of June, in the year Nineteen Hundred and forty seven, a certain William B. Tilghman Company, a corporation, George C. Bounds and William H. Phillips, partners trading as G. A. Bounds and Company, and Ernest C. Clark, assignee of The Somerset Mortgage & Certificates Corporation, a body corporate, Complainants, by Robert W. Dallas, their Solicitor, filed in the Circuit Court here a Bill of Complaint and Exhibits "A" and "B" which said Bill of Complaint and Exhibits are in the word following to wit:

No. 6162 Chancery

In the Circuit Court for

Somerset County, Maryland

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your orators, who sue as well for themselves as for all other creditors of Samuel S. Webster, late of Somerset County, deceased, who will come in and contribute to the expenses of this suit, complaining, say:

1. That the said Samuel S. Webster was, in his lifetime, indebted unto your orator William B. Tilghman Company, a corporation, in the full and just sum of $245.11 by virtue of a judgment entered in No. 56 Appearances, September Term, 1934, in the Circuit Court for Somerset County, Maryland, dated November 5, 1934 with interest thereon from date and costs of $7.00 and collection fee of $22.91,as will fully appear by references to a copy of said judgment, herewith filed as part hereof, marked "Exhibit A"; and also unto your orators, George C. Bounds and William H. Phillips, trading as G. A. Bounds and Company in the full and

just sum of $1227.74 by virtue of a judgment entered in No. 37 Trials, September Term, 1935, in the Circuit Court for Somerset County, Maryland, dated September 24, 1935, with interest thereon from date and costs of $9.20, as will fully appear by reference to a copy of said judgment, herewith filed as part hereof, maked "Exhibit B"; and also to your orator Ernest C. Clark, assignee of the Somerset Mortage and Certificates Corporation, a body corporate, in the full and just sum of $339.22, by virtue of a judgment entered in No. 51 Appearances, September Term, 1937 with interest thereon from date and costs of $7.00 and collection fee of $33.92, as will fully appear by reference to a copy of said judgment filed herewith as a part hereof, marked "Exhibit C".

2. That the said Samuel S. Webster, being so indebted as of foresaid unto your orators and also unto divers other persons and having real estate of great value, but no personal estate, departed this life on or about the 23rd day of February, 1941 intestate, and leaving no widow, but leaving the following children and other heirs-at-law, viz.:

(a) Samuel Smith Webster, Jr., a son, who has intermarried with Blanche Tagart Webster, and who resides at 215 West Seventh Street, Los Angeles, California, both of whom are of full age.

(b) Olin B. Webster, a son, who after the death of his said father, Samuel S. Webster, departed this life, intestate, leaving surviving him a widow, Verna E. Webster, who resides in Deals Island, Somerset County, Maryland, and an only child, Robert Olin Webster who resides in Salisbury, Wicomico County, Maryland, and is unmarried, both of whom are of full age.

(c) William H. Webster, a son, who has intermarried with Molly Webster, and resides in Deals Island, Somerset County,

(d) Ellen Webster Tawes, a daughter, who has intermarried with Weldon Tawes, and resides in Wenona, Somerset County, Maryland, both of whom are of full age.

(e) Violet Webster Workman, a daughter, who after the death of her said father, Samuel S. Webster, departed this life intestate, leaving surviving her a husband, Arthur Workman, who resides at Route #4, Georgetown, Sussex County, Delaware, and a daughter, Doris Workman Hastings, who has intermarried with Benjamin Hastings, who resides at East Market Street, Georgetown, Sussex County, Delaware, and a son, Samuel S. Workman, who resides at 2007 North Division Street, Salisbury, Wicomico County, Maryland, all of whom are of full age.

3. That the real estate hereinbefore referred to consists of all that lot or parcel of ground formerly owned by James L. Wilson, deceased, containing three and one-half acres of land, more or less, situate on Deals Island in Tangier Election District, Somerset County, Maryland, Bounded on the North by other land of said Samuel S. Webster, and on the East by a private road or lane, and on the West by the land now or formerly belonging to Samuel S. Benton, being the same land conveyed to said Samuel S. Webster by Elizabeth S. Wilson by deed dated August 16, 1899, recorded among the Land Record of Somerset County, Maryland, in Liber W.J.S. No. 85, Folio 476; and all that lot or parcel of land situate on Deals Island in Tangier Election District, Somerset County, Maryland, bounded on the South by the land of David Horner, bounded on the East by the land of Wesley Webster, bounded on the North by the land of Willie Thomas, bounded on the West by said other land of Samuel S. Webster, containing one and one-quarter acres of land, more or less, and being a part of the same land conveyed to said Samuel S. Webster by George W. Coster and wife by deed dated April 15, 1884, recorded among the Land Records of Somerset County, Maryland, in Liber H.F.L. No. 1, Folio 531.

4. That in addition to the judgments of your orators, there appears on the Judgment Records in the Office of the Clerk for Somerset County, Maryland, a certain judgment of L. W. Gunby

Company, C. Edwin Hayman and Lee L. Hayman, and Warren F. Sterling, Receiver for the Deals Island Bank, as will fully appear by reference to copies of said judgments, herewith filed as part hereof, marked "Exhibit E, F, and G," respectively.

5. That your orators are informed and therefore allege and aver that there appears on the Land Records aforesaid in Liber J.M.T., No. 102, Folio 195 what purports to be a mortgage from said Samuel S. Webster to said Samuel Smith Webster, Jr. and Blanche Tagart Webster, his wife, as joint tenatns, dated December 15, 1931 in the principal sum of $700.00 on the property hereinbefore referred to.

6. Your orators are informed and therefore allege and aver that there is no personal estate of the said Samuel S. Webster, deceased, Olin B. Webster, deceased, and Violet Webster Workman, deceased, and hence no personal representatives can be named therefor.

7. That your orators are advised that because there is no personal estate of said Samuel S. Webster, deceased, your orators and his other creditors are entitled to have their claims paid out of the real estate of said deceased in the hands of his heirs-at-law as aforesaid.

To the end, therefore,

(1) That the real estate of said Samuel S. Webster, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of the claims of your orators and those of the other unsatisfied creditors of said deceased.

(2) That your orators may have such other and further relief as their case may require.

May it please your Honors to grant unto your orators the order of publication giving notice to the said Samuel Smith Webster, Jr. and to the said Blanche Tagart Webster, adults, both of the State of California as aforesaid, and Arthur Workman, Doris Workman Hastings and Benjamin Hastings, her husband, adults, all of the State of Delaware as aforesaid, who are non-residents of this State, of the object and substance of this bill, and warning them to appear in this court, in person or by solicitor, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to pass as prayed; and also the writ of subpoena directed to the said Verna E. Webster, William H. Webster, Molly Webster, Ellen Webster Tawes, Weldon Tawes, Warren F. Sterling, C. E. Hayman, and Lee L. Hayman,all adults, who reside in said Somerset County, Maryland, and Robert Olin Webster, Samuel S. Workman, both adults, who reside in said Wicomico County, Maryland, and L. W. Gunby Co., a corporation with offices in Salisbury, Wicomico County, Maryland, commanding them, and each of them, to be and appear, either in person or by solicitor, in this court, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, your orators, etc.

Robert W. Dallas
Solicitor for Complainants

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

This is to certify that on this 5th day of June, 1946, before me the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County, aforesaid, personally appeared Robert W. Dallas, the above named solicitor for the complainants in the above Bill of Complaint, and made oath in due form of law that the matters and facts therein set forth are true and correct to the best of his knowledge, information and belief.

IN WITNESS WHEREOF I hereunto set my hand and Notarial seal the day and year last above written.

J. Herman Williams SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the above is in the words following to wit:

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, : September Term, 1934

Wm. B. Tilghman Company, a corporation : Short copy of Judgment No. 56 Appearances
Damages $ 245.11
vs. : Costs $ 7.00
Collection Fee$ 22.91
Samuel S. Webster : Judgment Nov. 5, 1934
Interest from Date
: Exemption waived
Test: Benjamin L. Barnes, Clerk

Exhibit "B" referred to in the above is in the words following to wit:

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, : September Term, 1935

George C. Bounds & William H. Phillips : Short copy of Judgment No. 37 Trials
Trading as George A. Bounds & Company Damages $ 1227.74
: Costs $ 9.20
vs. Collection Fee$
: Judgment Sept. 24, 1935
Samuel S. Webster & Olin Webster, Interest from Date
Trading as S. S. Webster & Son : Test: Benjamin L. Barnes, Clerk

Exhibit "C" referred to in the above is in the words following to wit:

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, : September Term, 1937

The Somerset Mortgage & Certificates : Short copy of Judgment No. 51 Appearances
Corporation, a body Corporate Damages $ 339.22
: Costs $ 7.00
vs. Collection Fee $ 33.92
: Judgment Nov. 9, 1937
Olin B. Webster, Verna E. Webster, Interest from Date
Samuel S. Webster : Exemption waived
1937 - Dec. 4 - FiFa to Jany. 1939, No.12
: Test: Benjamin L. Barnes, Clerk

Exhibit "D" referred to in the above is in the words following to wit:

IN THE CIRCUIT COURT FOR SOMERSET COUNTY : Sept. Term 1937
Short copy of Judgment No. 51 Appearances
The Somerset Mortgage & Certificates Corp. : Damages $ 339.22
Costs $ 7.00
vs. : Collection Fee $ 33.92
Date of Judgment 9th Nov., 1937
Olin B. Webster Verna E. Webster : Interest from date
Samuel S. Webster Exemption waived
: Test: J. Millard Tawes, Clerk

For value received, but without recourse, The Somerset Mortgage & Certificates Corp. hereby assigns the within and aforegoing judgment to Ernest C. Clark of Wicomico County, Maryland.

Test: J. W. Powell The Somerset Mortgage & Certificates Corp.

Wm. B. Spiva
Vice-Prest.

Exhibit "E" referred to in the above is in the words following to wit:

IN THE CIRCUIT COURT FOR SOMERSET COUNTY. : Magistrate Docket J M T5

L. W. Gunby Co., A Corporation : Short copy of Judgment No. 114
Damages $ 71.20
vs. : Costs $ 2.85
Collection Fee
Samuel S. Webster and Olin Webster, : Judgment January 23, 1936
trading as S. S. Webster & Son Interest from Date
: Test:Benjamin L. Barnes, Clerk

Exhitit "F" referred to in the above is in the words following to wit:

IN THE CIRCUIT COURT FOR SOMERSET COUNTY. : Magistrate Docket J M T #5

C. Edwin Hayman & Lee L. Hayman, trading : Short copy of Judgment No. 624
as C. H. Hayman & Sons Co. Damages $ 43.44
: Costs $ 2.85
vs. Collection Fee
: Judgment May 22, 1940
Samuel S. Webster Interest from Date
: Test: Benjamin L. Barnes, Clerk

Exhibit "G" referred to in the above is in the words following to wit:

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, : Magistrate Docket J M T 5

Warren F. Sterling : Short copy of Judgment No. 168
Receiver for the Deals Island Bank Damages $ 23.22
: Costs $ 1.70
vs. Collection Fee$ 2.32
: Judgment June 23, 1936
Willie C. Abbott, S. S. Webster Interest from Date
: Exemption waived
Test: Benjamin L. Barnes, Clerk
:

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following Order of Publication was issued:

William B. Tilghman Company, a corporation, George C. Bounds and William H. Phillips, partners trading as G. A. Bounds and Company, and Ernest C. Clark, assignee of The Somerset Mortgage & Certificates Corporation, a body corporate, Complainants,	:	No. 6162 Chancery
vs	:	In the Circuit Court for
Samuel Smith Webster, Jr. and Blanche Tagart Webster, his wife, Verna E. Webster, widow, Robert Olin Webster, William H. Webster and Molly Webster, his wife, Ellen Webster Tawes and Weldon Tawes, her husband, Arthur Workman, Doris Workman Hastings and Benjamin Hastings, her husband, Samuel S. Workman, heirs of Samuel S. Webster L. W. Gunby Co., a corporation, C. Edwin Hayman and Lee L. Hayman, trading as C. H. Hayman & Sons Co., Warren F. Sterling, Receiver for the Deals Island Bank, and his successors, Defendants.	:	Somerset County, Maryland

ORDER OF PUBLICATION

The object of this suit is to procure a decree for the sale of certain property in Somerset County, Maryland, for the payment of the claims of the complainants and other unsatisfied creditors of Samuel S. Webster, deceased.

The bill states that the complainants are judgment creditors of Samuel S. Webster, who departed this life on February 23, 1941, intestate, leaving the following children and other heirs-at-law, viz.: Samuel Smith Webster, Jr., a son, who has intermarried with Blanche Tagart Webster, and who resides at 215 West Seventh Street, Los Angeles, California, both of whom are of full age, Olin B. Webster, a son, who after the death of his said father, Samuel S. Webster, departed this life, intestate, leaving surviving him a widow, Verna E. Webster, who resides in Deals Island, Somerset County, Maryland, and an only child, Robert Olin Webster who resides in Salisbury, Wicomico County, Maryland, and is unmarried, both of whom are of full age, William H. Webster, a son, who has intermarried with Molly Webster, and resides in Deals Island, Somerset County, Maryland, Ellen Webster Tawes, a daughter, who has intermarried with Weldon Tawes, and resides in Wenona, Somerset County, Maryland, both of whom are of full age, Violet Webster Workman, a daughter, who after the death of her said father, Samuel S. Webster, departed this life intestate, leaving surviving her a husband, Arthur Workman, who resides at Route #4 Georgetown, Sussex County, Delaware, and a daughter, Doris Workman Hastings, who has intermarried with Benjamin Hastings, who resides at East Market Street, Georgetown, Sussex County, Delaware, and a son, Samuel S. Workman, who resides at 2007 North Division Street, Salisbury, Wicomico County, Maryland, all of whom are of full age; and that Samuel Smith Webster, and Blanche Tagart Webster, his wife, are the holders of a purported mortgage on the certain real estate and that L. W. Gunby Co., C. Edwin Hayman, and Lee L. Hayman, and Warren F. Sterling, Receiver, and his successors are holders of judgment that are liens; and that said property is described as being all that lot or parcel of groun formerly owned by James L. Wilson, deceased, containing three and one-half acres of land, more or less, situate on Deals Island in Tangier Election District, Somerset County, Maryland, bounded on the North by other land of said Samuel S. Webster, and on

the East by a private road or lane, and on the West by the land now or formerly belonging to Samuel S. Benton, being the same land conveyed to said Samuel S. Webster by Elizabeth S. Wilson by deed dated August 16, 1899, recorded among the Land Records of Somerset County, Maryland in Liber W.J.S. No. 85 Folio 476; and all that lot or parcel of land situate on Deals Island in Tangier Election District, Somerset County, Maryland, counded on the South by the land of David Horner, bounded on the East by the land of Wesley Webster, bounded on the North by the land of Willie Thomas, bounded on the West by said other land of Samuel S. Webster, containing one and on-quarter acres of land, more or less, and being a part of the same land conveyed to said Samuel S. Webster by George W. Coster and wife by deed dated April 15, 1884, recorded among the Land Records of Somerset County, Maryland, in Liber H.F.L., No. 1, Folio 531.

It is thereupon, this 7th day of June, 1946, ordered by the Circuit Court of Somerset County, in Equity, that the plaintiffs by causing a copy of this order to be inserted in some newspaper published in said Somerset County, once in each of four successive weeks before the 8th day of July, 1946, give notice of the said non-residents of the object and substance of this bill, warning them to appear in this court in person or by sollicitor on or before the 24th day of July, 1946 to show cause, if any they have, why a decree ought not to be passed as prayed.

Benjamin L. Barnes
Clerk .

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenas were issued, to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO Verna E. Webster of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in July next to answer the complaint of William B. Tilghman Co. st al against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr., Chief Judge of the First Judicial Circuit of Maryland, the 6th day of May Anno Domini 1946. ISSUED the 7th day of June Anno Domini 1946

Per Order
Benjamin L. Barnes, Clerk

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO William H. Webster, Molly Webster of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in July next to answer the complaint of William B. Tilghman Company & others against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland, the 6th day of May Anno Domini 1946. ISSUED the 7th day of June Anno Domini 1946.

Per order
Benjamin L. Barnes Clerk

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO Ellen Webster Tawes and Weldon Tawes of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancert at Princess Anne Town, on the first Monday in July next to answer the complaint of William B. Tilghman Co. et al against you in the said Court exhibited. Hereof fail not at your peril..

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland, the 6th day of May Anno Domini 1946. ISSUED the 7th day of May Anno Domini 1946.

Per order
Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO Warren F. Sterling, Receiver of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in July next to answer the complaint of William B. Tilghman Co., & others against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr. Chief Judge of the First Judicial Circuit of Maryland, the 6th day of May Anno Domini 1946. ISSUED the 7th day of June Anno Domini 1946.

Per order
Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO C. E. Hayman & Lee L. Hayman of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in July next to answer the complaint of William B. Tilghman Co. et al against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorabel W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 6th day of May Anno Domini 1946. ISSUED the 7th day of June Anno Domini 1946.

Per order
Benjamin L. Barnes,Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO Robert Olin Webster & Samuel S. Workman of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in July next to answer the complaint of William B. Tilghman Co. et al against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr., Chief Judge of the First Judicial Circuit of Maryland, the 6th day of Mary Anno Domini 1946. ISSUED the 7th day of June Anno Domini 1946.

Per order
Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO L. W. Gunby Co., a corporation of Wicomico County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in July next to answer the complaint of William B. Tilghman & Co. et al against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 6th day of May Anno Domini 1946. ISSUED the 7th day of June Anno Domini 1946.

Per order
Benjamin L. Barnes, Clerk.

At which said first MONDAY in July, in the year nineteen hundred and forty six and the day of the return of the above recited writs, came again into Court here the said complainants by their solicitor, and the Sheriff of Somerset County, Murray E. Ward, Esquire, to whom the writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the first of said writs: Summoned & copy left

Murray E. Ward, Sheriff
Wood Jackson, Deputy

To the second of said writs: Summoned severally & copies left

Murray E. Ward, Sheriff
Wood Jackson, Deputy

To the third of said writs: Non Est as to both, June 29, 1946

Murray E. Ward, Sheriff

To the fourth of said writs: Summoned and copy left, June 29, 1946

Murray E. Ward, Sheriff

To the fifth of said writs: Summoned severally & copies left

Murray E. Ward, Sheriff
Wood Jackson, Deputy

On the day and year aforesaid came into Court here the said Complainants by their solicitor, and the Sheriff of Wicomico County to whom the sixth and seventh writs aforesaid were, in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the sixth of said writs: Summoned Robert Olin Webster and Samuel S. Workman this 12th day of June, 1946 and copy of subpoena left with them.

L. H. Brewington, Sheriff

To the seventh of said writs: Summoned L. W. Gunby Co., a corporation by service upon Graham gunby, Vice-President of said L. W. Gunby Co., a corporation and two copies of subpoena left with him this 8th day of June, 1946.

L. H. Brewington, Sheriff

And thereafter, to wit, on the 16th day of August, nineteen hundred and forty six the following order was filed:

William B. Tilghman Co. et al.	:	No. 6162 Chancery
vs.	:	In the Circuit Court for
Samuel Smith Webster, Jr. et al.	:	Somerset County, Maryland

Mr. Clerk:

Please reissue a subpoena for Ellen Webster Tawes and Weldon Tawes.

Robert W. Dallas
Solicitor for Complainants

And thereupon, in pursuance of the foregoing order, and by order of the Court here, the following subpoena was issued to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT THE STATE OF MARYLAND

TO Ellen Webster Tawes and Weldon Tawes of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in September next to answer the complaint of William B. Tilghman Co. et al against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry Jr., Chief Judge of the First Judicial Circuit of Maryland, the 1st day of July Anno Domini 1946. ISSUED the 16th day of August Anno Domini 1946.

Per order
Benjamin L. Barnes, Clerk.

At which said first MONDAY in September, in the year nineteen hundred and forty six and the day of the return of the above recited writ, came again into Court here the said complainants by their solicitor, and the Sheriff of Somerset County, Murray E. Ward, Esquire to whom the writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

"Summoned severally & copies left"

Murray E. Ward, Sheriff
Wood Jackson, Deputy

And thereafter to wit, on the 23rd day of October in the year nineteen hundred and forty six, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following,to wit:

William B. Tilghman Company, et al.	:	No 6162 Chancery
vs.	:	In the Circuit Court for
Samuel Smith Webster, Jr., et al.	:	Somerset County, Maryland.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of William B. Tilghman Company, a corporation, George C. Bounds and William H. Phillips, partners trading as G. A. Bounds and Company, and Ernest C. Clark, assignee of The Somerset Mortgage & Certificates Corporation, a body corporate, Complainants, by Robert W. Dallas, their solicitor, respectfully shows:

1. That the defendants, Verna E. Webster, Robert Olin Webster, William H. Webster, Molly Webster, Ellen Webster Tawes, Weldon Tawes, Samuel S. Workman, L. W. Gunby Co., a corporation, C. Edwin Hayman and Lee L. Hayman, trading as C. H. Hayman & Sons Co., Warren F. Sterling, Receiver for the Deals Island Bank, and his successors, residents of the State of Maryland were by subpoena given notice to appear in this Court and answer to the bill of complaint filed by the plaintiffs against them, and although the time for such appearance and answer has long since past, the said defendants have not answered said bill of complaint and, therefore, have shown no cause why a decree ought not to be passed as prayed by the plaintiffs in their said bill of complaint.

2. That the defendants, samuel S. Webster, Jr., Blanche Tagart Webster, Arthur Workman, Doris Workman Hastings, and Benjamin Hastings, non-residents of the State of Maryland, were, by order of publication duly published as required by law and previous order of this Court, given notice to appear in this Court and answer the bill ob complaint filed by the plaintiffs against them and show cause, if any they had, why a decree ought not to be passed as prayed on or before the 24th day of July, 1946, a copy of said order of publication and a certificate of the publication of the same being hereto attached and made a part hereof.

3. Although the time for the appearance and answer of the several defendants above set forth has long since past, said defendants have not answered said bill of complaint and, therefore, have shown no cause why a decree ought not to be passed as prayed by the plaintiffs in their said bill of complaint.

WHEREFORE, your petitioners respectfully pray the passage of a decree pro confesso.

Robert W. Dallas
Solicitor for petitioners.

AFFIDAVIT AS TO MILITARY SERVICE

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

This is to certify that on this 22nd day of October, 1946, before me the subscriber, a Notary Public for the State of Maryland and Wicomico County aforesaid, personally appeared Robert W. Dallas, solicitor for the plaintiffs in the within proceedings and made oath in due form of law that he has made an investigation and as a result thereof does hereby make oath in

due form of law that to the best of his knowledge, information and belief, none of the defendants mentioned in these proceedings is or has been a member of the armed forces of the United States or of any nation allied with the United States as defined by the Soldiers and Sailors Civil Relief Act of 1940, as amended or as defined by the provisions of Article 87A of the Code of Public General Laws of Maryland.

In witness whereof I hereunto set my hand and notarial seal the day and year first above written.

Esther L. Livengood SEAL OF
Notary Public NOTARY

Upon which said petition the Court here passed the following order, to wit:

ORDER OF COURT

Upon the aforegoing petition, it appearing from the proceedings that its allegations are true, it is this 25th day of October, A.D., 1946, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED, and DECREED that the Bill of Complaint of the plaintiffs be, and it is hereby taken pro confesso against the defendants.

Edmond H. Johnson
Judge

And afterwards to wit, on the sixth day of November, in the year nineteen hundred and forty six, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Wm. B. Tilghman Company, et. als.)	No. 6162 Chancery
VS)	In the Circuit Court for
Samuel S. Webster, Jr. et. als.)	Somerset County, in Equity.
)	

In the above entitled cause, I, Harry C. Dashiell, a standing Examiner of said Court, do hereby certify that at my law office in Princess Anne, Maryland, on Wednes day, the sixth day of November, nineteen hundred and forty six, I did take the following depositions, that is to say:

There was first produced before me William C. Harrington, a witness of lawful age, who first being duly sworn according to law testified and deposed as follows:

EXAMINATION BY ROBERT W. DALLAS, SOLICITOR FOR COMPLAINANTS

Q 1. Please state you name, age, residence and occupation.

A. My name is William C. Harrington. I am 51 years of age. I reside at 510 Camden Avenue, Salisbury, Maryland and I suppose my business is appraisal of real estate.

Q 2. What sort of appraisals do you do?

A. I appraise property in the four lower Eastern Shore Counties of Maryland in connection with GI Home Loans.

Q 3. Are you acquainted with the property owned by Samuel Smith Webster in his lifetime situated on Deals Island in Tangier Election District of Somerset County, Maryland?

A Yes, I am.

Q 4. Have you made an inspection or appraisal of these properties?

A Yes, I have.

Q 5. Will you describe the premises and state in your opinion the value thereof?

A There is a dwelling house in good condition which with the land surrounding it, in my opinion, is worth $3500.00. There is another small dwelling house where Willie Webster lives in the rear of the main house which is worth about $1500.00 in my opinion. I included the land in with the first property because I understand that all of the land went with the main house.

Q 6. How much land is there:

A I would estimate that with the little piece on the opposite side of the lot there would be aoubt four acres.

Q 7. Do you know anything about the heirs at law of Samuel Smith Webster?

A No, I do not.

In answer to the general question, the witness replied, "No, Sir".

Harry C. Dashiell
Examiner

William C. Harrington
Witness

There was next produced before me Walter Nehl, a witness of lawful age, who first being duly sworn according to law testified and deposed as follows:

EXAMINATION BY ROBERT W. DALLAS, SOLICITOR FOR COMPLAINANTS

Q. 1. Please state your name, age, residence and occupation.

A. My name is Walter Mehl. I am 53 years of age, and I live in Riverton, Maryland. My occupation is a liquidator of accounts.

Q. 2. Are you familiar with the Samuel Smith Wevster property located in Deals Island:

A. Yes, I am.

Q. 3. Are you familiar with the value of property in this neighborhood:

A. Yes, I am.

Q. 4. Would you please state what the Samuel Smith Webster property is?

A. There is a two-story frame house with attractive grounds and then there is a smaller house in the rear of the main house.

Q. 5. What, in your opinion, is the fair market value of this property?

A. $5000.00. That is $3500.00 for the main house with the land that goes with it and $1500.00 for the other house, that is the house where Willie Webster lives.

Q. 6. How much land is there?

A. There if four or four and one-fourth acres in the main piece and the small piece on the other side of the lot.

Q. 7. Are you familiar with the Samuel Smith Webster family?

A. I have made an investigation from sources I believe to be reliable. I have learnes that Samuel Smith Webster died on or about the 23rd day of February, 1941.

Q. 8. Did he leave a widow surviving him?

A. No. he did not.

Q. 9. Did he have a will?

A. No will was filed in the Orphans' Court for Somerset County where Samuel Smith Webster lived.

A. 10. From your investigation who did you find were the heirs at law of Samuel Smith Webster?

A. Samuel Smith Webster, Jr., a son who is married to Blanche Tagart Webster. They live in Los Angeles, California. Olin B. Webster, a deceased son, left a widow, Verna E. Webster, who lives in the house we have just been talking about and a son Robert Olin Webster who lives here in Salisbury. William H. Webster, another son is married to Molly Webster and they live in Deals Island. A daughter, Ellen Webster Tawes lives with her husband in Wenona, Maryland. Another daughter, Violet W. Workman died leaving surviving her a husband, Arthur Workman who lives in Georgetown Delaware and a daughter, Doris Workman Hastings, whose husband is Benjamin Hastings, residing in Georgetown, Delaware, and a son, Samuel Smith Workman, who also lives here in Salisbury.

In answer to the general question, the witness replied, "There is nothing further that I know of".

Harry C. Dashiell
Examiner

Water Mehl
Witness

There was next produced before me, Robert W. Dallas, a witness of lawful age, being the solicitor for the complainants produced before me in behalf of the complainants who first being duly sworn according to law testified and deposed as follows:

Q. 1. Please state you name, age, residence and occupation.

A My name is Robert W. Dallas, I am 38 years of age. I reside in Salisbury, Maryland and I am a lawyer.

Q. 2. Have you or not made an investigation to determine the heirs at law of Samuel Smith Webster who departed this life on or about the 23rd day of February, 1941?

A. Yes, I have.

Q. 3. Will you please state what your investigation showed?

A. My investigation showed that Samuel Smith Webster, a resident of Somerset County, Maryland died on February 23, 1941 intestate and leaving no widow, but leaving the following children and other heirs-at-lwa, namely: (a) Samuel Smith Webster, Jr., a son, who has intermarried with Blanche Tagart Webster, and who resides at 215 West Seventh Street,

Los Angeles, California, both of whom are of full age. (b) Olin B. Webster, a son, who after the death of his said father, Samuel S. Webster, departed this life, intestate, leaving surviving him a widow, Verna E. Webster, who resides in Deals Island, Somerset County, Maryland and an only child, Robert Olin Webster who resides in Salisbury, Wicomico County, Maryland, and is unmarried, both of whom are of full age. (c) William H. Webster, a son, who has intermarried, with Molly Webster, and resides in Deals Island, Somerset County, Maryland. (d) Ellen Webster Tawes, a daughter, who has intermarried with Weldon Tawes, and resides in Wenona, Somerset County, Maryland, both of whom are of full age, (e) Wiolet Webster Workman, a daughter, who after the death of her said father, Samuel S. Webster, departed this life intestate, leaving surviving her a husband, Arthur Workman, who resides at Route #4, Georgetown, Sussex County, Delaware, and a daughter, Doris Workman Hastings, who has intermarried with Benjamin Hastings, who resides at East Market Street, Georgetown, Sussex County, Delaware, and a son Samuel S. Workman, who resides at 2007 North Division Street, Salisbury, Wicomico County, Maryland, all of whom are of full age.

Q. 4. Did you or not make an investigation to find out what property if any, was owned by Samuel Smith Webster at the time of his death?

A. Yes, I did.

Q. 5. What was the result of your investigation?

A. I made an examination of the Land Records in Somerset County and found that according to the said Records Samuel Smith Webster died siezed and possessed of all that lot or parcel of ground formerly owned by James L. Wilson, deceased, containing three and one-half acres of land, more or less, situate on Deals Island in Tangier Election District, Somerset County, Maryland, bounded on the North by other land of said Samuel S. Webster, and on the East by a private road or lane, and on the West by the land now or formerly belonging to Samuel S. Benton, being the same land conveyed to said Samuel S. Webster by Elizabeth S. Wilson by deed dated August 16,1899, recorded among the Land Records of Somerset County, Maryland in Liber W.J.S., No. 85, Folio 476; and all that lot or parcel of land situate on Deals Island in Tangier Election District, Somerset County, Maryland, bounded on the South by the land of David Horner, bounded on East by the land of Wesley Webster, bounded on the North by the land of Willie Thomas, bounded on the West by said other land of Samuel S. Webster, containing one and one-quarter acres of land, more of less, and being a part of the same land conveyed to said Samuel S. Webster by George W. Coster and wife by deed dated April 15, 1884, recorded among the Land Records of Somerset County, Maryland, in Liber H.F.L., No. 1, Folio 531.

Q. 6. Did you make an investigation to find out whether or not there were any liens or encumberances on this real estate?

A. Yes, I did.

Q. 7. What did your investigation show?

A. I made an examination of the Land Records and Judgment Records in the office of the Clerk of Court of Somerset County, Maryland and found that there was a judgment in favor of William B. Tilghman Company against Samuel Smith Webster in the amount of $245.11 entered in No. 56 Appearances, September Term, 1934 dated November November 5, 1934 with interest from date and costs of $7.00 and collection fee of $22.91. I also found a judgment in favor of George C. Bounds and William H. Phillips trading as G. A. Bounds and Company against Samuel Smith Webster in the amount of $1227.74 entered in No. 37 Trials, September Term, 1935 in the Circuit Court for Somerset County, Maryland dated September 24, 1935 with interest from date and costs of $9.20. I also found a judgment in favor of Ernest C. Clark, Assignee of Somerset Mortgage and Certificates Corp. against said Samuel Smith Webster in the amount of $339.22 entered in No. 51 Appearances, September Term, 1937 with interest thereon from date and costs of $7.00 and collection fee of $33.92. I also found a judgment in favor of L. W. Gunby Company dated February 1, 1936 in the amount of $71.20, a judgment in favor of C. H. Hayman & Son dated May 25, 1940 in the amount of $43.44 and a judgment in favor of Warren F. Sterling, Receiver, dated June 24, 1936 in the amount of $23.22.

There is a paper filed among the Land Records in Liber J.M.T., No. 102, Folio 195 which purports to be a mortgage from Samuel Smith Webster to Samuel Smith Webster, Jr. and Blanche Tagart Webster, his wife, as joint tenants dated December 15, 1931 in the principal sum of $700.00 and from the description of the property in this instrument it appears that the real estate I have referred to is subject to some sort of a mortgage lien by virtue of this instrument.

Q. 8. Are there any other liens of record which you were able to discover by your search of the records you have mentioned?

A. No. there were not.

Q. 9. Did Samuel Smith Webster leave a will? Or is there any administration on his estate?

A. The records of the Register of Wills for Somerset County, Maryland show that no will was filed in his estate and there is no administration and I am advised that there was no personal estate.

Q. 10. Is there any personal estate of any administration on the estates of Olin B. Webster and Violet Webster Workman?

A. My investigation shows that there if no personal estate in either case and there have been no administration on those two decedents.

Q. 11. Did you make an investigation to ascertain whether or not there is any deed to cover the small property in which Willie Webster now resides?

A. There is no deed of record to show that Willie Webster has any interest in that property although it is assessed to him on the assessment records of Somerset County.

In answer to the general question, the witness replied, "That is all". except that the property can not be divided among the various parties in terest and would have to be sold and the proceeds divided among the parties entitled thereto".

Harry C. Dashiell
Examiner

Robert W. Dallas
Witness

There being no further witnesses produced to me to be examined, I herewith at the request of the plaintiff's sollicitor, return the above depositions to Court, closed un my hand and seal and certify that the annexed Examiner's costs has been paid by the plaintiff.

Given under my hand and seal this sixth day of November nineteen hundred and forty six.

Harry C. Dashiell (SEAL)
Examiner in Chancery

Examiner's Costs $4.00

And thereafter to wit, on the third day of January in the year nineteen hundred and forty seven, the Circuit Court here passes the following Decree in the premises to wit;

William B. Tilghman Company, etc., et al., Complainants,	:	No. 6162 Chancery
vs	:	In the Circuit Court for
Samuel Smith Webster, Jr., et al., Defendants.	:	Somerset County, Maryland.

The Bill of Complaint, Testimony and other Proceedings in the above entitled cause having been submitted, the proceedings therein were by the Court read and considered:

IT IS THEREUPON, this 3rd day of January, A.D., 1947 by the Circuit Court for Somerset County and State of Maryland, in Equity, ADJUDGED, ORDERED and DECREED that the property in the proceedings mentioned be sold for the purpose of paying the debts of Samuel S. Webster and of dividing the proceeds of sale between the parties thereto entitled according to their respective rights and interests, and that to sell the said real estate Robert W. Dallas, be and he is hereby appointed Trustee to make sale, and that the course and manner of his proceedings shall be as follows: He shall file with the Clerk of this Court a bond to the State of Maryland, executed by himself and corporate surety to be approved by this Court or by the Clerk thereof, in the penalty of Five Thousand Dollars ($5000.00), conditioned for the faithful performance of his trust imposed in him by this decree or to be imposed in him by any future decree or ordered in the premises, he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in such weekly newspaper or newspapers, published in said Somerset County, as he shall think proper of the time, place and manner and terms of sale which shall be one-third cash and balance in six months, or all cash, at the option of the purchaser or purchasers the credit portion to bear interest from the day of sale and to be secured to the satisfaction of said Trustee, and soon as may be convenient after such sale or sales the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed 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 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 or assigns the property and estate to him, her or them sold,free and discharged from all calims of the parties hereto 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 the Court after deducting costs of this suit and such commissions to the said Trustee as this Court shall think proper to allow in consideration of the skill and fidelity wherewith he shall appear to have dischraged his trust.

And at the time of advertising said sale, the Trustee is directed to give notice to the creditors of Samuel Smith Webster, deceased, Oling B. Webster, deceased, and Violet Webster

Workman, deceased, to file their claims with the vouchers thereof with the Clerk of this Court before the 7th day of April, 1947.

Levin C. Bailey
JUDGE

And thereupon, on the seventeenth day of February in the year nineteen hundred and forty seven, the said Robert W. Dallas, Trustee, filed a Bond in the Court here in the words following to wit:

KNOW ALL MEM BY THESE PRESENTS: That we Robert W. Dallas, Salisbury, Maryland as principal, and The Fidelity and Casualty Company of New York a corporation of the State of New York, as surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Five thousand 00/100 Dollars, current money, to be paid to the said State of Maryland, or its certain Attorney; to which payment, well and truly to be made and done, we bind ourselves, and each of us, our and each of our Heirs, Successors and Assigns, Executors and Administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 14th day of February in the year of our Lord one thousand nine hundred and forty-seven.

WHEREAS, the above bounden Robert W. Dallas by virtue of a degree of the Honorable the Judge of the Circuit Court of Somerset County, has been appointed trustee to sell mentioned in the proceedings in the case of William B. Tilghman Company, George C. Bounds & W. H. Philips t/a George A. Bounds Company et al vs Samuel Smith Webster, Jr., et al. now pending in said Court:

Now the Condition of the above Obligation is such, THAT IF THE ABOVE BOUNDED Robert W. Dallas do and shall well and faithfully perform the trust reposed in him by said decree, or that may be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of
Ann Asendorf

Robert W. Dallas (SEAL)

The Fidelity and CasualtyCompany of New York (SEAL)

Franklin C. Van Pelt, (SEAL)
Attorney

State of Maryland, Baltimore City, sct:

KNOW ALL MEN BY THESE PRESENTS: That the The Fidelity and Casualty Company of New York does hereby constitute and appoint Franklin C. Van Pelt and/or Creston C. Shelley and/or C. S. Carpenter its attorney - in-fact to make, execute and deliver on its behalf, as surety, all bonds of any kind, character and description that are or may be required to be filed in the Circuit Court of Somerset County, State of Maryland, and it does hereby declare that all such bonds signed and executed by its said attorney -in-fact shall be as binding on it as if they had been duly executed by its proper officers. This power shall remain in full force and effect until duly revoked and written notice thereof given.

WITNESS the seal of the said The Fidelity and Casualty Company of New York duly affixed by its Vice-President and attested by its Secretary, this 14th day of February, 1947.

Attest:
John C. Brodsky
Secretary

The Fidelity and Casualty Company of New York
By: Wm. L. Bates
Vice President SEAL

I HEREBY CERTIFY that the above is a correct and true copy of the original power of attorney.

J. R. Irving
Assistant Secretary

February 14, 1947

Which said Bond was thus thereon endorsed to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the seventeenth day of February, nineteen hundred and forty seven, the following Suggestion of Death and Marriage was filed:

William B. Tilghman Company, et al.	:	No. 6162 Chancery
vs.	:	In the Circuit Court for
Samuel Smith Webster, Jr., et al.	:	Somerset County, Maryland.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of William B. Tilghman Company, et al., Complainants, in the above entitled case, by Robert W. Dallas, their solicitor, respectfully shows:

1. That they suggest to this Honorable Court the death of Doris Workman Hastings, whose personal representatives and sole heirs at law are her father, Arthur Workman, and her husband, Benjamin Hastings, who are already parties defendant in these proceedings.

2. Your petitioners are further informed and, therefore, alleged and aver that the defendant, Robert Olin Webster, has intermarried with June W. Webster who by virtue of her marriage has acquired a dower interest in any rights which her husband might or could have in the subject matter of these proceedings.

And as in duty bound, etc.

Robert W. Dallas
Solicitor for Complainants

And thereafter to wit, on the twenty-fourth day of February in the year nineteen hundred and forty seven, the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following to wit:

William B. Tilghman Company, etc., et al.	:	No. 6163 Chancery
vs.	:	In the Circuit Court for
Samuel Smith Webster, Jr., et al.	:	Somerset County, Maryland.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Robert W. Dallas, Trustee, appointed by a decree of this Court, passed in the above entitled cause, dated the 3rd day of January, in the year 1947, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of his trust, and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place,manner and terms of sale by advertisements inserted in the "Marylander and Herald", a newspaper published in Somerset County for at least three successive weeks before the day of sale, he did, pursuant to said notice, attend at the front door of the Court House in Princess Anne, Somerset County, Maryland, on the 18th day of February, in the year 1947, at two o'clock P. M. and then and there proceeded to sell said property in the manner following, that is to say:

Your Trustee offered at public sale to the highest bidder the property mentioned in said decree, situate in Deals Island Election District, Somerset County, Maryland and described as follows: bounded on the North by the land formerly owned by Herbie Twiggs and bounded on the East by a private road and bounded on the West by the Edward Jones property and on the South by other land of Samuel Smith Webster, being the residue of the land conveyed to Samuel Smith Webster by Elizabeth S. Wilson by deed dated August 16, 1899, recorded among the Land Records of Somerset County, Maryland in Liber J.W.S., No. 85, Folio 76, being the residence property of Willie H. Webster.

And your said Trustee sold the above described property to Willie H. Webster and Mollie B. Webster, his wife, for the sum of One Thousand Dollars ($1000.00), they being at that sum the

highest bidders therefore, the terms of sale being one-third cash on day of sale and balance in six months, or all cash, and the said purchaser elected to pay all cash.

Your Trustee offered at public sale to the highest bidder the property mentioned in said decree, situate in Deals Island Election District, Somerset County, Maryland and described as follows: bounded on the East and on the South by a private lane and bounded on the North by the above mentioned residence property of Willie H. Webster and on the West by the Edward Jones land and being the residue of the land conveyed to Samuel Smith Webster by George W. Coster and wife by deed dated April 15, 1884, reocrded among the Land Records of Somerset County, Maryland in Liber H.F.L., No. 1, Folio 531, and being the residence of the late Samuel Smith Webster.

And your said Trustee sold the above described property to William B. Tilghman Company, a corporation, and George C. Bounds and William H. Phillips, partners trading as G. A. Bounds and Company, as tenants in common, at and for the sum of Twenty-five Hundred Dollars ($2500.00), they being at that sum the highest bidders therefore, the terms of sale being one-third cash on day of sale and balacne in six months, or all cash, and the said purchaser elected to pay all cash.

Respectfully submitted,

Robert W. Dallas, Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY that on this 22nd day of February in the year 1947 before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County, aforesaid, personaly appeared Robert W. Dallas, Trustee, named in the above reported sale, and made oath in due form of law that the matters and things stated in the aforegoing report are true to the best of his knowledge, information and belief, and that the sale therein reported was fairly made.

J. Herman Williams SEAL OF

Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

William B. Tilghman Company, etc., et al.	:	No. 6162 Chancery
vs.	:	In the Circuit Court for
Samuel Smith Webster, Jr., et al.	:	Somerset County, Maryland.

ORDERED this 24th day of February, 1947, by the Circuit Court for Somerset County, Maryland that the sale of the property mentioned in these proceedings made and reported by Robert W. Dallas, Trustee, appointed by a decree of this Court to make said sale, be RATIFIED and CONFIRMED unless cause to the contrary thereof be shown on or before the 31st day of March, next; provided a copy of this order be inserted in some weekly newspaper printed in Somerset County, Maryland once in each of three successive weeks before the 29th day of March, 1947.

The report states the amount of sales to be Thirty-five Hundred Dollars ($3500.00).

Benjamin L. Barnes, Clerk.

And now at this day to wit, on the fourteenth day of April in the year nineteen hundred and forty seven, came again in the Court here the said complainants, by their solicitor aforesaid, and on motion of the said complainants, by their solicitor aforesaid, the Court here passed the following order to wit:

ORDERED by the Circuit Court for Somerset County, Maryland this 14th day of April, 1947, that the sale made and reported by Robert W. Dallas, Trustee, be, and the same is hereby finally RATIFIED and CONFIRMED, no cause to the contrary having been shown although the notice appears to have been given as required by the Order Nisi passed in said cause; and the Trusteee is allowed the usual commissions and attorney's fee of twenty five dollars and such proper

expenses as he shall produce vouchers for the auditor.

Edmond H. Johnson
JUDGE

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk

Granville T. Evans Vs. Ida Beach Smith Tucker Smith	Be it remembered that heretofore to wit, on the twentieth day of August in the year nineteen hundred and forty six, a certain Granville T. Evans, by Harry C. Dashiell his solicitor exhibited and filed in the Circuit Court here a Bill of Complaint and Exhibits "A" and "B" against Ida Beach Smith and Tucker Smith, which said Bill of Complaint and Exhibits are in the words following to wit:

Granville T. Evans Vs. Ida Beach Smith Tucker Smith	No. 6194 Chancery In the Circuit Court For Somerset County In Equity.

To the Honorable, the Judges of said Court:-

Your orator complaining, says:

FIRST: That Nancy J. Wilson, late of Somerset County, deceased, was in her lifetime, and at the time of her death, seized and possessed of valuable real estate situate lying and being in Lawson's Election District, in said Somerset County and State of Maryland, and which said real estate, was conveyed to the said Nancy J. Wilson, by George M. Wilson and wife, by deed dated the 15th day of May, 1895, and recorded among the land records of said Somerset County, in Liber JFL, No. 17, Folio 12, etc.

SECOND: That being so seized the said Nancy J. Wilson, departed this life intestate, in the month of 1919, without leaving a husband, surviving her; but leaving surviving her as her only heirs at law, the following children and descendants; namely;

(a) A daughter, Edith Wilson Sterling

(b) A daughter, Keziah Wilson Church

(c) A daughter, Jennie Woodland, who died intestate, leaving as her only children and heirs at law, a daughter, Agatha W. Whittington, and a son, Roy W. Woodland, who has since died, leaving a widow, Elizabeth Josephine Woodland, and James Reed Woodland.

(d) A daughter, Mary Frances Lawson, who also died intestate, leaving as her heirs at law, the following children; namely, Pearl Haffner, Rhea Bunting, and Wilson C. Lawson.

(e) A son, George M. Wilson, who departed this life, leaving a Last Will and Testament, by the provisions of which he devised all of the property, and estate, to his widow, the defendant, Ida Beach Wilson, who has since intermarried with the defendant, Tucker Smith. And a certified copy of said Last Will and Testament is herewith filed, marked "Plaintiff's Exhibit A".

THIRD: That since the death of the said Nancy J. Wilson, the following children and descendants have conveyed their interest in said real estate to the plaintiff, Granville T. Evans, of said Somerset County, Maryland, by a deed dated August 1, 1946, that is to say:

The following grantors in said deed are: Edith Wilson Sterling, Keziah Wilson Church, Agatha W. Whittington, R. Brice Whittington, her husband, Elizabeth R. Woodland, Elizabeth Josephene Woodland, James Reed Woodland, Rhea Bunting, and Harrison R. Bunting, her husband, Clyde Lawson and Winnie Lawson, his wife, and Wilson C. Lawson, (unmarried) and a certified copy of said deed is herewith filed, marked "Plaintiff's Exhibit B".

FOURTH: That the aforesaid real estate owned by the said Nancy J. Wilson, at the time of her death is now owned in the following proportions: the said Granville T. Evans owing a 4/5 undivided interest, therein, and the said Ida Beach Smith, owning a 1/5 undivided interest therein.

FIFTH: That the aforesaid real estate owned as aforesaid, set forth, is not susceptible of division or partition among the parties entitled to interest therein, and that it would be to the interest and to the benefit of said parties to sell said real estate and to divide the proceedings among them accordingly, to their respective rights, and interest therein.

To the end therefore:

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

(2) That the proceedings of said sale may be destributed between your orator and the defendant herein, according to their respective rights and interest in said real estate.

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

May it please your honor to grant unto your orator the Order of Publication, directed to the said Ida Beach Smith, and Tucker Smith, her husband, both adults and both residing in the State of California, who are non-residents of the State of Maryland, and giving notice to said non-residents defendants, of the object and substances of this Bill and warning, them to appear in this court in person or by solicitor on or before a certain day to be named therein, to show cause if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

Harry C. Dashiell
Solicitor for Complainant

Exhibit "A" referred to in the aforegoing Bill is in the words following to wit:

I, George Milton Wilson, of the City of Altoona, County of Blair and State of Pennsylvania, being of sound mind, memory and understanding, do make and publish this, my last Will and Testament, hereby revoking and making void all former wills by me at any time heretofore made.

FIRST: I direct that all my just debts, including funeral expenses, be fully paid as soon as can be done conveniently after my decease.

SECOND: I give, devise and bequeath to my wife, Ida Beach Wilson, all of my property, real, personal and mixed, of whatever character and wherever situate, absolutely and in fee simple.

I do hereby make, constitute and appoint my said wife, Ida Beach Wilson, to be executrix of this my last Will and Testament.

In witness whereof I, George Milton Wilson, the testator above named, have hereunto subscribed my name and affixed my seal the nineteenth day of September, in the year of our Lord one thousand nine hundred and seventeen.

George Milton Wilson (Seal)

Signed, sealed, published and declared by the above named George Milton Wilson as and for his last Will and Testament, in the presence of us, who have hereunto subscribed ouw named at our request as witnesses thereto, in the presence of said testator and of each other.

Mrs. Mary Gunter
H. A. Davis

Commonwealth of Pennsylvania)
SS.
Blair County)

This 8 day of January A. D. 1920, before me Thomas G. Peoples, Register for the Probate of Wills and granting Letters of Administration in and for the County of Blair, personally came Mrs. Mary Gunter and H. A. Davis the subscribing witnesses to the above will, and being duly Sworn and affirmed according to law, did depose and say they were personally present and saw and heard George Milton Wilson the testator sign, seal, publish, pronounce and declare the foregoing instrument and writing as and for his testament and last will, that they signed their names in the presence and at the request of the said testator and in the presence of each other, and that at the time of his so doing he, the said testator, was of perfect and sound mind, memory and understanding, to the best of their knowledge and belief.

Sworn and affirmed and subscribed before me.

J. A. Heller
Deputy Register.

Mrs. Mary Gunter

H. A. Davis

COMMONWEALTH OF PENNSYLVANIA)
SS.
Blair County)

Before me, the Register for the Probate of Wills and granting Letters of Administration in and for the County of Blair, personally came Ida Beach Wilson of 2509 - 7th Ave., Altoona, Blair Co., Pa., who, being duly sworn, doth depose and say that as executrix of the last Will and Testament of George Milton Wilson deceased, she will well and truly administer the goods and chattels, rights and credits of said deceased, according to law. And also will diligently comply with the provisions of the law relating to Transfer Inheritances.

Sworn and subscribed before me.

Jan. 8, A.D. 1920

J. A. Heller
Deputy Register.

Ida Beach Wilson

IN THE

OFFICE OF THE REGISTER OF WILLS

OF BLAIR COUNTY, PENNSYLVANIA

State of Pennsylvania,)
ss.
County of Blair)

In the matter of the Estate of)

George Milton Wilson Deceased.)

To Thomas G. Peoples, Register of Wills:

The Petition of Ida Beach Wilson of Altoona in the County of Blair and State of Pennsylvania, respectfully shows: that your petitioner is the widow and executrix named in the last will and testament of said above named deceased, and that said will is here with deposited for probate; that said deceased departed this life at the Mercy Hospital in the City of Altoona on the 24th day of December A.D. 1919, at or about 9.40 o'clock A.M; and that said deceased was at or immediately previous to his death, a citizen of the United States and an inhabitant of said County of Blair and State of Pennsylvania.

That the probable value of the personal property of the estate is five hundred Dollars; and that the probable value of the real property of the estate if nothing Dollars, and it s character is as follows:

1. Town or City property, improve, value ###### located in #####
2. Town or City property, unimproved value -------
3. Farm property, value -----
4. Wild land, value -----

That Ida Beach Wilson who resides at No. 2509 - 7th Ave., Altoona, Blair County and State of Pennsylvania, is named in said will as Executrix and your petitioner prays that said will be proved and Letters Testamentary be granted on said estate to your petitioner.

Dated the 8th. day of January, A.D. 1920.

Ida Beach Wilson

STATE OF PENNSYLVANIA,)
SS.
County of Blair)

Ida Beach Wilson Being duly sworn, says that the foregoing petition by her subscribed, is true of her own knowledge, except those matters which are therein stated upon her information and belief, and that as to those matters she believes them to be true.

Ida Beach Wilson

Sworn and subscribed to before me this 8th. day of January A.D. 1920.

J. A. Heller
Deputy Register.

Ida Beach Wilson Executrix of George Milton Wilson late of Altoona, Deceased.	Memorandum Petition of Ida Beach Wilson, executrix for Letters Testamentary, filed January 8", 1920. Died December 24", 1919, at or about 9:40 A. M. Will probated January 8", 1920. Letters Testamentary upon the Estate of George Milton Wilson, late of Altoona, deceased, were on the eighth day of January, A.D. 1920, granted to Ida Beach Wilson, of 2509 - 7" Ave., Altoona, Pa. Witness my hand and official seal this 8" day of January A. D. 1920. Thomas G. Peoples Register.

Inventory and Appraisement filed Jan. 16, 1920. Amt. $300.00.

LETTERS TESTAMENTARY

"""""""

Commonwealth of Pennsylvania ss: By the Tenor of These Presents, I, THOMAS G. PEOPLES, Re-
County of Blair
gister for the Probate of Wills and granting Letters of Administration in and for the County of Blair, in the Commonwealth of Pennsylvania, do make known unto all men, that on the day of the date hereof, at Hollidaysburg, before me was proved and approved the last Will and Testament of George Milton Wilson late of Altoona, Pa., deceased (a true copy whereof is to these presents annexed), having whilst he lived at the time of his death, divers goods, chattels, rights and credits within the said Commonwealth, by reason whereof the approbation and insinuation of the said last Will and Testament,and the committing the administration of all and singular goods, chattels, rights and credits which were of the said deceased, and also the auditing the accounts, calculations and reckonings of the said administration, and the absolute care of the same, to me are manifestly known to belong, and that administration of all and singular the goods, chattels, rights and credits of the said deceased any concerning his last Will and Testament was committed to Ida Beach Wilson of 2509 Seventh Avenue, Altoona, Pa., in the said last Will and Testament named Executrix, she having first been duly sworn well and truly to administer the goods, chattels, rights and credits of the said deceased, and make a true and perfect inventory thereof, and exhibit the same in the Register's Office at Hollidaysburg, aforesaid, on or before the eighth day of February next, to render a true and just account, calculation and reckoning of her said administration, on the eighth day of July A.D. nineteen hundred and twenty or when thereto lawfully required; and also to diligently and faithfully regard and well and truly comply with the provisions of the Acts relating to transfer Inheritance.

In Testimony Whereof, I have hereunto set my hand and caused the seal of said Office to be hereunto affixed. Dated at Hollidaysbury, the eighth day of January A. D. one thousand nine hundred and twenty.

Thomas G. Peoples Register.

EXEMPLIFICATION FORM

COMMONWELATH OF PENNSYLVANIA)
SS: (SEAL)
COUNTY OF BLAIR)

I, THOMAS G. PEOPLES Register for the Probate of Wills and granting Letters of Administration in and for said County, do hereby certify the foregoing to be a full and perfect copy of the

last Will and Testament of George Milton Wilson, late of Altoona, Pa., deceased, together with the Probate thereof, Affidavit of Executrix, Petition, Memorandum, and Letters Testamentary as issued.

As full and entire as the same remains on file and of record in my office at Hollidaysburg,Pa .

Witness my hand and seal of office this tenth day of December A. D. 1945.

Thomas G. Peoples
Register of Wills

Hollidaysbury, Pa. December 10th, A.D. 1945.

I, GEORGE G. PATTERSON, President Judge of the 24th Judicial District of Pennsylvania, composed of the County of Blair, do certify that Thomas G. Peoples, by whom the annexed record, certificate and attestation were made and given, and who, in his own proper handwriting, thereunto subscribed his name and affixed the seal of the Register of Wills of said County, was at the time of his so doing and now is Register of Wills in and for the said County of Blair, duly commissioned and qualified; to all of whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere, and the said record, certificate and attestation are in due form of law and made by the proper officer.

George G. Patterson
President Judge.

COMMONWEALTH OF PENNSYLVANIA)
SS:
COUNT OF BLAIR)

SEAL

I, JOHN B. ELLIOTT, Prothonotary of the Court of Common Please in and for said County, do certify that the Honorable George G. Patterson, by whom the foregoing attestation was made, and who has thereunto subscribed his name, was at the time of making thereof and still is President Judge of the Court of Common Please, Orphans' Court and Court of Quarter Session of the Peace in and for said County, duly commissioned and qualified; to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said Court, this tenth day of December A. D. 1945.

John B. Elliott
Prothonotary

STATE OF MARYLAND

SOMERSET COUNTY, SS.

I, Florence E. Dryden Register of Wills and by law keeper of the Seal and of the Records of the Original Papers of the Orphan's Court of Somerset County, DO HEREBY CERTIFY that the foregoing is a true and full copy of the Exemplified copy of the last Will and Testament of George Milton Wilson, late of Altoona, Pa., deceased, together with the Probate thereof, Affidavit of Executrix, Petition, Memorandum and Letters Testamentary as issued, taken from the original now on file and the same being on of the Records kept in the office of the Register of Wills for Somerset County.

SEAL

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the Seal of said Court,this sixteenth day of August in the year of our Lord, nineteen hundred and forty-six.

Florence E. Dryden
Register of Wills for Somerset County

Exhibit "B" referred to in the aforegoing Bill is in the words following to wit:

DEED)
Granville T. Evans)
From)
Edith Wilson Sterling, et als.)
)

This deed made this 1st day of August, in the year 1946, by Edith Wilson Sterling (Widow), Pearle Haffner and Erick Haffner, her husband, Rhea Bunting

and Harrison Bunting, her husband, Clyde Lawson and Winnie Lawson, his wife, and Wilson C. Lawson (unmarried), all of the City of Washington and District of Columbia, and Keziah Wilson Church (Widow), and Agatha W. Whittington and R. Brice Whittington, her husband, and Elizabeth R. Woodland (Widow), Elizabeth Josephine Woodland, and James Reed Woodland, all of Somerset County and State of Maryland.

Witnesseth, that in consideration of the sum of ten dollars ($10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Edith Wilson Sterling, Pearle Haffner and Erick Haffner, her husband, Rhea Bunting and Harrison Bunting, her husband, Clyde Lawson and Winnie Lawson, his wife, Wilson C. Lawson, Keziah Wilson Church, Agatha W. Whittington and R. Brice Whittington, her husband, Elizabeth R. Woodland, Elizabeth Josephine Woodland, and James Reed Woodland, do grant and convey unto Granville T. Evans, of Somerset County and State of Maryland, his heirs and assigns in fee simple; all the grantors undivided right, title, interest, and estate (the same being an undivided four-fifth interest), in and to all that lot or parcel of land, situate lying and being in Asbury Election District, in said Somerset County and State of Maryland, and more fully described as follows, that is to say:

All that lot or parcel of land, situate as aforesaid, and lying and binding on the east side of Somerset Avenue, extended, in said Election District, bounded on the north by the land of William E. Lawson, on the east by the land of Granville T. Evans and on the south by the land of Warren E. Sterling, and supposed to contain 1½ acres of land, more or less.

The land hereby conveyed being the same and all of the land which was conveyed unto the said Nancy J. Wilson, late of said Somerset County, deceased, by George M. Wilson,and wife, by deed dated the 15th day of May, 1895,and recorded among the land records of said Somerset County, in Liber HFL, No. 17, Folio 12, etc; and which said lands upon the death of the said Nancy J. Wilson, intestate, descended unto her children and descendants, who at the present time owned an undivided four-fifth interest in said property and who are the grantors in this deed; namely, her dauthers, Edith Wilson Sterling, and Keziah Wilson Church; and to another daughter, of the said deceased, Jennie Woodland who died intestate, leaving as her only heirs at law a daughter, the said Agatha W. Whittington, and a son, Roy W. Woodland, who has since died, leaving a widow, Elizabeth R. Woodland, and two children; namely, Elizabeth Josephine Woodland, and James Reed Woodland; and it is understood that at the time of the execution, of this deed, that the said James Reed Woodland, is about 16 years of age, and to another daughter, of the deceased, Mary Frances Lawson, who died intestate, leaving as her heirs at law, the following grantors; namely, Pearle Haffner, Rhea Bunting, Clyde Lawson, and Wilson C. Lawson,

And special reference is hereby made to the aforesaid deed, and to all the references in said deed contained, for a more accurate and perfect description of the lands and premises, hereby conveyed.

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

To have and to hold the land and premises above described and mentioned, and hereby intended to be conveyed, unto and to the proper use and benefit of the said Granville T. Evans, his heirs and assigns, in fee simple.

And the said grantors, and each of the, do hereby covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of the said land, as may be requisite.

As witness the hands and seals of the said grantors.

TEST: Edith Wilson Sterling (SEAL)

Pearle Haffner (SEAL)

Erich Haffner (SEAL)

TEST: Rhea Bunting (SEAL)

Harrison R. Bunting (SEAL)

Winnie Lawson (SEAL)

Wilson C. Lawson (SEAL)

Clyde Lawson (SEAL)

Keziah Wilson Church (SEAL)

Agatha W. Whittington (SEAL)

R. Brice Whittington (SEAL)

Elizabeth R. Woodland (SEAL)

Elizabeth Hosephine Woodland (SEAL)

James Reed Woodland (SEAL)

STATE OF MARYLAND, SOMERSET COUNTY TO WIT:

I hereby certify that on this 1st day of August, 1946, before me the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared, Edith Wilson Sterling, Rhea Bunting, and Harrison Bunting, her husband, Wilson C. Lawson, Clyde Lawson and Winnie Lawson, his wife, Keziah Wilson Church, Agatha W. Whittington and R. Brice Whittington, her husband, Elizabeth R. Woodland, Elizabeth Josephine Woodland, and James Reed Woodland, and did each of them acknowledge the aforegoing deed to be their respective act and deed; and I do further certify that the said Edith Wilson Sterling, Rhea Bunting and Harrison Bunting, her husband, Wilson C. Lawson, Clyde Lawson and Winnie Lawson, his wife, Keziah Wilson Church, Agatha W. Whittington and R. Brice Whittington, her husband, Elizabeth R. Woodland, Elizabeth Josephine Woodland, and James Reed Woodland, signed the aforegoing deed in my presence, and that I witnesseth their signatures to the same.

As witness my hand and notarial seal, the day and year above written.

Geo. A. Green SEAL OF

Notary Public NOTARY

DISTRICT OF COLUMBIA, CITY OF WASHINGTON, TO WIT:

I hereby certify that on this 14th day of August, 1946, before me the subscriber, a Notary Public of the District of Columbia, in and for the City of Washington, aforesaid, personally appeared Pearl Haffner and Erich Haffner, her husband, and acknowledged the aforegoing deed to be their act and deed; and I do further certify that the said Pearl Haffner and Erick Haffner signed the aforegoing deed in my presence and that I witnessed their signatures to the same.

As witness my hand and notarial seal the day and year above written.

Federal Stamps: $1.65 Ruth M. Beuchert SEAL OF

My commission expires

State Stamps: $1.30 August 31, 1948 Notary Public NOTARY

Received for Record August 13, 1946 and recorded in Liber B.L.B. No. 136, folio 490, one of the Land Records of Somerset County

Per: Benjamin L. Barnes Clerk.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, hereby certify that the foregoing is truly and correctly copied from Liber B.L.B. No. 136, folio 490, one of the Land Records of Somerset County.

SEAL OF COURT

In testimony whereof, I hereunto subscribe my name and affix the Seal of said Court, this twentieth day of August, in the year nineteen hundred and forty-six.

Benjamin L. Barnes
Clerk of the Circuit Court for Somerset County, Maryland

And thereupon in pursuance of the prayer in the foregoing Bill, on October fourteenth, nineteen hundred and forty-six, the following Order of Publication was issued to wit:

GRANVILLE T. EVANS VS IDA BEACH SMITH TUCKER SMITH	NO. 6194 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY.

The object of this suit is to procure a decree for the sale of the real estate of the late Nancy J. Wilson, in Asbury Election District, Somerset County, Maryland.

The Bill states that Nancy J. Wilson, late of Somerset County, deceased was at the time of her death, seized and possessed of valuable real estate in Asbury Election District, Somerset County, Maryland, which was conveyed to the said Wilson by George M. Wilson and wife, by deed dated May 15, 1895, and recorded among the land records of said Somerset County, in Liber HFL, No. 17, Folio 12; that being so seized, the said Nancy J. Wilson died intestate in January 1919, without leaving no husband surviving her, but leaving as her only heirs at law, the following children, and descendants, viz: a daughter Edith Wilson Sterling; a daughter Keziah Wilson Church; a daughter Jennie Woodland; who died intestate,leaving as her only children and heirs at law, a daughter Agatha W. Whittington and a son, Roy W. Woodland, who has since died, leaving a widow Elizabeth R. Woodland and two children, Elizabeth Josephine Woodland, and James Reed Woodland; a daughter, Mary Frances Lawson, who dies intestate, leaving as her only children and heirs at law, a daughter, Pearl Haffner; a daughter, Rhea Bunting; a son, Clyde Lawson, and a son Wilson C. Lawson; a son, George M. Wilson, who died leaving a Last Will and Testament, by the provisions of which he devised all his property and estate to his widow, the defendant, Ida Beach Wilson, who has since intermarried with the defendant, Tucker Smith; that since the death of the said Nancy J. Wilson, the following children and descendants, of the said deceased, have conveyed their interest in her real estate to the plaintiff, Granville T. Evans, by deed dated August 1, 1946, and duly recorded among the land records of said Somerset County; namely, Edith Wilson Sterling, Keziah Wilson Church, Agatha W. Whittington and R. Brice Whittington, her husband, Elizabeth R. Woodland, Elizabeth Josephine Woodland, James Reed Woodland, Rhea Bunting and Harrison Bunting, her husband, Clyde Lawson and Winnie Lawson, his wife, Wilson C. Lawson; that the aforesaid real estate is now owned in the following porportions: the said Granville T. Evans owns a 4/5 undivided interest therein, and the said Ida Beach Smith owns a 1/5 undivided interest therein; that the aforesaid real estate is not susceptible of division or partition among the parties entitled to interests therein, and it would be for the benefit of the said parties to sell said real estate and divide the proceeds among them; that the said defendants, Ida Beach Smith and Tucker Smith, her husband, are both adults and reside in the State of California, and are nonresidents of the State of Maryland.

It is thereupon this 14th day of October, 1946, ordered by the Circuit Court for Somerset County, in Equity, that the complainant, by causing a copy of this order to be inserted in some newspaper in said Somerset County, Maryland, once in each of four successive weeks, before the 16th day of November, 1946, give notice to the said absent defendants 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 the 3rd day of December, 1946, to show cause if any they have why a decree ought not to be passed as prayed.

Benjamin L. Barnes
Clerk

And thereafter to wit, on the 14th day of October, 1946, the following Affidavit was filed:

GRANVILLE TO. EVANS VS. IDA BEACH SMITH TUCKER SMITH, HER HUSBAND	NO. 6194 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY.

STATE OF MARYLAND, SOMERSET COUNTY TO WIT:-

I hereby certify that on this 8th day of October, 1946, before me the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared, Harry C. Dashiell, the solicitor for the complainant, in the above entitled cause, and made oath in due form of law that the said defendants, Ida Beach Smith and Tucker Smith, her husband, are not now in the military or naval service of the United States.

As witness my hand and notarial seal the day and year above written.

Sally L. Ford SEAL OF
Notary Public NOTARY

And thereafter to wit, on the Sixth day of January in the year Nineteen Hundred and Forty-Seven, the said Complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

GRANVILLE T. EVANS VS IDA BEACH SMITH TUCKER SMITH	NO. 6194 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The petition of the complainant, Granville T. Evans, respectfully represents:

That the respondents in said cause, Ida Beach Smith and Tucker Smith, her husband, have been duly summoned to appear in said cause by an Order of Publication, duly published as required by law; but the said respondents, have failed to appear and answer to the Bill of Complaint filed in said cause, against them.

Your petitioner therefore prays the court to pass an order that said Bill of Complaint be taken pro confesso against said respondents, Ida Beach Smith and Tucker Smith, her husband, who have been duly summoned to appear but have failed to appear an answer as above set forth.

Harry C. Dashiell
Solicitor for Complainant

Upon which said petition, the Court here passed the following order to wit:

Upon the aforegoing petition, it is this 6th day of January, 1947, by the Circuit Court for Somerset County, in Equity, ordered and decreed that said Bill of Complaint be and the same is hereby taken pro confesso against said defendants, Ida Beach Smith and Tucker Smith, her husband, who have been duly summoned to appear in said cause, but have failed to appear and answer as required by law.

Levin C. Bailey
Judge

And afterwards to wit, on the Seventeenth day of January in the year Nineteen Hundred and Forty-Seven, Benson W. Sterling, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

GRANVILLE TO EVANS VS IDA BEACH SMITH TUCKER SMITH	NO. 6194 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY

In the above entitled cause, I, Benson W. Sterling, the Regular Examiner of this court, do hereby certify that at my office in Crisfield, Maryland, on the 16th day of January, 1947, I did take the following deposition, that is to say:

Granville T. Evans, a witness of lawful age, being first duly sworn, deposing says:

Int. 1. Please state you name, residence, and occupation.

Ans. Granville T. Evans. Age: 39 years, Residence: Crisfield, Maryland, Occupation: I am employed by the Crisfield Beverage Co.

Int. 2. Do you know the parties to this suit, and if so, how long have you known them, and where do they reside?

Ans. I am the plaintiff and my residence is Crisfield, Maryland, I am not personally acquainted with the defendant, Ida Beach Smith, but from all of her relatives at Crisfield, I know who she is, and that since her second marriage to the defendant, Tucker Smith, she has lived in the State of California, and that she is living in that State at the present time.

Int. 3. Did you know Nancy J. Wilson in her lifetime, if yea, is she living or dead, if dead, when did she die? Did she or not leave a Last Will and Testament, and who are her heirs-at-law?

Ans. I did know Nancy J. Wilson, in her lifetime, but she died at her home at Crisfield Maryland, in the year 1919, and I was very young at that time.

She left no Last Will and Testament, and her husband died before she did, but at the time of her death, she left a number of children, and those children who are now living together with the descendants of the ones who are dead, are as follows:

(a) A daughter, Edith Wilson Sterling, who is an adult and lives at Washington, D. C.

(b) A daughter, Keziah Wilson Church, who is also an adult and who lives at Crisfield, Maryland.

(c) Nancy J. Wilson, at the time of her death left another daughter, surviving her, who was Mrs. Jennie Woodland. Mrs. Woodland has since died, leaving as her only heirs-at-law, a daughter, Agatha W. Whittington, and a son, Roy W. Woodland. Agatha W. Whittington, an adult, lives at Marion Station, and the son, Roy W. Woodland, has since died; leaving a widow, Elizabeth R. Woodland; a daughter, Elizabeth Josephine Woodland, and a son, James Reed Woodland.
The Woodlands also live at Marion Station, and they are all adults, except James Reed Woodland, who is a minor.

(d) Nancy J. Wilson left another daughter, Mary Frances Lawson, who died after her mother; leaving as her heirs-at-law, two daughters, Pearl Haffner and Rhea Bunting, and two sons, Clyde Lawson and Wilson Lawson. All of these heirs are adults, and they all live in Washington, D.C.

(e) Nancy J. Wilson, at the time of her death, left a son, surviving her, who was George M. Wilson, but he has since died, and he left a Last Will and Testament, under which will, he devised all of his property and estate to his widow, the defendant, Ida Beach Wilson, who since the death of her first husband, has intermarried with the defendant, Tucker Smith. The two defendants are both adults, above the age of 21 years.

Plaintiff herewith files to be used as evidence in this cause, a Certified copy of the will of George M. Wilson, marked "Exhibit A".

Int. 4. Please state whether or not Nancy J. Wilson, left any real estate at the time of her death, and if so, decribe it and state its value.

Ans. At the time of her death, Nancy J. Wilson, owned a house and lot in Asbury District, Somerset County, Maryland lying and binding on the east side of Somerset Avenue, extended. This property is bounded on the north by William E. Lawson, on the east by the land of Granville T. Evans, and on the south by the land of Warren E. Sterling and is supposed to contain about 1½ acres of land, more or less. This real estate was conveyed to Nancy J. Wilson by George M. Wilson and wife, by deed dated May 15, 1895, and the deed is recorded in Liber HFL, No. 17, Folio 12, etc.

In my opinion, this property is worth $1500.00.

Int. 5. Please tell us what you can about the title to the real estate that you have just described at the present time.

Ans. The land that I have described was owned by Nancy J. Wilson, at the time of her death, but during the early part of last summer, I took up with various members of the family, the question of the purchase of this property. We agreed on a price, and all the members of the family sold and conveyed their interest to me; except the defendant, Ida Beach Smith. The deed that I obtained, was signed by Edith Wilson Sterling, Pearl Haffner, and Erick Haffner, her husband, Rhea Bunting and Harrison R. Bunting,her husband, Winniw Lawson and Wilson C. Lawson, her husband, Clyde Lawson, Keziah Wilson Church, Agatha W. Whittington, and R. Brice Whittington, her husband, Elizabeth R. Woodland, Elizabeth Josephine Woodland, and James Reed Woodland. This deed is dated August 1, 1946, and is recorded among the land records of said Somerset County, in Liber BLB, No. 136, Folio 490. As shown by my testimony above, the people who signed this deed, are all heirs of Nancy J. Wilson, except Ida Beach Smith, who obtained all the interest of her husband, under his will. I therefore own at the present time, an undivided 4/5 interest in this property, and Ida Beach Smith, owns an undivided 1/5 interest.

Plaintiff herewith files to be used as evidence in this case certified copy of the deed from Edith Wilson Sterling and others, marked plaintiff's "Exhibit B".

Int. 6. Please state whether or not the above property can be divided in kind or will it be necessary to sell property and divide the proceeds between the parties in interest.

Ans. It is only a building lot with a dwelling thereon, and there is no way that it could be divided in kind. It will therefore be necessary to sell said real estate and divide the proceeds of sale between Mrs. Smith and myself, according to our respective interest in said property.

Court question and answer.

There is nothing further.

TEST: Benson W. Sterling. Granville T. Evans

Bernice Hall Reed, a witness of lawful age, being first duly sworn, deposing says:

Int. 1. Please state your name, age, residence, and occupation.

Ans. Bernice Hall Reed. Age 46 years, Residence: Crisfield, Maryland, occupation: Manager and owner of the Crisfield Beverage Company.

Int. 2. Do you know the parties to this suit, and if so, how long have you known them, and where do they reside?

Ans. I know the plaintiff, Granville T. Evans, and have known him all of his life. I am not personally acquainted with the defendant, Ida Beach Smith, but I know that her first husband was George M. Wilson. I understand that she is no living with her second husband, Tucker Smith, in the State of California.

Int. 3. Did you know Nancy J. Wilson in her lifetime, if yea, is she living or dead, and did she or not leave a Last Will and Testament and who are her heirs-at-law?

Ans. I have lived at Crisfield all of my life, and I remember Mrs. Nancy J. Wilson; although I did not know her so very well. I have known all of the member of her family except Ida Beach Smith. Mrs. Wilson died in 1919, and her heirs-at-law at the present time are the same parties who were named by the previous witness; namely, a daughter Edith Wilson Sterling, another daughter, Keziah Wilson Church, the following children of Mrs. Jennie Woodland; namely, a daughter, Agatha W. Whittington, and a son Roy W. Woodland, who has since died, leaving a widow, Elizabeth R. Woodland, and two children, Elizabeth Josephine Woodland, and James Reed Woodland; Mrs. Wilson also had another daughter, Mary Frances Lawson, and she died after her mother's death; leaving two daughters, Pearl Haffner, and Rhea Bunting, and two sons, Clyde Lawson, andWilson C. Lawson. I have known all of these parties because they have all lived during my lifetime, near my home at Crisfield, Mrs. Wilson also had a son, George M. Wilson. He died up in Pennsylvania several years ago, leaving a widow, who has since, I understand, married a man named Smith, and she and her husband are now living in the State of California.

Int. 4. Please state whether or not Nancy J. Wilson, owned any real estate at the time of her death.

Ans. Yes, at the time of her death, Nancy J. Wilson owned a house and lot where she resided in Asbury Election District, lying and binding on the east side of Somerset Avenue, extended, bounded by the lands of William E. Lawson, Granville T. Evans, and Warren E. Sterling, and this property is supposed to contain about an acre and one-half of land. It is worth in my opinion about $1500.00.

Int. 5. Please tell us what you can about the title to this property at the present time.

Ans. The plaintiff, Granville T. Evans, has been employed by me for several years, and I know that last summer he was negotiating with the members of this family, for the purchase of this property. I think his negotiations were carried on principally with Edith Wilson Sterling, and Mr. Brice Whittington, both of whom I know very well. I have understood, that all of the heirs except the defendant, Ida Beach Smith, sold and conveyed their interest in the property to Mr. Evans, and that a deed for the property was recorded in Princess Anne.

Int. 6. Please state shether or not in your opinion the property can be divided in kind or will it be necessary to sell the property and divide the proceeds.

Ans. It is only a town dwelling and lot, and can not be divided in king. It will be necessary to sell the property and divide the proceeds, between the two parties owning interest therein.

Court question and answer.

There is nothing further that I desire to say.

TEST: Benson W. Sterling Bernice Hall Reed

There being no further witnesses produced to me to be examined, I herewith at the request of plaintiff's solicitor, return the above depositions to court, closed under my hand and seal, and certified that the examiner's costs have been paid by the plaintiff.

Given under my hand and seal this 16th day of January, 1947.

Benson W. Sterling (SEAL)
Examiner in Chancery

And thereafter to wit, on the Sixth day of February in the year nineteen hundred and forty seven the Circuit Court here passed the following Decree in the premises to wit:

GRANVILLE T. EVANS VS IDA BEACH SMITH TUCKER SMITH, HER HUSBAND	NO. 6194 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY.

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

It is therefore this 6th day of February, in the year 1947, by the Circuit Court, for Somerset County, in Equity, adjudged, ordered, and decreed that the realestate in the proceedings, mentioned, or so much thereof, as may be necessary, be sold.

That Harry C. Dashiell, and he is hereby appointed Trustee to make such sale, and that the course and manner of his proceedings, shall be as follows:

He shall first file in the office of the Clerk of the Circuit Court for Somerset County, in Equity, a bond to the State of Maryland, executed by himself, and a surety or surities to be approved by the said court, in the penalty of three thousand dollars($3,000.00), if individual surety, or surities, or one-half of said penal sum, if corporate security, conditioned for the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said realestate, having first given at least three (3) weeks previous notice, inserted in some newspaper, printed and published in said Somerset County, and such further notice as he may think proper, of the time, place,manner, and terms of sale, which said terms shall be as follows: one-half in cash on the day of sale, and the balance of the purchase money to be paid in six (6) months from the day of sale, the deferred payment to bear interest from the day of sale, and the payment thereof, to be secured by the bond of the purchaser, with a surety or surities, to be approved by the said Trustee, or all cash at the option of the purchaser or purchasers.

And as soon as may be after such sale or sales, the said Trustee shall return to this court, a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale or sales, annexed and on the ratification of such sale or sales, by this court, and on the payment of the whole purchase money (and not before), the said Trustee, by a good and sufficient deed to be executed and acknowledged according to law, convey to the purchaser or purchasers of said property, or to his, her, or their heirs and assigns, the property to him, her, or the, sold,free, clear, and discharged of all the claims of the parties to this cause, and of any person or person, claiming by, from, or under them. And the said Trustee shall bring into this court the money arising from said sale or sales, and the bonds which may be taken for the same, to be disposed of, under the direction of this court, after deducting therefrom, the costs of this suit, and such commissions to the said 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.

W. Laird Henry
Judge

And thereupon the said Harry C. Dashiell, Trustee, filed a Bond in the Court here in the words following to wit:

KNOW ALL MEM BY THESE PRESENTS: that Harry C. Dashiell, of Somerset County, and State of Maryland, Principal, and the American Surety Company of New York, a corporation, created and existing under the laws of the State of New York, are held and firmly bound, unto the said State of Maryland, in the full and just sum of fifteen hundred dollars ($1500.00), 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, personal representatives, and assigns, firmly by these presents, seal with our seal, and dated this 8" day of February, in the year 1947.

Whereas, by a decree of the Circuit Court, for Somerset County, in Equity, passed on February 5, 1947, in a cause, wherein Granville T. Evans, is plaintiff, and Ida Beach Smith and husband, are defendants, the same being Number 6194, Chancery, the said Harry C. Dashiell, was appointed Trustee, to make sale of the Real Estate mentioned and described in said cause, all of which will appear by reference to the proceedings in said cause.

Now, therefore, the condition of the above obligation, is such that if the above bounden, Harry C. Dashiell, do and shall, well, truly, and faithfully perform the trust reposed in him, by said decree or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise, to be and remain in full force and virtue in law.

As witness the hand and seal of the said Harry C. Dashiell, the corporate seal of the said, The American Surety Company, a corporation as aforesaid, and the hand of Harry C. Dashiell, the Attorney in fact, of said corporation, the day and year above written.

Harry C. Dashiell, Principal (SEAL)

THE AMERICAN SURETY COMPANY OF
NEW YORK

BY:

TEST: Grace J. Barnes

SEAL

Harry C. Dashiell,
Attorney-in-fact

Which said Bond was thus thereon endorsed to wit: The within Bond approved. Benjamin L. Barnes, Clerk.

And thereafter to wit, on the Fourth day of March in the year Nineteen Hundred and Forty Seven the said Trustee exhibited and filed in the Circuit Court here a report of sales with an affidavit thereunto annexed which said report and affidavit so as aforesaid filed is in the words following, to wit:

GRANVILLE T. EVANS VS IDA BEACH SMITH & HUSBAND	NO. 6194 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY:-

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The report of Harry C. Dashiell, Trustee, appointed by a decree passed in the above entitled cause, to make sale of the realestate therein mentioned, respectfully represents:

That after giving bond with security for the faithful discharge of the trust, as required by said decree, and after giving notice of the time, place, manner, and terms, of sale, by advertisement in the Crisfield Times, a weekly newspaper, printed and published in said Somerset County, once a week for three successive weeks, before the day of sale, he did pursuant to said notice, attend in front of the Post Office in Crisfield, Maryland, on Saturday, the first day of March, 1947, at or about the hour of 2:00 o'clock P.M. and did then and there proceed to offer said realestate for sale at Public Auction, that is to say:

Your said Trustee offered all that lot or parcel of land, situate lying and being in Asbury Election District, in said Somerset County and State of Maryland, lying and binding on the east side of Somerset Avenue, Extended, bounded on the north by the land of William E. Lawson, on the east by the land of Granville T. Evans, on the south by the land of Warren E. Sterling, and containing about 1½ acres of land, more or less.

The land above described, is the same land which was conveyed to Nancy J. Wilson, by George M. Wilson and wife, by deed dated May 15, 1895, and recorded among the land records of said Somerset County, in Liber HFL, No. 17, Folio 12, etc. and which said land upon the

death of the said Nancy J. Wilson, descended unto her children and descendants, as her only heirs-at-law; an undivided 4/5 interest in said property, having been conveyed unto the said Granville T. Evans, by Edith Wilson Sterling, and others, by deed dated August1,1946, and recorded among the aforesaid land records, in Liber BLB, No. 136, Folio 480, etc. the remaining undivided 1/5 interest in said property being owned by the said Ida Beach Smith.

This property is improved by a two-story frame dwelling.

And your said Trustee sold said property to the said Granville T. Evans, of Somerset County and State of Maryland, he being the highest bidder therefor, at and for the sum of one thousand dollars ($1,000.00); and the aforesaid purchaser has complied with the terms of said sale to the satisfaction of your said Trustee.

All of which is respectfully submitted.

Harry C. Dashiell, Trustee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:-

I hereby certify that on this 4th day of March, in the year 1947, before me the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared, Harry C. Dashiell, Trustee, named in the above report of sales, and made oath in due form of law, that the matters and things stated in the aforegoing Report of Sales, are true as therein stated, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Sally L. Ford SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

GRANVILLE T. EVANS VS IDA BEACH SMITH AND HUSBAND	NO. 6194 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY; -

ORDERED, that the sale of the Real Estate mentioned in these proceedings, made and reported by Harry C. Dashiell, Trustee, be ratified and confirmed unless cause to the contrary thereof is shown, on or before the 7th day of April, 1947; provided a copy of this order, be inserted in some newspaper printed in said Somerset County, in each of three (3) successive weeks before the 5th day of April, 1947.

The report states the amount of sales to be one thousand dollars ($1,000.00)

Benjamin L. Barnes
Clerk

And now at this day to wit, on the Fifteenth day of April in the year Nineteen Hundred and Forty-seven, came again into Court here the said Complainant, by his solicitor aforesaid, and on motion of the said Complainant, by his solicitor aforesaid, the Court here passed the following order to wit:

Ordered by the Circuit Court for Somerset County, in Equity, this 15th day of April,1947, that the sale of the Real Estate mentioned in these proceedings, made and reported by Harry C. Dashiell, 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 since it appears that Harry C. Dashiell, the Regular Auditor of this court, is the solicitor for the complainant, in this cause, it is further ordered that Sallie L. Wilson,be,and is hereby appointed Special Auditor to the state the account in this cause.

Edmond H. Johnson
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk

State of Maryland, Somerset County, to wit:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the First Monday in May, being the fifth day of the same month, in the year of our Lord one thousand nine hundred and forty seven.

Were present,

Hon. W. Laird Henry Jr., Chief Judge
Hon. Levin C. Bailey, Assoc. Judge
Hon. Edmond H. Johnson, Assoc. Judge
Woodland Jackson, Sheriff and Benjamin L. Barnes, Clerk

In the record of proceedings of said Court, among others were the following to wit:

Edgar A. Jones, Ex Parte Under power in a mortgage from Timothy W. Laughery and wife to J. Archie Wilkins	) Be it remembered that heretofore to wit, on the) twenty-eighth day of February in the year nineteen) hundred and forty-seven, a certain Edgar A. Jones) of Somerset County and State of Maryland, in his) proper person exhibited and filed in the Circuit

Court here, the original and assignments of a certain mortgage, executed and delivered to J. Archie Wilkins by a certain Timothy W. Laughery and Laura Anne Laughery, his wife, of Somerset County and State of Maryland, which said original mortgage and assignments are in the words following to wit:

THIS MORTGAGE, Made this 23rd day of August in the year nineteen hundred and forty-three, by Timothy W. Laughery and Laura Anne Laughery, his wife, of Somerset County and State of Maryland.

WHEREAS, the said Timothy W. Laughery and Laura Anne Laughery, his wife, have become indebted and are now indebted unto J. Archie Wilkins, of the said County and State, for monies this day loaned and advanced in the sum of Ten thousand dollars ($10,000.00) which indebtedness is further evidenced by the bill obligatory of the said Timothy W. Laughery and wife of even date herewith, payable to the order of the said J. Archie Wilkins three years after date, but without interest and with the privilege to the said Mortgagors to pay One hundred dollars ($100.00), or any multiple thereof, at any time and to secure the prompt payment of the said sum of money, when and as the same shall become due and payable, according to the tenor and effect of the said bill obligatory, these presents are executed.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH that in consideration of the premises and the sum of One dollar ($1.00) and for the purpose aforesaid, the said Timothy W. Laughery and Laura Anne Laughery, his wife, do hereby grant and convey unto J. Archie Wilkins, his heirs and assigns, all that lot or parcel of land lying and being situate on the Southwest side of the State stone road leading from Pocomoke City to Princess Anne, in Dublin Election District of Somerset County, Maryland, same being bounded on the Southeast by the lands of Clifford Dryden, on the Southwest by the right of way of the Pennsylvania Railroad Company, on the Northwest by a ditch separating the said property from the canning house property and on the Northeast by the right of way of the aforesaid State stone road leading from Pocomoke City to Princess Anne.

It being in all respects all and the same tract or parcel of land granted and conveyed to the said Timothy W. Laughery and Laura Anne Laughery, his wife, as tenants by the entireties, from the said J. Archie Wilkins and wife, by deed dated April 16, 1943 and of record among the Land Records of said Somerset County in Liber B.L.B. No. 124, at folios 268, et seq.

Reference is made to the aforesaid deed and to the references and recitals therein contained for a more complete and accurate description.

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee his heirs and assigns forever.

PROVIDED that if the said Mortgagors shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said bill obligatory, 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 Mortgagors shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said Timothy W. Laughery and Laura Anne Laughery, his wife, do hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for payment of the same, or in any agreement, covenant or condition of thie mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagee his personal representatives or assigns, or Godfrey Child their Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash to satisfy and pay said debt, interest and all costs incurred in making such sale, and to grant and convey 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 by advertisement in some newspaper printed in Somerset county, and such other notices as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorney's fee, 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 jurisiction in the State of Maryland; secondly, to the payment of all claims of the said Mortgagee his, personal representatives and assigns under this mortgage, whether the same shall have matured or not; and the surplus (if any there be) shall be paid to the said Mortgagor, or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted, and that the said Mortgagors or any person in their behalf shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagors covenant to pay the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee and one-half the commission hereinbefore mentioned to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgage property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagors do further covenant to insure, and pending the existance of this mortgage to keep insured, the improvements on hereby mortgaged land to the amoung of a least dollars, 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 his, personal representatives and assigns, to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee,and if the said mortgagors shall fail to insure and keep insured

the improvements aforesaid for the benefit of the mortgagee, and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment,as though included in the mortgage debt hereinbefore first mentioned.

WITNESS the hands and seals of said mortgagors.

Test: Doris C. Hickman — Timothy W. Laughery (SEAL)

Laura Anne Laughery (SEAL)

STATE OF MARYLAND, COUNTY, to-wit:

I HEREBY CERTIFY, That on this 23rd day of August in the year nineteen hundred and forty-three, before me, the subscriber, a Notary Public of the State of Maryland, in and for Worcester County personally appeared Timothy W. Laughery and Laura Anne Laughery, his wife, the mortgagors named in the foregoing mortgage and they acknowledged the foregoing mortgage to be their respective act and deed; and at the same time and place also personally appeared before me J. Archie Wilkins and made oath in due form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth.

In testimony whereof, I have hereunto subscribed my name and affixed my Notarial Seal.

State stamps: $10.00 — Doris C. Hickman SEAL OF

Notary Public NOTARY

Received for Record Sept. 14, 1943 and recorded in Liber B.L.B. No. 125, Folio 142 one of the Land Records of Somerset County.

Per: Benjamin L. Barnes, Clerk

ASSIGNMENTS

For value received, I hereby assign this mortgage to the Pocomoke City National Bank as collateral security for any obligation now owing or hereafter to become owing from myself or Elsie J. Wilkins to said bank.

Witness my hand and seal this 30th day of September A.D. 1943.

Test: Beatrice C. Stevenson — J. A. Wilkins (SEAL)

Filed for Record Oct 2 1943 and recorded in Liber B.L.B. No. 125, Folio 143.

Test: Benjamin L. Barnes, Clerk

For value received, The Pocomoke City National Bank of Pocomoke City, Maryland, a corporation, hereby assigns the withint mortgage, without recourse to it, to J. Archie Wilkins. In testimony whereof, it has caused this assignment to be signed for it and in its name by Milton L. Veasey, its President, and its corporate seal to be hereto affixed, duly attested by Willard J. Stevenson, its Cashier, this the 26th day of June, A.D. 1944.

Attest: Willard J. Stevenson
its Cashier

THE POCOMOKE CITY NATIONAL BANK
OF POCOMOKE CITY, MD.

CORPORATE SEAL

By Milton L. Veasey
its President

Filed for Record June 26, 1944 and recorded in Liber B.L.B. No. 125, Folio 142.

Test: Benjamin L. Barnes, Clerk

For value received I hereby assign the within mortgage to the Citizens National Bank in Pocomoke City, Pocomoke City, Md. as collateral security for any obligation now owing or hereafter to become owing from myself or Elsie J. Wilkins to said bank.

Witness my hand and seal this 23 day of May 1945

Witness: J. C. Stevenson — J. Archie Wilkins (SEAL)

Filed for Record June 2, 1945 and recorded in Liber B.L.B. No. 125, Folio 143.

Test Benjamin L. Barnes, Clerk

For value received, the Citizens National Bank in Pocomoke City, Maryland, a corporation, hereby assigns the within mortgage, without recourse to it, to J. Archie Wilkins. In testimony whereof, it has caused this assignment to be signed for it and in its name by R. Harlan Robertson, its President, and its corporate seal to be hereto affixed, duly attested by Joseph C. Stevenson, its Cashier, this the 28th day of February, 1947.

Attest: Joseph C. Stevenson

CORPORATE SEAL

CITIZENS NATIONAL BANK
in Pocomoke City

by R. Harlan Robertson
its President

For Value Recieved, I hereby assign the within mortgage to Edgar A. Jones, for the purpose of foreclosure and collections.

Witness my hand and seal this 28th day of February, 1947.

Witness: Sally L. Ford J. A. Wilkins (SEAL)

Filed for Record Feb. 28, 1947 and recorded in Liber B.L.B. No. 139, Folio 113.

Test: Benjamin L Barnes, Clerk

And thereupon the said Edgar A. Jones, Assignee filed in Court here a bond in the words following to wit:

Edgar A. Jones, Ex-Parte,	:	No. 6247 Chancery
Trust created by mortgage from Timothy W. Laughery and Laura Ann Laughery to J. Archie Wilkins	:	In the Circuit Court
	:	for
	:	Somerset County, Maryland

Know All Men By These Presents, that we, Edgar A. Jones, L. Shanley Ford and E.Mace Smith, all of Somerset County and State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of Twenty Thousand ($20,000) 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 and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this 5th day of March, 1947.

Whereas, by mortgage dated August 23, 1943, reocrded among the Land Records of Somerset County in Liber B.L.B. No. 125, folio 142, Timothy W. Laughery and Laura Ann Laughery, his wife, conveyed to J. Archie Wilkins, certain real estate in Somerset County to secure the payment of the sum therein mentioned, and whereas, the said J. Archie Wilkins has duly assigned the said mortgage to Edgar A. Jones for the purpose of collection and foreclosure, and whereas, the said Edgar A. Jones, by virtue of the power and authority contained in said mortgage, is authorized upon default, to sell the property conveyed by said mortgage, and whereas, default has occurred in the terms and conditions of said mortgage and the said Edgar A. Jones is about to exercise the power of sale in said mortgage contained.

Now therefore, the condition of the above obligation is such, that if the above bounden, Edgar A. Jones, do and shall well and faithfully perform the trust reposed in him by said mortgage and shall abide by and fulfill any order or decree which shall be made by any Court of Equity, relative to the sale of the said mortgage property or the proceeds thereof, then the above obligation shall be void, other wise to be and remain in full force and virtue in law.

Witness: Edna Mae Widdowson

Edgar A. Jones (SEAL)
L. Shanley Ford (SEAL)
E. Mace Smith (SEAL)

Which said bond was thus thereon endorsed, to wit:

The within Bond Approved.

Benjamin L. Barnes, Clerk

And thereafter to wit, on the second day of April in the year nineteen hundred and forty-seven the said Assignee exhibited and filed in the Circuit Court here a report of sale, with an affidavit thereunto annexed, which said report and affidavit so aforesaid filed, are in the words following to wit:

Edgar A. Jones, Assignee	:	No. 6247 Chancery
Ex-Parte under power in a mortgage from Timothy W. Laughery and Laura Ann Laughery, his wife, to J. Archie Wilkins	:	In the Circuit Court
	:	for
	:	Somerset County, Maryland

To the Honorable, the Judge of said Court:

The report of sale of Edgar A. Jones, Assignee, of a certain mortgage made and executed by Timothy W. Laughery and Laura Ann Laughery, his wife, to J. Archie Wilkins, dated August 23, 1943, recorded among the Land Records of Somerset County in Liber B.L.B. no. 125, folio 142, under and by virtue of the power of sale therein contained, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant and conidtion of said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to Your Honors;

That after giving bond with security approved by the Clerk of this Court or by one of the Judges thereof, for the faithful performance of the trust so as aforesaid reposed in him by said mortgage and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Marylander and Herald, a weekly newspaper published in Somerset County once in each of three successive weeks before the day of sale and by posters set up at the Court House Door and mailed to prospective purchasers, he did, pursuant to said notice, attend at the Court House Door, in Princess Anne, Maryland, on the first day of April, 1947, at or about the hour of two o'clock P.M. and then and there proceeded to sell the property described in said mortgage, to-wit:

All that lot or parcel of land, lying and being situate on the Southwest side of the State Road leading from Princess Anne to Pocomoke City, in Dublin Election District, Somerset County, Maryland, the same being bounded on the Southeast by the lands of Clifford Dryden, on the Southwest by the right of way of the Pennsylvania Railroad Company, on the Northwest by a ditch separating the said property from the canning house property, and on the Northeast by the right of way of the aforesaid State Road, leading from Princess Anne to Pocomoke City, being in all respects, all of the same tract or parcel of land which was conveyed unto the said Timothy W. Laughery and Laura Ann Laughery, his then wife, as tenants by the entireties, by J. Archie Wilkins and wife, by deed dated April 16, 1943 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 124, folio 268, and sold the same unto the said J. Archie Wilkins, at and for the sum of Twenty Thousand ($20,000.00) Dollars, he being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your trustee.

Respectfully submitted,

Edgar A. Jones
Assignee

State of Maryland, Somerset County, to-wit:

I hereby certify, that on this 1st day of April, in the year nineteen hundred forty-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Edgar A. Jones, Assignee 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 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 the day and year above written.

Sally L. Ford SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order to wit:

Edgar A. Jones, Assignee	:	No. 6247 Chancery
Ex-Parte under power in a mortgage from Timothy W. Laughery and Laura Ann Laughery, his wife, to J. Archie Wilkins	:	In the Circuit Court for Somerset County, Maryland

ORDER

Ordered by the Circuit Court for Somerset County, this 2nd day of April, nineteen hundred forty-seven, that the sale of the property mentioned in these proceedings, made and reported by Edgar A. Jones, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the third day of May, 1947.

Provided a copy of this order be inserted in some weekly newspaper printed in Somerset County, Maryland, once in each of three successive weeks before the second day of May, next.

The report states the amount of sale to be Twenty Thousand ($20,000.00) Dollars.

Benjamin L. Barnes
Clerk

And now at this day to wit, on the sixth day of May, in the year nineteen hundred and forty-seven comes again into Court here the said assignee and on motion of the said assignee the Court here passed the following order, to wit:

FINAL ORDER

ORDERED by the Circuit Court for Somerset County, in Equity, this 6th day of May, 1947, that the sale made and reported by Edgar A. Jones, Assignee, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

Levin C. Bailey
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes Clerk.

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In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John H. Muir Estate for the years 1943, 1944 and 1945 made and reported by Carlos Bozman, County Treasurer and Collector. L. Shanley Ford and Della Ford, his wife of Somerset County, Maryland Purchasers.	Be it remembered that heretofore,to wit, on the eleventh day of May, in the year nineteen hundred and forty-six, a certain Carlos Bozman, Collector of State and County taxes for the sixth collection district of

Somerset County for the year 1943, 1944 and 1945 by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit, thereunto annexed which said report and affidavit so as aforesaid filed, are in the words following to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John H. Muir Estate for the year 1943, 1944 and 1945 made and reported by Carlos Bozman, County Treasurer and Collector. L. Shanley Ford and Della Ford, his wife of Somerset County, Maryland Purchasers.	No. 6147 Chancery In the Circuit Court for Somerset County, Maryland In Equity.

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1943, the County Commissioners of said Somerset County,made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Carlos Bozman County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to elections districts and alphabetically for each district, and showing the amoung of State and County taxes due and owing by every such person, set of persona or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to John H. Muir Estate in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and ninety-six cents State taxes, and eleven dollars and twenty-five cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1944.

That in the month of August, 1943, the said Carlos Bozman, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Marylander & Herald a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Carlos Bozman County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property in cluded in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1944, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Carlos Bozman County Treasurer of said County, in pursuance of his

duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphbetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions

That by said levy the said County Commissioners did levy upon the property assessed to John H. Muir Estate in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and ninety cents State taxes, and nine dollars and seventy-five cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1945 .

That in the month of August, 1944, the said Carlos Bozman, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Marylander & Herald a newspaper published in Princess Anne, Maryland, and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Carlos Bozman County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charges on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1945, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Carlos Bozman County Treasurer of said County, in pursurance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each distrcit, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to John H. Muir Estate in Fairmount Election District, Somerset County, Maryland, the sum of no dollars and ninety cents State taxes, and seven dollars and fifty cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1946.

That in the month of August, 1945, the said Carlos Bozman, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Maryland & Herald a newspaper published in Princess Anne, Maryland, in the Crisfield Times a newspaper published in Crisfield, Maryland, the said Carlos Bozman County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institution, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear

statement of the interest to be charges on all tax bills, and a notice that is said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the year 1943, 1944 and 1945 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said John H. Muir Estate, in said Fairmount Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Marylander & Herald, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year on years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on Tuesday April 30, 1946, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to John H. Muir Estate in said election district, as follows:

No. 2. All that lot or parcel of land situate, lying and being in Fairmount Election District, Somerset County, Maryland, binding on the south side of the County road leading through the district, and bounded on the east by the land of William Whitehead, on the south by the land of Arthur Maddox, and on the west by the land of George Revelle, and containing two acres, more or less; the land hereby conveyed being the same land which was conveyed to Mary G. Muir by John H. Ford and wife, by deed dated September 20, 1884, recorded among the land records of said Somerset County in Liber H.F.L. No. 2, folio 74, and assessed to John H. Muir Estate for the years 1943, 1944 and 1945, and sold the same to L. Shanley Ford, and Della T. Ford, his wife, of said Somerset County, they being the highest bidders therefor, at and for the sum of eighty-nine dollars and twenty-five cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is repectfully submitted,

Carlos Bozman
County Treasurer and Collector of State
and County taxes

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 7th day of May, 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland, and made oath in due form of law that the matters and things stated in the aforegoing reprot are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A.

TREASURER'S SALE FOR TAXES

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, I hereby give notice that on Tuesday, April 30, 1946, at or about the hour of two

o'clock P.M. at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land in Somerset County, Maryland, hereinafter severally mentioned and described, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land for the year mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with interest and cost.

NO. 2. All that lot in Fairmount Election District, Somerset County, Maryland, binding on the south side of the county road leading through the district, and bounded on the east by the land of William Whitehead, on the south by the land of Arthur Maddox, and on the west by the land of George Revelle, and containing two acres, more or less, which was conveyed to Mary G. Muir by John H. Ford and wife by deed dated September 20, 1884, recorded among the land records of said Somerset County in Liber H.F.L. No. 2, folio 74, and assessed to John H. Muir Estate for 1943, 1944 and 1945, and sold for taxes due for said years.

Carlos Bozman,
County Treasurer.

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John H. Muir Estate for 1943, 1944 and 1945, reported by Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland. L. Shanley Ford and Della Ford, his wife, Purchasers.	No. 6147 Chancery In the Circuit Court for Somerset County, Maryland

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland, relating to the sale on April 30, 1946, of land in Fairmount Election District, Somerset County, Maryland, binding on the south side of the county road leading through the district, and bounded on the east by the land of William Whitehead, on the south by the land of Arthur Maddox, and on the west by the land of George Revelle, and containing two acres, more or less, which was conveyed to Mary G. Muir by John H. Ford and wife, by deed duly recorded, and assessed to John H. Muir Estate for 1943, 1944, and 1945, made to L. Shanley Ford and Della Ford, his wife, highest bidder therefor, for the sum of eighty-nine dollars and twenty-five cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is, thereupon, this 11th day of May, 1946, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 11th day of June, 1946, warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before the 13th day of July, 1946, to show cause if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $89.25.

Levin C. Bailey
Judge

And now at this day to wit, on the twelfth day of May in the year nineteen hundred and forty seven, comes again into Court here the said Collector by his sollicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Fairmount Election District, Somerset County, Maryland, assessed to John H. Muir Estate for 1943, 1944 and 1945, reported by Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland. L. Shanley Ford and Della Ford, his wife, Purchasers.	No. Chancery In the Circuit Court for Somerset County, Maryland.

It having been proved to the Court that in the above entitled cause notice has been given by publication of the Order Nisi heretofore passed in this cause in the Maryland & Hearld, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is this 12th day of May, 1947, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

Levin C. Bailey
Judge

And thereupon it is order by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK

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In the matter of the tax sale of real estate in Brinkley's Election District, Somerset County, Maryland, assessed to King Samuel Stewart's heirs and C. Foster Matthews, for the year 1943, 1944 and 1945, made and reported by Carlos Bozman, County Treasurer and Collector. Roland Matthews Purchaser.	Be it remembered that heretofore, to wit, on the twelfth day of February, in the year nineteen hundred and forty-seven, a certain Carlos Bozman, Collector of State and County taxes

for the third collection distrcit of Somerset County for the year 1943, 1944 and 1945 by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit, thereunto annexed which said report and affidavit so as aforesaid, filed, are in the words following to wit:

In the matter of the tax sale of real estate in Brinkley's Election District, Somerset County, Maryland assessed to King Samuel Stewarts's heirs & C. Foster Matthews for the year 1943, 1944 & 1945 made and reported by Carlos Bozman, County Treasurer and Collector. Roland Matthews Purchaser.	No. 6241 Chancery In the Circuit Court for Somerset County, Maryland, In Equity

To the Honorable, the Judges of the said Court;

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30th, 1943, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Carlos Bozman County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranges according to election districts and alphabetically for each district, and showing the

amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to King Samuel Stewart's heirs and C. Foster Matthews in Brinkley's Election District, Somerset County, Maryland, the sum of one dollar and fifty cents State taxes, and seventeen dollars and sixty-three cents, County taxes, and that said State and County Taxes were due and in arrears on January 1, 1944.

That in the month of August, 1943, the said Carlos Bozman, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Marylander & Hearld a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, the said Carlos Bozman County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institution, to whom the property included in said tax bills was assessed, so far as their residence or post office adress was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills, contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1944, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Carlos Bozman, County Treasurer of said County,in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the proper assessed to King Samuel Stewart's heirs and C. Foster Matthews in Brinkley's Election District, Somerset County, Maryland, the sum of one dollar and forty-one cents State taxes, and fifteen and twenty-eight cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1945.

That in the month of August, 1944, the said Carlos Bozman, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Marylander & Hearld, a newspaper published in Princess Anne, Maryland, in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Carlos Bozman County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1945, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made Carlos Bozman County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to King Samuel Stewart's heirs and C. Foster Matthews in Brinkley's Election District, Somerset County, Maryland, the sum of one dollars and forty-one cents State taxes, and eleven dollars and seventy-five cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1946.

That in the month of August, 1945, the said Carlos Bozman, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Marylander & Hearld a newspaper published in Princess Anne, Maryland,and in the Crisfield Times a newspaper published in Crisfield, Maryland, and the said Carlos Bozman County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charges on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1943, 1944 & 1945 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said King Samuel Stewart's heirs and C. Foster Matthews, in said Brinkley's Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (The said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Marylander & Hearld, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time,place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on April 30, 1946, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to King Samuel Stewart's heirs & C. Foster Matthews in said election district, as follows:

All that tract of land situate, lying and being in Brinkley's Election District, Somerset County, Maryland, binding on Marumsco Creek, and adjoining the lands of Charles E. Stewart and George Fitchett, and containing seventy-four acres of land, more or less, and assessed to King Samuel Stewart's heirs and C. Foster Matthews for 1943, 1944 and 1945, and sold for taxes due

for said years, and sold the same to Roland Matthews, he being the highest bidder therefore, at and for the sum of seven hundred dollars, now fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman
County Treasurer and Collector of State and County taxes.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 7th day of February, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of state and county taxes for said Somerset County, and made oath in due form of law that the matters and facts stated in the foregoing report of sale are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Witness my hand and Notarial Seal.

Gertrude H. Bozman SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A.

TREASURER'S SALE FOR TAXES

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, by the provisions of the General Assembly of Maryland, I hereby give notice that on Tuesday, April 30, 1946, at the hour of two o'clock P.M., at the Court House door in Princess Anne, Maryland, I will sell at public auction for cash, all the lots or parcels of land hereinafter severally mentioned and described, situate, lying and being in Brinkley's Election District, Somerset County, Maryland, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land for the year mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with the interest and costs.

" " " " " " "

No. All that tract of land in Brinkley's Election District, Somerset County, Maryland, binding on Marumsco Creek, adjoining the lands of Charles E. Stewart and George Fitchett, and containing seventy-four acres, more or less, and assessed to King Samuel Stewart's heirs and C. Foster Matthews for 1943, 1944 and 1945, and sold for taxes due for said years.

"" " " " " " "

CARLOS BOZMAN,
County Treasurer and Collector

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Brinkley's Election District, Somerset County, Maryland, assessed to King Samuel Stewart's heirs and C. Foster Matthews for 1943, 1944 and 1945, made and reported by Carlos Bozman, County Treasurer and Collector.	No. 6241 Chancery In the Circuit Court for Somerset County, Maryland
Roland Matthews, Purchaser.	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland, relating to the sale on April 30, 1946, of land in Brinkley's Election District, said Somerset County, binding on

Marumsco Creek, and adjoining the lands of Charles E. Stewart and George Fitchett, and containing seventy-four acres, more or less, and assessed to King Samuel Stewart's heirs and C. Foster Matthews for 1943, 1944 and 1945, made to Roland Matthews for the sum of seven hundred dollars, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is, thereupon, this 12th day of February, 1947, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspaper published in said Somerset County once in each of three successive weeks before the 8th day of March, 1947, warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before April 12th, 1947, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $700.00

W. Laird Henry
Judge

And now at this day to wit, on the twelfth day of May in the year nineteen hundred and forty-seven, comes again into Court here the said Collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Brinkley's Election District, Somerset County, Maryland, assessed to King Samuel Stewart's heirs, made and reported by Carlos Bozman, County Treasurer and Collector. Roland Matthews, Purchaser.	No. Chancery In the Circuit Court for Somerset County, Maryland

I having been proved to the Court that, in the above entitled cause, notice has been given by publication of the Order Nisi hereto fore passed in this cause, in the Marylander & Hearld, a weekly newspaper published in said Somerset County, according to the terms of said Order Nisi, and no objection having been filed and no cause to the contrary having been shown, it is hereby adjudged, ordered and decreed this 12th day of May, 1947, by the Circuit Court for Somerset County, Maryland, in Equity, that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

Levin C. Bailey
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per Benjamin L. Barnes CLERK

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In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to David Thomas Ward for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County, Maryland. Purchaser.	Be it remembered that heretofore, to wit, on the nineteenth day of May, in the year nineteen hundred and forty-seven, a certain Carlos Bozman, Collector of State and County taxes for the twelfth collection district of

Somerset County for the years 1931 and 1932 by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit, thereunto annexed which said report and affidavit so as aforesaid filed, are in the words following to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to Davis Thomas Ward for the years 1931 and 1932 made and reported by Carlos Bozman, County Treasurer and Collector. County Commissioners of Somerset County Maryland. Purchaser.	No. 6255 Chancery In the Circuit Court for Somerset County, Maryland In Equity

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1931, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to David Thomas Ward in Asbury Election District, Somerset County, Maryland, the sum of one dollars and no cents State taxes, and seven dollars and no cents, County taxes and that said State and County taxes were due and in arrears on January 1, 1932.

That in the month of August, 1931, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Easterm Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, then County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutuions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1932, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made Harry E. Muir, then County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to David Thomas Ward in Asbury Election District, Somerset County, Maryland, the sum of one dollar and no cents State taxes, and six dollars and forty cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1933.

That in the month of August, 1932, the said Harry E. Muir, then County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Eastern Shore Republican a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper publsihed in Crisfield, Maryland, and

the said Carlos Bozman, County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or post office address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1931 and 1932 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said David Thomas Ward, in said Asbury Election District, and the said Carlos Bozman, County Treasurer and Collection as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Eastern Shore Republican, a weekly newspaper published in said Somerset County, once in each of four successive weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on August 9, 1935, at or about the hour of two o'clcok P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to David Thomas Ward in said election district, as follows:

All that lot or parcel of land situate, lying and being in Asbury Election District, Somerset County, Maryland, with the improvements thereon, adjoining the lands of Thomas Brinkley, Ira Williams, Priscilla Byrd and McKinley Ward, and containing one and one-quarter acre of land, more or less, and assessed to David Thomas Ward for 1931 and 1932, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, a body corporate, it being the highest bidder, at and for the sum of fifty-five dollars and seventy-six cents, now fully paid, and a copy of said advertisement is herewith filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman
County Treasurer and Collector of State and County taxes

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 19 day of March, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of state and county taxes for said Somerset County, and made oath in due form of law that the matters and facts stated in the foregoing report of sale are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Witness my hand and Notarial Seal.

Betty Lou Noble
Notary Public

SEAL OF NOTARY

Exhibit "A" referred to in the foregoing report is in the words following to wit:

Exhibit A.

TREASURER'S SALE FOR TAXES

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, by the provisions of the General Assembly of Maryland, I hereby give notice that on Monday, August 9, 1935, at the hour of two o'clock P.M., at the Court House door in Princess Anne, Maryland, I will seel at public auction, for cash, all the lots or parcels of land hereinafter severally mentioned and described, situate, lying and being in Asbury Election District, Somerset County, Maryland, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with the interest and costs.

"""""""

No. All that lot or parcel of land situate, lying and being in Asbury Election District, Somerset County, Maryland, adjoining the lands of Thomas Brinkley, Ira Williams, Priscilla Byrd and McKinley Ward, and containing one and one-quarter acres, more or less, and assessed to David Thomas Ward for 1931 and 1932, and sold for taxes due for said years.

"""""""

CARLOS BOZMAN,

County Treasurer and Collector

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County Maryland, assessed to David Thomas Ward for 1931 and 1932, made and reported by Carlos Bozman, County Treasurer and Collector.	)	No. Chancery
	)	In the Circuit Court for
County Commissioners, for Somerset County, Maryland Purchaser.	)	Somerset County, Maryland.
	)	

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland relating to the sale on August 9, 1935,of the land in Asbury Election District, said Somerset County, adjoining the lands of Thomas Brinkley, Ira Williams, Priscilla Byrd, and McKinley Ward, and containing one and one-quarter acres, more or less, and assessed to David Thomas Ward for 1931 and 1932, made to the County Commissioners of Somerset County, Maryland, a body corporate, for the sum of fifty-five dollars and seventy-six cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with;

It is thereupon, this 19th day of March, 1947, by the Circuit Court for Somerset County Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 19th day of April, 1947, warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before May 20th, 1947, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $55.76.

Edmond H. Johnson
Judge

And now at this day to wit, on the 26th day of May, in the year nineteen hundred and forty-seven, comes again into Court here, the said Collector by his colicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Asbury Election District, Somerset County, Maryland, assessed to David Thomas Ward, made and reported by Carlos Bozman, County Treasurer, and Collector.	)	No. Chancery
	)	In the Circuit Court for
County Commissioners Purchaser.	)	Somerset County, Maryland.
	)	

It having been proved to the Court that in the above entitled cause, notice has been given by publication of the order nisi heretofore passed in this cause, in the Somerset News, a weekly newspaper published in said Somerset County, according to the terms of said order nisi; and no objection having been filed and not cause to the contrary having been shown it is hereby adjudged, ordered and decreed this 26th day of May, 1947, by the Circuit Court for Somerset County, Maryland, in Equity, that the foregoing report of sale, and the sale therein reported be and the same are hereby finally ratified and confirmed.

Levin C. Bailey
Judge

And thereupon it is ordered by the Court here, that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk

""

Annie I. Nelson, A. Harlan Nelson, - her husband -	)	Be it remembered that heretofore, to wit, on the 10th day
	)	of October in the year nineteen hundred and forty-six, a
Clara Williams Pollyette,	)	certain Annie L. Nelson, A. Harlan Nelson, her husband and
-vs-	)	Clara Williams Pollyette, by Stanley G. Robins, their
Elsie Cullen Wilson, Linwood Wilson, - her husband -	)	solicitor exhibited and filed in the Circuit Court here a
	)	bill of complaint against Elsie Cullen Wilson, and Linwood
_____	)	Wilson, her husband, which said bill of complaint is in

the words following to wit:

Annie I. Nelson, A. Harlan Nelson, - her husband -	)	No. 6214 Chancery
	)	In the Circuit Court for
Clara Williams Pollyette,	)	Somerset County and
-vs-	)	State of Maryland.
Elsie Cullen Wilson, Linwood Wilson, - her husband -	)	
	)	
_____	)	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The bill of complaint of Annie I. Nelson, A. Harlan Nelson, her husband, and Clara Williams Pollyette respectfully represents:

1. That Carrie J. Cullen, late of Somerset County, Maryland, died intestate on April 29, 1937, leaving surviving her a husband, Frank Cullen, and three children, namely, Annie I. Nelson, one of the complainants, who has intermarried with A. Harlan Nelson, Clara Williams Pollyette, one of the complainants, and Elsie Cullen Wilson, one of the defendants, who has intermarried with Linwood Wilson, to which surviving husband and children the hereinafter described real estate descended by operation of law.

2. That Frank Cullen, surviving husband of the said Carrie J. Cullen, departed this life intestate on June 13, 1946, leaving surviving as his only heir-at-law Elsie Cullen Wilson, a daughter, to whom his interest in said real estate descended by operation of law.

3. That the said real estate of which the said Carrie J. Cullen died intestate seized and possessed as aforesaid is situate in the City of Crisfield, in Crisfield Election District, Somerset County, State of Maryland, on the North side of and binding upon Chesapeake Avenue, having a frontage thereon of 66 feet and extending back therefrom in a Northerly direction for a uniform depth of 130 feet; being the same land that was conveyed to Carrie J. Cullen by Clarence P. Lankford, Trustee, by deed dated October 22, 1928, and recorded among the Land Records of Somerset County, Maryland, in Liber G.W.L. No. 97, Folio 141, same being improved by a dwelling house.

4. That the said Annie I. Nelson, Clara Williams Pollyette and Elsie Cullen Wildon, by virtue of the foregoing, are seized and possessed thereof as tenants in common.

5. That said real estate is not susceptible of partition without material loss and injury to the said parties entitled to interests therein.

6. That your complainants are all adults, and the defendants are likewise both adults residing at 116 Chesapeake Avenue, Crisfield, Somerset County, Maryland.

TO THE END, THEREFORE:

(a) That a decree may be passed by this Honorable Court appointing a trustee to make sale of said property.

(b) That the proceeds of said sale may be divided among the parties according to their respective rights and interests therein.

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

May it please your Honors to grant unto your complainants the writ of subpoena directed to the said Elsie Cullen Wilson and Linwood Wilson, adult defendants, residing at 116 Chesapeake Avenue, Crisfield, Somerset County, Maryland, commanding them to be and appear in this court, in person or by solicitor, on or before a certain day to be named therein, and answer the premises and abide by and perform such decree as may be passed herein.

And, as in duty bound, etc.

Annie I. Nelson
A. Harlan Nelson
Clara Williams Pollyette
COMPLAINANTS.

Stanley G. Robins
Solicitor for Complainants.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoena was issued, to wit:

MARYLAND, SOMERSET COUNTY, To wit:

SEAL OF COURT — THE STATE OF MARYLAND

TO Elsie Cullen Wilson and Linwood Wilson of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in November next to answer the complaint of Annie I. Nelson, A. Harlan Nelson, her husband & Clara Williams Pollyette against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 2nd day of September Anno Domini 1946. ISSUED the 10th day of October Anno Domini 1946.

Per order,

Benjamin L. Barnes, Clerk

MEMORANDUM:- You are required to file your answer or other defense in this cause in the Clerk's office within 15 days after return day of this subpoena.

Benjamin L. Barnes, Clerk.

At which said first Monday in November in the year nineteen hundred and forty-six, and the day of the return of the above recited writ, came again into Court here the said complainants by their solicitor, and the Sheriff of Somerset County, Murray E. Ward, Esquire, to whom the writ aforesaid was, in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit: "Summoned severally and copies left with Defendants Nov. 2, 1946, Murray E. Ward, Sheriff".

And thereafter to wit, on the 19th day of December in the year nineteen hundred and forty-six, the following order for appearance was filed:

Annie I. Nelson A. Harlan Nelson, her husband Clara Williams Pollyette	:	No. 6214 Chancery
	:	In the Circuit Court
vs.	:	For Somerset County,
	:	Maryland.
Elsie Cullen Wilson Linwood Wilson, her husband		

To the Clerk of the Circuit Court for Somerset County, Maryland:

Mr. Clerk:

Please enter my appearance for Elsie Cullen Wilson and Linwood Wilson, her husband, Defendants in this cause.

Prentiss W. Evans
Solicitor for Defendants

And thereafter to wit, on the 19th day of December in the year nineteen hundred and forty-six, the Defendants, by their Solicitor aforesaid, filed the following answer, to wit:-

Annie I. Nelson A. Harlan Nelson, her husband Clara Williams Pollyette	:	No. 6214 Chancery
	:	In the Circuit Court
vs.	:	For Somerset County,
	:	Maryland.
Elsie Cullen Wilson Linwood Wilson, her husband		

To the Honorable, the Judges of said Court:

The answer of Elsie Cullen Wilson and Linwood Wilson, her husband, to the bill of complaint of Annie I. Nelson, et als, against them in this Honorable Court respectively shows;

That these answering Defendants admit the matters and facts alleged in said bill of complaint and consent to the passage of such decree as may be right and proper.

Prentiss W. Evans

Solicitor for Defendants

And afterwards, to wit, on the 27th day of December in the year nineteen hundred and forty-six, the following Amended Answer was filed, to wit:

Annie I. Nelson A. Harlan Nelson, her husband Clara Williams Pollyette	:	No. 6214 Chancery
	:	In the Circuit Court
vs.	:	for Somerset County,
	:	Maryland.
Elsie Cullen Wilson Linwood Wilson, her husband		

To the Honorable, the Judges of said Court:

The amended answer of Elsie Cullen Wilson and Linwood Wilson, her husband, by Prentiss W. Evans, their Attorney, respectfully shows:

That in connection with the posting of a corporate bond by the Trustee or Co-trustees to be appointed in this cause, it is believed and respectfully submitted that a corporate bond of Three thousand dollars ($3000.00) will be sufficient to cover the amount of sales of said property proposed to be sold.

And as in duty bound, etc.

Prentiss W. Evans

Solicitor for Plaintiffs

And thereafter, to wit, on the 8th day of January in the year nineteen hundred and forty-seven, the Circuit Court here passed the following decree in the premises, to wit:

Annie I. Nelson et al,	:	No. Chancery.
-vs-	:	In the Circuit Court for
Elsie Cullen Wilson et al.	:	Somerset County and
	:	State of Maryland

The bill of complaint and answer in the above cause having been submitted, the proceedings therein were by the Court read and considered:

IT IS THEREUPON, This eighth day of January, in the year Nineteen Hundred and Forty-seven, by the Circuit Court for Somerset County, State of Maryland, adjudged, ordered and decreed that the real estate in said proceedings be sold; that Prentiss W. Evans and Stanley G. Robins 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 or sureties, to be approved by this Court, in the penalty of Three Thousand Dollars ($3000.00) if a corporate surety be given, and in the penalty of Six Thousand Dollars ($6000.00) if a private 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 such newspaper or newspaper published in Somerset County, Maryland, as they shall think proper, of the time, place, manner and terms of sale, which terms shall be one-third cash on day of sale and balance in three months, bearing interest from day of sale, with sureties to be approved by the trustees, or all cash, at the option of the purchaser or purchasers, 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 the Court's ratification of the sale and on the payment of the whole purchase money, 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 claim of the parties hereto, 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 this suit and such commission to the said trustees as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

AND IT IS FURTHER ORDERED, that at the time of advertising such sale the trustees shall affix to such advertisement a notice to creditors of Carrie J. Cullen and Frank Cullen, both late of Somerset County, State of Maryland, deceased, to file their claims, duly authenticated, with the Clerk of this Court within sixty days after the date of such sale.

Levin C. Bailey

JUDGE.

And thereupon, the said Stanley G. Robins and Prentiss W. Evans, Trustees, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS,

THAT WE, Stanley G. Robins, of Salisbury, Maryland, and Prentiss W. Evans, of Crisfield, Maryland, as principals and the Glens Falls Indemnity Company, a corporation of the State of New York, Glens Falls, N.Y., as surety, are held and firmly bound unto the State of Maryland in the full and just sum of Three Thousand and no/100 Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, we bind ourselves and each of us, our, and each of our Heirs, Executors, and Administrators, jointly and severally, firmly by these presents; sealed with our seals and dated this tenth day of January in the year nineteen hundred and forty-seven.

WHEREAS, the above bounded Stanley G. Robins and Prentiss W. Evans, by virtue of a decree of the Honorable the Judge of the Circuit Court for Somerset County, Maryland, have been appointed trustees to sell the real estate mentioned in the proceedings in the case of Annie I. Nelson et al, vs. Elsie Cullen Wilson, et al. now pending in said Court.

Now the Condition of this Obligation is such, that if the above bounded, Stanley G. Robins and Prentiss W. Evans 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 to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed, and delivered in presence of

Phyllis D. Bounds

SEAL OF COMPANY

Stanley G. Robins (SEAL)
Prentiss W. Evans (SEAL)
GLENS FALLS INDEMNITY COMPANY
By Ruth W. Hostetter (SEAL)
Attorney

Which said Bond was thus thereon endorsed, to wit:

Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the 2nd day of April in the year nineteen hundred and forty-seven, the said trustees exhibited and filed in the Circuit Court here a report of sales, with affidavits thereunto annexed, which said report and affidavits, so as aforesaid filed, are in the words following, to wit:

Annie I. Nelson, et al	In the Circuit Court
vs.	For Somerset County, Maryland
Elsie Cullen Wilson, et al	No. 6214 Chancery

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT FOR SOMERSET COUNTY:

The report of Stanley G. Robins and Prentiss W. Evans, Trustees, appointed by a decree of this court, passed in the above entitled cause, dated the 8th day of January, 1947 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 said sale by advertisements inserted in the "Crisfield Times", a weekly newspaper published in the City of Crisfield, for at least three successive weeks before the day of sale, they did, pursuant to said notice, attend before the Postoffice, in the City of Crisfield, on the 1st day of March, 1947, at 1:00 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 the property mentioned in said decree, situated in Somerset County, State of Maryland and described as follows: All that lot or parcel of land located on the North side of Chesapeake Avenue and fronting sixty-six feet thereupon and running back a distance of one hundred and thirty feet and being bounded on the West by the lands of Charles Wharton; on the East by the lands of Willie Milbourne; on the North by the lands owned or formerly owned by Paul Cullen and being the same property whereon Frank Cullen and Carrie J. Cullen, his wife, resided at the time of their death and being the same and all that land, which was conveyed unto said Carrie J. Cullen by Clarence P. Lankford, by deed bearing date the 22nd day of October, 1928, which deed is recorded among the land records of said Somerset County in Liber G.W.L. No. 97, folio 141.

And your said trustees sold the above described property to Linwood Wilson and Elsie Cullen Wilson, his wife, for the sum of Two thousand dollars, they being at that sum the highest bidder therefor, the terms of sale being cash.

Respectfully submitted,

Stanley G. Robins, Trustee

Prentiss W. Evans, Trustee

STATE OF MARYLAND, Wicomico County, to wit:-

I hereby certify that on this 24th day of March, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County, aforesaid, personally appeared Stanley G. Robins, trustee named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Witness my hand and notarial seal the day and year first above written.

SEAL OF NOTARY

Ruth W. Hostetter

Notary Public

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 19th day of March, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Prentiss W. Evans, trustee named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Witness my hand and notarial seal the day and year first above written.

SEAL OF Beryl Sterling
NOTARY Notary Public

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Stanley G. Robins, Solicitor
Prentiss W. Evans, Solicitor

Annie I. Nelson, et als	In the Circuit Court
vs.	For Somerset County, Maryland
Elsie Cullen Wilson, et als	No. 6214 Chancery

ORDERED, that the sale of the Real Estate mentioned in these proceedings, made and reported by Stanley G. Robins and Prentiss W. Evans, Trustees, be ratified and confirmed unless cause to the contrary thereof is shown, on or before the 5th day of May, 1947 provided a copy of this order, be inserted in some newspaper printed in said Somerset County, in each of three (3) successive weeks before the 3rd day of May, 1947.

The report states the amount of sales to be Two Thousand Dollars ($2000.00).

Benjamin L. Barnes, Clerk.

And now at this day, to wit, on the 6th day of June, in the year nineteen hundred and forty-seven, came again into Court here the said complainants, by their solicitors aforesaid, and on motion of the said complainants, by their solicitors aforesaid, the Court here passed the following order, to wit:

Stanley G. Robins
Prentiss W. Evans
Trustees

Annie I. Nelson, et al	:	No. 6214 Chancery
vs.	:	In the Circuit Court for
Elsie Cullen Wilson, et al	:	Somerset County, Maryland

O R D E R

Ordered by the Circuit Court of Somerset County, Maryland, this 6th day of June, 1947, that the sale made and reported by the trustees aforesaid be, and 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 expenses as they shall produce vochers for to the auditor.

W. Laird Henry, Jr.
JUDGE.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

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HARRY C. DASHIELL, ASSIGNEE EX PARTE Trust created by mortgage from Fred Fitz Randolph to J. Frank Joynes, assigned to Edward G. Holloway, and assigned to Harry C. Dashiell for collection and foreclosure.	Be it remembered that heretofore, to wit, on the 10th day of April in the year nineteen hundred and forty-seven, a certain Harry C. Dashiell, of Somerset County and State of Maryland, in his proper person, exhibited and filed in the Circuit Court here, the original and assignments of a certain mortgage executed and delivered to J. Frank Joynes by a certain Fred Fitz Randolph,

of Somerset County and State of Maryland, which said original mortgage and assignments are in the words following, to wit:

THIS MORTGAGE, Made this 8th day of March in the year nineteen hundred and forty-six, by Fred Fitz Randolph, of Somerset County and State of Maryland.

Whereas, the said Fred Fitz Randolph is justly and bonafide indebted unto J. Frank Joynes in the full and just sum of twenty four hundred dollars ($2400.00), the same being apart of the purchase money for the land and premises hereinafter described and has given therefor, to the said J. Frank Joynes, his Bill Obligatory, dated evenly herewith for said principal sum and payable one year after date hereof, with interest from date, payable semi-annually from date hereof, with interest from date, payable semi-annually from date hereof, and to further and better secure the payment of which said principal sum with interest as aforesaid, these presents are executed.

Now therefore, this mortgage witnesseth, that for and in consideration of the premises, and of the sum of five dollars ($5.00), in hand paid, the said Fred Fitz Randolph does grant and convey unto J. Frank Joynes, his heirs and assigns, in fee simple; all the two tracts or parcels of land, situate lying and being in Deal Island Election District, in said Somerset County and State of Maryland, and more fully described as follows, that is to say:

FIRST: All that tract or parcel of land, situate as aforesaid, and being near the west side of the County Road, leading to Wenona and extending from said road to and binding upon the waters of Tangier Sound and containing 79.30 acres more or less.

SECOND: All that tract or parcel of land, situate as aforesaid and on the easterly side of said County Road, and extending from said road to and binding upon the waters of the Thoroughfare and containing 41.06 acres more or less.

The two tracts of land above described being the same and all of the land which was conveyed unto the said Fred Fitz Randolph by Henry Gordon Holdway and wife, by deed dated and recorded or intended to be recorded simultaneously herewith.

But it is hereby understood and agreed that there are two small lots of land one containing 1/8th of an acre and the other 3/8ths of an acre, which have been sold off of the first tract of land, described herein, and which are not covered by this mortgage.

And special reference is hereby made to the aforesaid deeds, and to all the references therein contained, for a more accurate and perfect description of the lands and premises, hereby conveyed.

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee his heirs and assigns forever.

PROVIDED that if the said Mortgagor shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said bill obligatory, and shall perform all the covenants herein on part to be performed then this mortgage shall be void.

And it is agreed that until default be made in the premises, the said Mortgagor shall

possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said Fred Fitz Randolph do hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagee his personal representatives or assigns, or Harry C. Dashiell, his Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash to satisfy and pay said debt, interest and all costs incurred in making such sale, and to grant and convey 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 by advertisement in some newspaper printed in Somerset county, and such other notices as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorney's fee, 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; secondly, to the payment of all claims of the said Mortgagee his 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 Mortgagor, or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted, and that the said Mortgagor, or any person in his behalf shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagor covenant to pay the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee and one-half the commission hereinbefore mentioned to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgage property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagor do further covenant to insure, and pending the existance of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least eleven hundred dollars, and to cause the policy to be effected thereon to be so framed or endorsed, as in case of fire, to insure to the benefit of the said mortgagee, personal representatives and assigns, to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagor shall fail to insure and keep insured the improvements aforesaid for the benefit of the mortgagee, and to deposit the policy or policies as aforesaid, the said mortgagee hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

WITNESS the hand and seal of said mortgagor.

Test: Sally L. Ford Fred Fitz Randolph (SEAL)

STATE OF MARYLAND, SOMERSET COUNTY, to-wit:

I HEREBY CERTIFY, That on this 8th day of March in the year nineteen hundred and forty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Fred Fitz Randolph, the mortgagor named in the foregoing mortgage and acknowledged the foregoing mortgage to be his act and deed; and at the same time and place also personally appeared before me, Harry C. Dashiell, the agent of the said mortgagee, and made oath in due form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth.

As witness my hand and notarial seal, the day and year above written.

SEAL OF Sally L. Ford
NOTARY Notary Public

Received for Record March 9, 1946 and recorded in Liber B.L.B. No. 133, folio 411, one of the Lane Records of Somerset County.

Per: Benjamin L. Barnes, Clerk.

ASSIGNMENTS

For value received, I hereby assign the within, an aforegoing mortgage, toEdward G. Halloway without recourse.

As witness my hand and seal this 31st day of March, 1947.

Test: Harry C. Dashiell J. Frank Joynes (SEAL)

For value received, I hereby assign the within, an aforegoing mortgage, to Harry C. Dashiell, for the purpose of collection andforeclosure.

As witness my hand and seal this 31st day of March, 1947.

Roland Bosman Edward G. Halloway (SEAL)

Filed for Record April 10, 1947 and recorded in Liber B.L.B. No. 133, folio 412.

Test: Benjamin L. Barnes, Clerk.

And thereupon the said Harry C. Dashiell, Assignee filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That, Harry C. Dashiell, as principal , of Somerset County and State of Maryland, and American Surety Company, of New York, a corporation created and existing under the laws of the State of New York, as surety, are held and firmly bound unto the said State of Maryland, in the full and just sum of three thousand dollars ($3,000.00), to be paid to the said State of Maryland, or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves, and each of us, our and each of our heirs, administrators, personal representatives, and assigns, jointly and severally, firmly by these presents, seal with our seals, and dated this 9 day of April, in the year 1947.

Whereas, the above bounden, Harry C. Dashiell, under and by virtue of the Power of Sale, contained in a mortgage from Fred Fitz Randolph to J. Frank Joynes, dated March 8, 1946, and recorded among the land records of said Somerset County, in Liber B.L.B. No. 133, Folio 411, etc. and which said mortgage has been assigned by the said Joynes to Edward G. Halloway and has been further assigned by the said Halloway to Harry C. Dashiell, forthe purpose of collection and foreclosure, and the said assignee is about to sell the land and premises described in said mortgage, default having been made in the payment of the debt therein specified, and in other covenants and conditions of said mortgage.

Now the condition of the above obligation is such that if the above bounden, Harry C. Dashiell, does and shall, well, truly, and faithfully perform the trust reposed in him by said mortgage, 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 mortgage property or the proceeds thereof; then the above obligation to be void; otherwise, to be and remain in full force and virtue in law.

As witness the hand and seal of the said Harry C. Dashiell, the corporate seal of the said American Surety Company, and the hand of Harry C. Dashiell, the attorney-in-fact, of said corporation, the day and year above written.

Harry C. Dashiell (SEAL)
Principal

TEST:
Grace J. Barnes

SEAL OF COMPANY

AMERICAN SURETY COMPANY OF NEW YORK
BY: Harry C. Dashiell

Which said Bond was thus thereon endorsed, to wit:

The Within Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the 7th day of May in the year nineteen hundred and forty-seven, the said Assignee exhibited and filed in the Circuit Court here a Report of Sale, with an affidavit thereunto annexed, which said Report and affidavit, so aforesaid filed, are in the words following, to wit:

Harry C. Dashiell, Assignee	:	No. 6265 Chancery
Ex Parte	:	In the Circuit Court
Under power in a mortgage from Fred Fitz Randolph to J. Frank Joynes, assigned by Joynes to Edward G. Holloway, and assigned to Harry C. Dashiell for collection and foreclosure.	:	For Somerset County
	:	In Equity
	:	
	-	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sales of Harry C. Dashiell, Assignee, of a mortgage from Fred Fitz Randolph, to J. Frank Joynes, dated March 8, 1946, and recorded among the land records of said Somerset County, in Liber B.L.B. No. 133, folio 411, etc. and which said mortgage was assigned by the said J. Frank Joynes, to Edward G. Holloway, and assigned by said Holloway, to the said Harry C. Dashiell, for collection and foreclosure, and under and by virtue of the Power of Sale, therein contained, default having been made in the payment of the money secured by said mortgage, or in some other covenant or condition of said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents unto your Honors, that after giving bond with security approved by the Clerk of the said court, or by one of the Judges thereof, for the faithful discharge of the trust, so as aforesaid reposed in him by said mortgage, and as required by law, and after giving notice of the time, place, manner, and terms of sale, by advertisement in the Marylander and Herald, a weekly newspaper, published in said Somerset County, once a week for three successive weeks, before the day of sale, and by handbills posted at the Court House Door, in said County, and circulated in said County and elsewhere, he did, pursuant to said notice, attend at the Court House Door, in Princess Anne, Maryland, on Tuesday, the sixth day of May, 1947, at 2 o'clock P.M. and did then and there offer the real estate, hereinafter described for sale at Public Auction, as follows:

Your assignee offered for sale all the two tracts or parcels of land, located at Wenona, on Deal Island, in Deal Island Election District, in Somerset County and State of Maryland, and more fully described as follows, that is to say:

FIRST: All that tract of land, on the westerly side of the County Road, leading to Wenona, and extending from said road to and binding upon Tangier Sound, and containing 75 acres, more or less.

SECOND: All that tract of land, on the easterly side of said County Road, leading to Wenona, and extending from said Road, to and binding upon the waters of the Thoroughfare and

containing about 40 acres more or less.

The lands above described being the same land which is laid down on two plats, recorded with the deed to Henry G. Holdway, and wife, from Denwood W. White and wife, dated April 19, 1938, and recorded among the land records of said Somerset County, in Liber B.L.B. No. 115, folio 1, etc. and which said lands were conveyed to Fred Fitz Randolph, by Henry G. Holdway, and wife, by deed dated March 8, 1946, and recorded in Liber B.L.B. No. 135, folio 350, etc. except so much thereof, as has since been conveyed by Fred Fitz Randolph by the following deeds: one toWilliam C. Thomas and wife, recorded in Liber B.L.B. No. 135, folio 349; one to Charles Abbott and wife, recorded in Liber B.L.B. No. 135, folio 350; one to David Webster, recorded in Liber B.L.B. No. 135, folio 409; one to Carl Hoffman recorded in Liber B.L.B. No. 135, folio 467; one to Linwood Benton and wife, recorded in Liber B.L.B. No. 136, folio 138, and one to Edward Lee Abbott, recorded in Liber B.L.B. No. 138, folio 62, etc.

This property is improved by a barn and other out-buildings.

And your said Assignee sold said real estate above described as a whole to Maude E. Holloway, of the City of Philadelphia, and State of Pennsylvania, she being the highest and best bidder therefor, at and for the sum of three thousand dollars ($3,000.00), and the said purchaser has complied with the terms of said sale to the satisfaction of your said Assignee.

All of which is respectfully submitted.

Harry C. Dashiell
Assignee of said mortgage

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 7th day of May, 1947, before me the subscriber, the Clerk of the Circuit Court, for Somerset County, personally appeared, Harry C. Dashiell, Assignee, of the mortgage above referred to in this Report of Sales, and made oath in due form of law, that the matters and things as stated in the aforegoing Report of Sales, are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk of the Court

Upon which said report, the Clerk of the Circuit Court here passed the following order, to wit:

HARRY C. DASHIELL, ASSIGNEE	:	No. 6265 CHANCERY
EX PARTE	:	IN THE CIRCUIT COURT
Under power in a mortgage from Fred Fitz Randolph to J. Frank Joynes, assigned by Joynes to Edward G. Holloway, and assigned to Harry C. Dashiell for collection and foreclosure.	:	FOR SOMERSET COUNTY
	:	IN EQUITY
	- - -	

ORDERED, that the sale of the real estate, mentioned in these proceedings made and reported by Harry C. Dashiell, Assignee, of the mortgage, above referred to, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 9th day of June, 1947; providing a copy of this order be inserted in some newspaper printed in said Somerset County, each of three successive weeks, before the 7th day of June, 1947.

The report states the amount of sales to be three thousand dollars ($3,000.00).

Benjamin L. Barnes, Clerk

And now at this day to wit, on the 11th day of June in the year nineteen hundred and forty-seven, comes again into Court here the said Assignee, and on motion of the said Assignee, the Court here passed the following Order, to wit:

ORDERED, by the Circuit Court, for Somerset County, in Equity, this 11th day of June, 1947, that the sale of the real estate mentioned in these proceedings made and reported by Harry C. Dashiell, Assignee, as above set forth, 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, since it appears that Harry C. Dashiell, the auditor, of this court, is the solicitor for the complainant, in this cause, it is further ordered that Sally L. Wilson be, and she is hereby appointed Special Auditor to state the account in this cause.

W. Laird Henry, Jr.

JUDGE

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record, according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

"""""""""""""""""""""""""""""""""""""

Charles H. Ward	)	Be it remembered that heretofore, to wit, on the 20th
vs.	)	day of August in the year nineteen hundred and forty-six,
Cora Adams, Allena Waters,	)	a certain Charles H. Ward, by L. Creston Beauchamp, his
Emma Travis, Alfred Wilson,	)	solicitor, exhibited and filed in the Circuit Court here
George Wilson and Eunice Rogers	)	a bill of complaint and Exhibit "A" against Cora Adams,
_____	)	Allena Waters, Emma Travis, Alfred Wilson, George Wilson,

and Eunice Rogers, which said bill of complaint and Exhibit "A" are in the words following, to wit:

Charles H. Ward	:	No. 61 93 Chancery
vs.	:	In the Circuit Court for
Cora Adams, Allena Waters,	:	Somerset County,
Emma Travis, Alfred Wilson,	:	Maryland.
George Wilson and Eunice Rogers		

To the Honorable, the Judge of said Court:

The bill of complaint of Charles H. Ward, of Somerset County, Maryland, who sues as well for himself as for all other creditors of Charlotte Williams, late of Somerset County, Maryland, deceased, who will come in and contribute to the expenses of this suit, respectfully represents:

1. That your orator is an undertaker and as such furnished a coffin and incurred other necessary expenses in the burial of the said Charlotte Williams, which said funeral expenses amounted to $175.00, as will appear by reference to a sworn account thereof filed as a part of this bill, marked Exhibit A.

2. And that the said Charlotte Williams being so indebted as aforesaid unto your orator, and also unto divers other persons, and having no personal estate of any value, and upon which no administration was ever had, but having real estate of considerable value in Fairmount Election District, Somerset County, Maryland, departed this life intestate on or about December 23, 1945, leaving surviving her as her only heirs at law the following:

Cora Adams, 5209 Haverford Avenue, West Philadelphia, Pennsylvania, a sister of the said Charlotte Williams;

Allena Waters, Upper Hill, Maryland, daughter of Alfred Waters, a deceased brother of the said Charlotte Williams;

Emma Travis, 5834 Philbert Street, West Philadelphia, Pennsylvania, daughter of Hester Fontaine, deceased sister of the said Charlotte Williams;

Alfred Wilson, George Wilson and Eunice Rogers, all of Elmwood, Pennsylvania, children of Perry Wilson, deceased brother of the said Charlotte Williams.

3. Your orator further charges that no administration was ever had on the personal estate of the said Charlotte Williams and that the same is not sufficient to pay the costs of administration and the debts due and owing by the said Charlotte Williams at the time of her death, and your oratoris advised that his claim being for funeral expenses and not exceeding the sum of three hundred dollars is to be considered under the law as the debt of the decedent, and that your orator is entitled to have the real estate sold for the payment of his claim, and to pay the claims of the other creditors of the said deceased, but your orator is unable to obtain adequate relief without the aid of this Honorable Court.

To the end, therefore:-

A. That the defendants hereinafter named may answer the several matters and things hereinbefore set forth.

B. That the aforesaid real estate, or so much thereof as may be necessary, may be decreed to be sold for the payment of the aforesaid debt of your orator, and for the other creditors of the said deceased.

C. That your orator may have such other and further relief as his case may require.

May it please your Honor to grant unto your orator the Order of Publication, giving notice to the said Cora Adams, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers, all adults and non-residents of the state of Maryland, and supposed to be residing in the state of Pennsylvania, of the subject and substance of this bill, and warning them to appear in this Court, in person or by solicitor, on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed; and, also, the writ of the State of Maryland, of subpoena, directed to the said Allena Waters, adult, resident of Upper Hill, Somerset County, Maryland, commanding her to be and appear in this Court, in person or by solicitor, on some certain day to be named therein, to show cause, if any she have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

L. Creston Beauchamp,

Solicitor for plaintiff

Exhibit "A" referred to in the foregoing bill is in the words following, to wit:

CHARLES H. WARD

P.O. Box 235
Special Lady Attendant

FUNERAL DIRECTOR
AND EMBALMER

Phone Marion 2281
Branch Office, Crisfield, Md.

Marion Station, Md. Aug. 9, 1946

Mrs. Charlotte Williams Estate
Upper Hill, Md.

Dec. 24 - 45	for burial of Charlotte Williams		
" " "		Preparing body	25.00
" 28 - 45		Casket	110.00
		Vault	40.00
		Total	$175.00

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following Order of Publication was issued, to wit:

Charles H. Ward	:	No. 6193 Chancery
vs.	:	In the Circuit Court for
Cora Adams, Allena Waters,	:	Somerset County,
Emma Travis, Alfred Wilson,	:	Maryland.
George Wilson and Eunice Rogers.		

The object of this suit is to procure a decree for the sale of certain real estate in Fairmount Election District, Somerset County, Maryland, of which Charlotte Williams died seized and possessed;

The bill states that the said Charlotte Williams died on or about December 23, 1945, intestate, leaving no personal estate of any value, but leaving real estate of considerable value in Fairmount Election District, Somerset County, Maryland; that the plaintiff is an undertaker, and as such furnished a coffin and incurred other necessary expenses in the burial of the said Charlotte Williams amounting to $175.00; that the said Charlotte Williams left surviving her as her only heirs at law, a sister, Cora Adams; a niece, Allena Waters; a niece, Emma Travis; a nephew, Alfred Wilson; a nephew, George Wilson, and a niece, Eunice Rogers, all of whom are adults over the age of twenty-one years, and live in Pennsylvania, except Allena Waters, who resides in Somerset County, Maryland; that no administration was ever had on the personal estate of the said Charlotte Williams, and that the said personal estate is not sufficient to pay the costs of administration and the debts due and owing by the said Charlotte Williams at the time of her death;

It is, thereupon, this 20th day of August, 1946, ordered by the Circuit Court for Somerset County, Maryland, in Equity, that the plaintiff, by causing a copy of this order to be published in some newspaper, published in Somerset County, Maryland, once in each of four successive weeks before the 28th day of September, 1946, give notice to the said non-resident defendants of the object and substance of this bill, warning them to appear in this Court, in person or by solicitor, on or before the 15th day of October, 1946, to show cause, if any they have, why a decree ought not to be passed as prayed.

Benjamin L. Barnes
Clerk of the Court

And thereafter to wit, on the 10th day of December in the year nineteen hundred and forty-six, the said complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

Charles H. Ward	:	No. 6193 Chancery
vs.	:	In the Circuit Court for
Cora Adams, Allena Waters, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers.	:	Somerset County, Maryland.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of Allena Waters, administratrix of Charlotte Williams, deceased, respectfully says that she was appointed administratrix of Charlotte Williams by the Orphan's Court of Somerset County, Maryland, and is duly qualified therefor, and believes she should be a party in this case.

Your petitioner therefore asks the Court to admit her as one of the defendants in the above cause.

And as in duty bound, etc.

Allena Waters
Petitioner

Upon which said petition the Court here passed the following order, to wit:

Upon the aforegoing petition, it is this 10th day of December, 1946, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that Allena Waters, administratrix of Charlotte Williams, deceased, is hereby declared to be a party defendant in the above cause.

Edmond H. Johnson
JUDGE

And thereafter, to wit, on the 11th day of December, in the year nineteen hundred and forty-six, the following answer was filed:

Charles H. Ward	:	No. 6193 Chancery
vs.	:	In the Circuit Court for
Cora Adams, Allena Waters, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers.	:	Somerset County, Maryland.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The answer of Allena Waters, one of the defendants in the above cause, respectfully says, that she neither admits nor denies the matters alleged in the bill of complaint in this case.

And as in duty bound, etc.

Allena Waters

And thereafter, to wit, on the 11th day of December, in the year nineteen hundred and forty-six, the following answer was filed:

Charles H. Ward	:	No. 6193 Chancery
vs.	:	In the Circuit Court for
Cora Adams, Allena Waters, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers.	:	Somerset County, Maryland.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The answer of Allena Waters, administratrix of Charlotte Williams, deceased, respectfully says that she neither admits nor denies the matters alleged in the bill of complaint in this case.

And as in duty bound, etc.

Allena Waters

And thereafter, to wit, on the 8th day of January, in the year nineteen hundred and forty-seven, the following affidavit was filed:

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 7th day of January, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Allena Waters, who made oath in due form of law that she knows Coar Adams and Emma Travis, of Philadelphia, Pennsylvania, and Alfred Wilson, George Wilson and Eunice Rogers, of Elmwood, Pennsylvania, and that not any of them are engaged in or employed by the Military Service of the United States.

In testimony whereof, I hereunto subscribe my name and affix my Notarial Seal the day and year aforesaid.

SEAL OF NOTARY — Vivian Catlin, Notary Public

And thereafter to wit, on the 8th day of January in the year nineteen hundred and forty-seven, the said complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

Charles H. Ward	:	No. 6193 Chancery
vs.	:	In the Circuit Court for
Cora Adams, Allena Waters, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers.	:	Somerset County, Maryland

- - - - -

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of the plaintiff respectfully represents that the order of publication heretofore passed in this cause has been published according to its provisions, and that the said

Cora Adams, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers, the adult non-resident defendants, mentioned in the said bill of complaint, have failed to appear to said bill within the time required by said order.

The plaintiff therefore prays the Court to pass a decree pro confesso against the said adult non-answering defendants, Cora Adams, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers; and, also, to pass an order to take testimony in said cause.

AND as in duty bound, etc.

L. Creston Beauchamp,
Solicitor for plaintiff

Upon which said petition the Court here passed the following order, to wit:

It appearing in the above entitled cause that the order of publication, heretofore passed therein, has been duly published according to its provisions, and that the said Cora Adams, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers, the non-resident defendants mentioned in said order of publication, have failed to appear to said bill of complaint within the time required by said order;

It is, thereupon, this 8th day of January, 1947, upon the foregoing petition, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the bill of complaint in the above cause be, and the same is hereby taken pro confesso against the said Cora Adams, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers, adult non-resident defendants.

And it is further ordered that the plaintiff have leave to take testimony before one of the standing examiners of this Court.

Levin C. Bailey
JUDGE

And afterwards, to wit, on ths 8th day of January in the year nineteen hundred and forty-seven, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following, to wit:

Charles H. Ward	:	No. 6193 Chancery
vs.	:	In the Circuit Court for
Cora Adams, Allena Waters, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers.	:	Somerset County, Maryland.

In this cause an order having been passed for testimony to be taken to support the allegations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland, one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, do hereby certify that on this _____ day of November, 1946, in said Somerset County, I took the following testimony to wit:

Charles H. Ward, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1. Q. State your name, age, residence and occupation?
A. Charles H. Ward, 58 years, Marion, Maryland, Undertaker

2. Q. Did you know Charlotte Williams in her lifetime, is she living or dead, and did she leave a will or not and did she leave any real estate
A. I knew her. She died about December 23, 1945, and I was the Undertaker that performed the burial service. She never left any will but did leave a house and three or four acres of land at Upper Hill, Somerset County, Maryland, worth about $500.00.

3. Q. Can you state whether there was any personal property from which to pay the debts of the estate, or whether this real estate will have to be sold?
A. There was no personal property at all and topay any debts of the estate, including my bill for funeral services, it will be necessary that the real estate be sold.

4. Q. State what, if any amount, is owed to you by the estate of Charlotte Williams and what was the bill for?

A. She owed me $175.00, amount for funeral expenses, embalming, $25.00; casket $110.00 and vault $40.00.

Court question and answer: nothing further.

Charles H. Ward

Harry C. Dashiell

Exm.

Allena Waters, witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1. Q. State your name, age, residence and occupation?
A. Allena Waters, 68 years, Upper Hill, Maryland, housewife.

2. Q. Did you know Charlotte Williams, is she living or dead, and if dead did she or not die testate and can you name her heirs at law?
A. Charlotte Williams was my aunt and I knew her all my life. She died in December, 1945 and did not leave any will and left as her heirs at law a sister, Cora Adams, a niece, Emma Travis, a nephew, George Wilson and a neice Eunice Rogers, all adults and residents of Philadelphia, Pennsylvania, and a nephew Alfred Wilson, adult living in Chester, Pennsylvania, and myself, a neice.

3. Q. Please state what, if any, personal property Charlotte Williams owned at her death and whether there was any administration had on the estate of Charlotte Williams; and how any debts against the estate will have to be paid.
A. She left no personal property of any kind or value; I was appointed administratrix purely for the purpose of clearing the title for the land. However since my appointment this case has been filed.

4. Q. Please state if you know of any unpaid bills against the estate of Charlotte Williams?
A. I think that Charles H. Ward has a bill for funeral expenses and I have filed a bill in the Orphan's Court for $80.00 for my services in looking after and caring for Charlotte Williams in my home for several months during the latter part of 1944 and the early part of 1945. There is no property from which to pay any of these bills except the house and about four acres of land on Upper Hill, Maryland, which Charlotte Williams owned at her death. I would value this property at $500.00.

Court question and answer: nothing further.

Allena Waters

Harry C. Dashiell

There being no further witnesses present to be examined, and at the suggestion of the plaintiff, the papers are herewith returned to Court, and I further certify the annexed bill of costs if correct.

Examiner's fee — Harry C. Dashiell (SEAL)

$4.00 — Examiner in Chancery

And thereafter, to wit, on the 19th day of February, in the year nineteen hundred and forty-seven, the Circuit Court here passed the following decree in the premises, to wit:

Charles H. Ward	:	No. 6193 Chancery
vs.	:	In the Circuit Court for
Cora Adams, Allena Waters, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers.	:	Somerset County, Maryland.

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

It is thereupon, this 19th day of February, 1947, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings be sold; that L. Creston Beauchamp be and he is hereby appointed trustee to make such sale, the course and manner of his said proceeding to be as follows: He shall first file in the office of the Clerk of the Circuit Court for said Somerset County, a corporate bond to the State of Maryland in the sum of five hundred dollars, conditioned upon the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having given at least three weeks previous notice inserted in some newspaper printed in said Somerset County and such other notice as he may think proper of the time, place, manner and terms of sale, which terms shall be cash on the day of sale.

And as soon as may be convenient after any such sale, the trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale annexed. And on the ratification of such sale by this Court and on the payment of the entire purchase money, and not before, the trustee by good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser or purchasers of said property, to his, her or their heirs, the property to him, her or them sold, free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from or under them. And the said trustee shall bring into this Court the money arising from said sale, to be disposed of under the direction of this Court, after deduction therefrom the costs of this suit, and such commissions to the said trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

And, it is further ordered, that at the time of advertising such sale, the trustee shall give notice to the creditors of Charlotte Williams, deceased, to file with the Clerk of the Court in these proceedings their respective claims, duly proven, within sixty days from the date of sale,

W. Laird Henry, Jr.
JUDGE

And thereupon, the said L. Creston Beauchamp, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, L. Creston Beauchamp, of Somerset County, Maryland, principal, and the Maryland Casualty Company, a Maryland corporation, surety, are held and firmly bound unto the State of Maryland in the sum of five hundred dollars, 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 firmly by these presents, sealed with our seals and dated this 24th day of March, 1947;

WHEREAS, by a decree of the Circuit Court for Somerset County, Maryland, in Equity, dated February 19, 1947, and passed in said Court in a cause wherein Charles H. Ward is plaintiff and Cora Adams and others are defendants, the same being No. 6193 on the Chancery Docket of said Court, the above named L. Creston Beauchamp was named trustee with power to sell the real estate in said ciase decreed to be sold, and, whereas, the said L. Creston Beauchamp is about to enter upon the execution of the said trust;

NOW, the condition of the above obligation is such that, if the above bound L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the premises, then the above obligation shall be void; otherwise, to be and remain in full force and virtue in law.

L. Creston Beauchamp, Principal (SEAL)

Test: SEAL OF MARYLAND CASUALTY COMPANY
Benjamin L. Barnes COMPANY By L. C. Beauchamp, Attorney in fact.

Which said Bond was thus thereon endorsed, to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the 26th day of March in the year nineteen hundred and forty-seven, the said trustee exhibited and filed in the Circuit Court here a report of sale, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Charles H. Ward	:	No. 6193 Chancery
vs.	:	In the Circuit Court for
Cora Adams, Allena Waters, Emma Travis, Alfred Wilson, George Wilson and Eunice Rogers.	:	Somerset County, Maryland.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of L. Creston Beauchamp, trustee in the above entitled cause, appointed by a decree of this Court dated February 19, 1947, to make sale of the real estate therein mentioned, respectfully shows:

That by virtue of the power and authority contained in said decree and after having given bond with approved security as required by law, conditioned upon the faithful performance of the trust reposed in him by said decree, and after having given at least twenty-one days notice of the time, place, manner and terms ofsale by advertisement in the Somerset News, a weekly newspaper published in said county, and by hand-bill posted at the Court House door in said county, he did, in pursuance of said notice, attend at the Court House door in Princess Anne, Maryland, on Tuesday, March 25, 1947, at or about the hour of two o'clock P.M., and then and there proceeded to sell at public auction the following described property conveyed by said decree, namely:

He then offered all that lot or parcel of land situate, lying and being in Fairmount Election District, Somerset County, Maryland, on Freetown Hill, where Charlotte Williams formerly resided, and adjoining the lands of Henry Maddox, Edward Wilson, Graham Water's heirs and Mamie C. Jackson; being a part of the land devised to Charlotte Williams by Stoughton Williams by his last will and testament dated November 2, 1912, and recorded among the testamentary records of said Somerset County in Liber T.D. No. 21, folio 280; and being the same land which was conveyed to Stoughton Williams by the following deeds; (1) Deed from Robert H. Jones, duly recorded among the land records of said Somerset County; (2) Deed from Henry T. Horsey and wife, by deed dated July 24, 1880, recorded among said land records in Liber B.F.L. No. 3, folio 81; and (3) Deed from Henry T. Horsey and wife, by deed dated July 24, 1880, recorded among said land records in Liber B.F.L. No. 3, folio 82; excepting only that lot of land which was conveyed to Graham Waters by Charlotte Williams by deed dated April 3, 1918, recorded among the said land records in Liber No. 74, folio 155, which said land is improved by a dwelling house and out-buildings, and sold the same to Elizabeth C. Barry, she being the highest bidder therefor, at and for the sum of three hundred and thirty-five dollars, which she has paid in cash.

And the trustee prays a ratification of his proceedings in the premises.

All of which is respectfully submitted.

L. Creston Beauchamp
Trustee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 26 day of March, 1947, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp, the trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Benjamin L. Barnes
Clerk of Court

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

L. Creston Beauchamp,	:	No. 6193 Chancery
Ex Parte	:	In the Circuit Court for
	:	Somerset County, Maryland

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 26 day of March, 1947, that the report of L. Creston Beauchamp, trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported, be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 28th day of April, 1947; provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 26 day of April, 1947.

The report states the amount of sale to be $395.00.

Benjamin L. Barnes
Clerk of Court

And now at this day, to wit, on the 18th day of June in the year nineteen hundred and forty-seven, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

L. Creston Beauchamp,	:	No. 6193 Chancery
Ex Parte.	:	In the Circuit Court for
	:	Somerset County, Maryland

It having been proved to the Court that a copy of the preceding order nisi has been published according to its provisions, and no exceptions having been filed and no cause to the contrary having been shown, it is this 18th day of June, 1947, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the within report of L. Creston Beauchamp, trustee, and the sale by him reported, be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.
JUDGE

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

"""

STATE OF MARYLAND, SOMERSET COUNTY, To Wit:

At a Term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the first Monday in September, being the first day of the same month, in the year of our Lord one thousand nine hundred and forty-seven.

Were present,

Hon. W. Laird Henry, Jr., Chief Judge
Hon. Levin C. Bailey, Associate Judge
Hon. Edmond H. Johnson, Associate Judge
Woodland Jackson, Sheriff and Benjamin L. Barnes, Clerk.

In the Record of proceedings of said Court, among others were the following, to wit:

Prentiss W. Evans, Assignee for the purpose of foreclosure and collection under power contained in a mortgage to Bank of Crisfield and by assignment to Prentiss W. Evans for foreclosure and collection.	Be it remembered that heretofore, to wit, on the 22nd day of May, in the year nineteen hundred and forty-seven, a certain Prentiss W. Evans of Somerset County and State of Maryland, in his proper person, exhibited and filed in the Circuit Court

here, the original and assignment of a certain mortgage, executed and delivered to Bank of Crisfield by a certain Frank J. Croswell and Mary R. Croswell, his wife, of Somerset County and State of Maryland, which said original mortgage and assignment are in the words following, to wit:

THIS MORTGAGE, Made this 9th day of November in the year nineteen hundred and twelve, by Frank J. Croswell and Mary R. Croswell, his wife, of Somerset County, in the State of Maryland:

Whereas, the said Frank J. Croswell and Mary R. Croswell, his wife, have this day borrowed from the "Bank of Crisfield" (a body corporate existing under the laws of the State of Maryland), the sum of Six Hundred Dollars ($600.00), and have executed and delivered unto the said the "Bank of Crisfield", a body corporate as aforesaid, their bill obligatory for said sum of Six Hundred Dollars ($600.00), dated evenly herewith, payable two years after date, with interest from date, which said interest is to be paid semi-annually; and whereas, for the purpose of further securing the payment of said sum of money, with interest, and payable as aforesaid, the said Frank J. Croswell and Mary R. Croswell, his wife, have agreed to execute this mortgage.

Now therefore this Mortgage Witnesseth, that in consideration of the premises and the sum of five dollars in hand paid, the said Frank J. Croswell and Mary R. Croswell, his wife, have granted and by these presents do grant and convey unto the said the "Bank of Crisfield", a body corporate as aforesaid, its successors and assigns, all that lot or parcel of land situate, lying and being in Lawson's District, Somerset County, and State of Maryland, and on the South-west side of the County Road leading from the New York, Philadelphia and Norfolk Railroad the Julia Whittington Corner, and further described as follows:-Beginning for the same at a post set up as a boundary in the rear of the Wesley Methodist Episcopal Church lot, thence running, according to a survey made the twenty-second day of April eighteen hundred and ninety-one, South twelve and one-half degrees West fifty and sixteen hundredths perches, by and with the lands of Lizzie A. Whittington, thence South thirty-six degrees East thirteen and forty-four hundredths perches, by and with the land of Edward B. Lankford and others, to an old marked white oak, thence North eighteen degrees East seventy-one and two-tenths perches, by and with the land of Jeff Cottingham, to the aforesaid County Road, thence North seventy-six degrees West fourteen and forty-four hundredths perches, by and with said road, to the corner of said Church lot, thence South eighteen degrees West nine and forty-eight hundredths perches, thence North seventy-six degrees West one and sixty-four hundredths perches, the last two courses being by and with said Church lot, to the place of beginning, and containing five acres,

two roods and twenty-four perches of land more or less,---the same being all the real estate and premises conveyed unto the said Frank J. Croswell by William H.T. Coulbourn and wife, by deed bearing date the twelfth day of June in the year nineteen hundred and eight, and recorded among the Land Records of Somerset County in Liber S.F.D. No. 49 folio 2 etc,-----to which said deed and record special reference is here made for a more accurate description of the lands and premises hereby mortgaged.

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

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee, its successors and assigns forever.

PROVIDED that if the said Mortgagors shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said bill obligatory, 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 Mortgagors shall possess the aforesaid property upon paying, in the meantime, all taxes and assessments, public debts 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 aforesaid, the said Frank J. Croswell and Mary R. Croswell, his wife, do hereby covenant to pay when legally demandable. But if default be made in thepayment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagee, its successors or assigns, or Clarence P. Lankford, its and their Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash, 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 by advertisement in some newspaper printed in Somerset county, and such other notice as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted, the proceeds arising from such sale to apply, first, to the payment of all expenses incident to such sale including a reasonable Attorney's fee, 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 Mortgagors, or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted, and that the said Mortgagors, or any person in their behalf, shall pay said mortgage debt and interest, after an advertisement and before a sale, the said mortgagors covenant to pay to the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee, and one-half the commission hereinbefore mentioned, to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order a sale

thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagors do further covenant to insure, and pending the existence of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least Six Hundred dollars, and to cause the policu 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 and assigns, to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagors shall fail to insure and to keep insured the improvements aforesaid for the benefit of the mortgagee, and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

WITNESS the hands and seals of said mortgagors.

Test: Frank J. Croswell (SEAL)

William A. Britton Mary R. Croswell (SEAL)

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 9th day of November in the year nineteen hundred and twelve, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Frank J. Croswell and Mary R. Croswell, his wife, the mortgagors named in the foregoing mortgage and did acknowledged the foregoing mortgage to be their respective act and deed; and at the same time and place also personally appeared before me, John Sterling, president of the "Bank of Crisfield", mortgagee, and made oath in due form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth, and that the said the "Bank of Crisfield", mortgagee, has not required the mortgagors, their Agent or Attorney, or any person for the said mortgagors, to pay the tax levied upon the interest covenanted to be paid, in advance, nor will the said the "Bank of Crisfield", mortgagee, require any tax levied thereon to be paid by the mortgagors, or any person for them during the existence of this mortgage, and the said John Sterling further made oath, as aforesaid, that he is the president of the "Bank of Crisfield", mortgagee, and its duly authorized agent for the purpose of making this affidavit.

William A. Britton, J. P.

Received for Record Nov. 11, 1912 and recorded in Liber S.F.D. No. 61, folio 246 &c., one of the Land Records of Somerset County.

Per: S. Frank Dashiell, Clerk.

ASSIGNMENT

For value received, the Bank of Crisfield, a body corporate, hereby assigns the within mortgage to Prentiss W. Evans, Esq. for the purpose of foreclosure and collection.

Witness the seal of the Bank of Crisfield, and the signature of J. Coyne Sterling, the Vice-President thereof, the day and year above written.

Attest: SEAL OF Bank of Crisfield

Merrill O. Byrd BANK By J. Coyne Sterling, Vice-Pres.

Filed for Record May 22, 1947 and recorded in Liber S.F.D. No. 61, folio 247.

Test: Benjamin L. Barnes, Clerk.

STATEMENT OF MORTGAGE DEBT

Statement of Mortgage claim of Bank of Crisfield, a body corporate, owner of mortgage foreclosed herein.

To Principal, amount of mortgage	$443.99
To Interest from April 1, 1947 To May 14, 1947.	$ 3.18
To principal and interest to May 14, 1947, being total amount due on said mortgage.	$447.17

STATE OF MARYLAND, Somerset County, to wit:-

I hereby certify that on this 14th day of May, in the year nineteen hundred and forty-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared J. Coyne Sterling, Vice President of the Bank of Crisfield, a body corporate existing under the laws of the State of Maryland, and made oath in due form of law that subject to assignment to Prentiss W. Evans for purpose of foreclosure and collection, said Bank of Crisfield, a body corporate as aforesaid, is the present holder and owner of the mortgage foreclosed in this case, and that the aforegoing is a true and just statement of the amount of mortgage claim under said mortgage, now remaining due and unpaid, and he die further made oath in due form of law that he is the duly authorized agent for the Bank of Crisfield for the purpose of making this affadavit, and he did further made oath in due form of law that Frank J. Croswell and Mary R. Croswell, his wife, are not now, nor for 30 days prior to the institution of the foreclosure proceedings in this cause, been in the military service of the United States.

As witness my hand and notarial seal the day and year first above written.

SEAL OF NOTARY — Beryl Sterling, Notary Public

And thereupon, the said Prentiss W. Evans, Assignee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, Prentiss W. Evans, Crisfield, Maryland and the American Bonding Company of Baltimore, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Two Thousand and 00/100 ($2,000.00) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our Heirs, Executors, Administrators, Successors or Assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 20th day of May, in the year of our Lord nineteen hundred and forty-seven.

Whereas, the above bounden Prentiss W. Evans by virtue of the power contained in a mortgage from Frank J. Croswell and wife to Bank of Crisfield bearing date the 9th day of November, 1912 and recorded among the mortgage records of the Circuit Court of Summerset County in Liber S.F.D. No. 61 Folio 246 and is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden Prentiss W. Evans do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in telation to the sale of said mortgaged property or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

IN TESTIMONY WHEREOF, the above bounden Prentiss W. Evans has hereto set his hand and seal and the said body corporate has caused these presents to be duly signed by its Attorney-in-fact, the day and year first herein above written.

Signed, sealed and delivered in the presence of:

Beryl Sterling — Prentiss W. Evans (SEAL)

Attest: As to Surety: — AMERICAN BONDING COMPANY OF BALTIMORE (SEAL)

By Betty L. Carson — By E. V. Shockley, Attorney-in-fact

STATE OF MARYLAND, BALTIMORE CITY, sct:

KNOW ALL MEN BY THESE PRESENTS: That the American B onding Company of Baltimore, a corporation of the State of Maryland, does hereby constitute and appoint E.V. Shockley its Attorney-in-Fact to make, execute and deliver on its behalf, as surety, all bonds of any kind, c haracter and description that are or may be requi red to be filed in any Court in or of the State of Maryland and it does hereby declare that all such bonds signed and executed by its said Attorney-in-Fact shall be as binding on it as if they had been duly executed by its proper officers. This power shall remain in full force and effect until duly revoked and written notice thereof given.

WITNESS the seal of t he said AMERICAN BONDING COMPANY OF BALTIMORE duly affixed by its Vice-President and attested by its Assistant Secretary, this 21st day of April, 1932.

SEAL OF COMPANY — Attest: J.G. Yost, Assistant Secretary — AMERICAN BONDING COMPANY OF BALTIMORE By: E. R. Nuttle, Vice-President.

I HEREBY CERTIFY that the above is a correct and true copy of the original Power of Attorney, May 20, 1947.

AMERICAN BONDING COMPANY OF BALTIMORE

Geo. D. Henry (SEAL)

Assistant Secretary

Which said bond was thus thereon endorsed, to wit:

Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter to wit on the 26th day of July in the year nineteen hundred and forty-seven, the said Assignee exhibited and filed in the Circuit Court here a Report of Sale, with an affidavit thereunto annexed, which said Report and affidavit, so aforesaid filed, are in the words following, to wit:

Prentiss W. Evans, Assignee for the purpose of foreclosure and collection under power contained in a mortgage to the Bank of Crisfield, a body corporate	:	No. 6283 Chancery
	:	In the Circuit Court
	::	for
	:	Somerset County, Maryland

To the Honorable, the Judges of said Court:

The report of sale of Prentiss W. Evans, Assignee of a certain mortgage made and executed by Frank J. Croswell and Mary R. Croswell, his wife, dated November 9, 1912, recorded among the Land Records of Somerset County, Maryland in Liber S.F.D. No. 61, folio 246; under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage, or in the payment of the interest thereon or in some other covenant or condition of said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to your Honors.

That after giving bond with security approved by the Clerk of this Court for the faithful performance of the trust so as aforesaid reposed in him and pursuant to said mortgage, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in Somerset County, once a week forthree successive weeks before the day of sale; he did, pursuant to said notice, attend at the U.S. Postoffice at Crisfi eld, Maryland, on the 14th day of June, 1947,

at 1:00 P.M. and then and there proceed to sell the property described in said mortgage, to wit: All that lot or parcel of land situate, lying and being in Lawsons District, Somerset County, and State of Maryland, and on the southwest side of the County Road leading from the New York, Philadelphia and Norfolk Railroad, the Julia Whittington Corner, and further described as follows:- Beginning for the same at a post set up as a boundary in the rear of the Wesley Methodist Episcopal Church lot, thence running, according to a survey made the 22nd day of April, 1891, South twelve and one-half degrees, West fifty and sixteen hundredths perches, by and with the lands of Lizzie A. Whittington; thence South thirty-six degrees East thirteen and forty-four hundreths perches, by and with the land of Edward B. Lankford and others, to an old marked white oak, thence North eighteen degrees East seventy-one and two-tenths perches, by and with the land of Jeff Cottingham, to the aforesaid County Road; thence North seventy-six degrees West fourteen and forty-four hundreths perches, by and with said road, to the corner of said Church lot; thence South eighteen degrees West nine and forty-eight hundreths perches; thence North seventy-six degrees West one and sixty-four hundreths perches, the last two courses being by and with said Church lot, to the place of beginning, and containing five acres, two roods and twenty-four perches of land, more or less; the same being all that real estate conveyed unto said Frank J. Croswell by William E.T. Coulbourn and wife, by deed dated June 12, 1908 and recorded among the land records of said Somerset County in Liber S.F.D. No. 49, folio 2 etc. and being the same and all that land described in the aforesaid mortgage of said Frank J. Croswell and Mary R. Croswell, his wife, to the said Bank of Crisfield;-- and sold the same to Honiss A. Tull at and for the sum of Seven hundred dollars ($700.00); he being then and there the highest bidder therefor.

Respectfully submitted,

Prentiss W. Evans, Assignee

STATE OF MARYLAND, Somerset County, to-wit:

I hereby certify that on this 25th day of July, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Prentiss W. Evans, Assignee named in the foregoing report of sale, and made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

SEAL OF NOTARY — Beryl Sterling, Notary Public

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Prentiss W. Evans, Solicitor

No. 6283 Chancery

In the Circuit Court for Somerset County, Maryland

Prentiss W. Evans, Assignee, Ex-Parte, under power contained in a mortgage to the Bank of Crisfield, a body corporate, and assigned to Prentiss W. Evans for foreclosure and collection.

Ordered this 26th day of July, in the year nineteen hundred and forty-seven, that the sale of the property mentioned in these proceedings, made and reported by Prentiss W. Evans, Assignee of the above mortgage be ratified and confirmed unless cause to the contrary thereof be shown on or before the 26th day of August, nineteen hundred and forty-seven, PROVIDING a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 23rd day of August, nineteen hundred and forty-seven.

The report states the amount of sale to be seven hundred dollars ($700.00).

Benjamin L. Barnes,
Clerk of the Circuit Court
for Somerset County, Maryland

And now at this day towit, on the 22nd day of September in the year nineteen hundred and forty-seven, comes again into Court here the said assignee and on motion of the said assignee the Court here passed the following order, to wit:

EX PARTE	:	No. 6283 Chancery
Under power in a mortgage from Frank J. Croswell and wife to the Bank of Crisfield, and assigned to Prentiss W. Evans for foreclosure and collection	:	In the Circuit Court for Somerset County, Maryland.

ORDERED, by the Circuit Court, for Somerset County, Maryland, IN EQUITY, this 22nd day of September, 1947, that the sale of the real estate mentioned in these proceedings made and reported by Prentiss W. Evans, Assignee, be and the same is hereby finally ratified and confirmed; no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi, passed in said cause.

W. Laird Henry, Jr.

JUDGE

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin P. Barnes, Clerk.

""

In the matter of the tax sale of real estate in Smith's Island Election District, Somerset County, Maryland, assessed to J.W. Marsh for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector.	)	Be it remembered that heretofore, to wit, on the thirteenth day of August, in the year nineteen hundred and forty-seven, a certain Carlos Bozman, Collector of State and County taxes for the tenth collection district of Somerset County for
County Commissioners of Somerset County, Maryland. Purchaser	)	

the years 1933 and 1934 by L. Creston Beauchamp, his solicitor, exhibited and filed in the Circuit Court here, a report of sales with an affidavit, thereunto annexed, which said report and affidavit so as aforesaid filed, are in the words following to wit:

In the matter of the tax sale of real estate in Smith's Island Election District, Somerset County, Maryland, assessed to J.W. Marsh for the years 1933 and 1934 made and reported by Carlos Bozman, County Treasurer and Collector.	)	No. 6305 Chancery In the Circuit Court for Somerset County, Maryland
County Commissioners of Somerset County, Maryland. Purchaser	)	In Equity

To the Honorable, the Judges of the said Court:

The report of sales of Carlos Bozman, County Treasurer and Collector of State and County taxes for said Somerset County, respectfully represents:

That on June 30, 1933, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such person, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to J.W. Marsh in Smith Island Election District, Somerset County, Maryland, the sum of one dollars and four cents State taxes, and four dollars and fifteen cents, County taxes, and that

said State and County taxes were due and in arrears on January 1, 1934.

That in the month of August, 1933, the said Harry E. Muir, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Marylander and Herald a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muir, County Treasurer, and Collector as aforesaid, prepared the tax bills of every taxpayer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or postoffice address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That on June 30, 1934, the County Commissioners of said Somerset County, made an annual levy of State and County taxes upon the taxable property in said County, and that sixty days after said levy was made, Harry E. Muir, County Treasurer of said County, in pursuance of his duties as Clerk to said County Commissioners, made a true copy of the assessment lists for said County in books supplied by said County Commissioners for the purpose, as required by law, showing the aggregate assessment of every person, set of persons or corporate institutions, as the same appeared on the assessment books of said county, with the names of the owners arranged according to election districts and alphabetically for each district, and showing the amount of State and County taxes due and owing by every such persons, set of persons or corporate institutions.

That by said levy the said County Commissioners did levy upon the property assessed to J.W. Marsh in Smith's Island Election District, Somerset County, Maryland, the sum of no dollars and ninety-one cents State taxes, and four dollars and seven cents, County taxes, and that said State and County taxes were due and in arrears on January 1, 1945.

That in the month of August, 1934, the said Harry E. Muir, County Treasurer and Collector as aforesaid, gave notice of said annual levy by advertisement inserted once a week for four successive weeks in the Marylander and Herald, a newspaper published in Princess Anne, Maryland, and in the Crisfield Times, a newspaper published in Crisfield, Maryland, and the said Harry E. Muit, County Treasurer and Collector as aforesaid, prepared the tax bills of every tax payer and forwarded the same by mail or delivered the same to the person or persons or corporate institutions, or to the agent of the person or persons or corporate institutions, to whom the property included in said tax bills was assessed, so far as their residence or postoffice address was known or ascertained by said County Treasurer, on or before the first day of October next succeeding said levy, and that such advertisement and tax bills contained a clear statement of the interest to be charged on all tax bills, and a notice that if said taxes were not paid on or before the first day of January next succeeding said notice, with interest thereon, that said taxes would be collected by process of law.

That the said State and County taxes for the years 1933 and 1934 being still due and in arrears and unpaid, constituted a lien upon the real estate of the said J.W. Marsh, in said Smith's Island Election District, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, having found it necessary to enforce the payment of said taxes by a sale of the said real estate (the said real estate not being capable of division or partition in the judgment of said County Treasurer) did advertise the whole of said real estate in the Crisfield Times, a weekly newspaper published in said Somerset County, once in each of four successive

weeks before the day of sale, and also by notice set up at the Court House door, in Princess Anne, in said County, giving notice of the time, place, manner and terms of said sale, the year or years for which the said taxes were due and to whom the property was assessed, and the said Carlos Bozman, County Treasurer and Collector as aforesaid, in pursuance of said notice and advertisement, did, on December 11, 1935, at or about the hour of two o'clock P.M. at the Court House door, in Princess Anne, Maryland, proceed to sell at public auction, for cash, all that lot, tract or parcel of land, being the real estate assessed to J.W. Marsh in said election district, as follows:

All that lot of land in Smith's Island Election District, Somerset County, Maryland, size one hundred and eight feet by two hundred and twenty-five feet, with the improvements thereon, on the road and adjoining the lands of Herbert Evans and Fulton Evans, and assessed to J.W. Marsh for the years 1933 and 1934, and sold for taxes due for said years, and sold the same to the County Commissioners of Somerset County, Maryland, it being the highest bidder therefor, at and for the sum of fifty-eight dollars and twenty cents, now fully paid, and a copy of said advertisement is hereby filed as a part of this report, marked Exhibit A.

And the said Carlos Bozman, County Treasurer and Collector as aforesaid, hereby reports said sale and the proceedings had thereunder to this Honorable Court for ratification thereof.

All of which is respectfully submitted,

Carlos Bozman,
County Treasurer and Collector of State and County Taxes.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 13th day of August, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Carlos Bozman, County Treasurer and Collector of state and county taxes for said Somerset County, and made oath in due form of law that the matters and facts stated in the foregoing report of sale are true as therein set forth, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Witness my hand and notarial seal.

Vivian Catlin SEAL OF
Notary Public NOTARY

Exhibit "A" referred to in the foregoing report is in the words following, to wit:

Exhibit A.

TREASURER'S SALE FOR TAXES

By virtue of the power and authority vested in me as County Treasurer for Somerset County, Maryland, by the provisions of the General Assembly of Maryland, I hereby give notice that on Tuesday, December 11, 1935, at the hour of two o'clock P.M., at the Court House door in Princess Anne, Maryland, I will sell at public auction, for cash, all the lots or parcels of land hereinafter severally mentioned and described, situate, lying and being in Smith's Island Election District, Somerset County, Maryland, to pay and satisfy the state and county taxes levied against the hereinafter described lots or parcels of land for the years mentioned, or charged to and due from the several persons to whom the same are assessed, which said taxes are now due and in arrears for said years, together with the interest and costs.

"""""""""""""

All that lot of land in Smith's Island Election District, Somerset County, Maryland, size one hundred and eight feet by two hundred and twenty-five feet, with the improvements thereon, on the road and adjoining the lands of Herbert Evans and Fulton Evans, and assessed to J.W. Marsh for the years 1933 and 1934, and sold for taxes due for said years.

"""""""""""""

CARLOS BOZMAN
County Treasurer and Collector

Upon which said report the Circuit Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Smith's Island Election District, Somerset County, Maryland, assessed to J.W. Marsh for 1933 and 1934, made and reported by Carlos Bozman, County Treasurer and Collector.	)	No. 6305 Chancery In the Circuit Court for
County Commissioners for Somerset County, Purchaser.	)	Somerset County, Md.

The annexed and foregoing report of the proceedings of Carlos Bozman, County Treasurer and Collector of state and county taxes for Somerset County, Maryland, relating to the sale on Tuesday, December 11, 1935, of land in Smith's Island Election District, said Somerset County, size one hundred and eight feet by two hundred and twenty-five feet, with the improvements thereon, on the road and adjoining the lands of Herbert Evans and Fulton Evans, and assessed to J.W. Marsh for 1933 and 1934, made to the County Commissioners of Somerset County, Maryland, for the sum of fifty-eight dollars and twenty cents, now fully paid, having been presented to the Court and examined and appearing to be regular, and it appearing that the provisions of law in relation thereto have been complied with.

It is, thereupon, this 13th day of August, 1947, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that notice be given in one of the newspapers published in said Somerset County once in each of three successive weeks before the 13th day of September, 1947, warning all persons interested in said property to be and appear in this Court, in person or by solicitor, on or before October 14, 1947, to show cause, if any they have, why said sale shall not be ratified and confirmed.

The report states the amount of sale to be $58.20.

Edmond H. Johnson

JUDGE

And now at this day to wit, on the 23rd day of October, in the year nineteen hundred and forty-seven, comes again into Court here, the said collector by his solicitor aforesaid and on motion of the said Collector by his solicitor aforesaid the Court here passed the following order, to wit:

In the matter of the tax sale of real estate in Smith's Island Election District, Somerset County, Maryland, assessed to J.W. Marsh, made and reported by Carlos Bozman, County Treasurer and Collector.	)	No. 6305 Chancery In the Circuit Court for
County Commissioners of Somerset County, Maryland - - - - - - - - - - - - - - Purchaser.	)	Somerset County, Maryland

It having been proved to the Court that, in the above entitled cause, notice has been given by publication of the order nisi heretofore passed in this cause, in the Crisfield Times, a weekly newspaper published in said Somerset County, according to the terms of said order nisi, and no objection having been filed and no cause to the contrary having been shown, it is hereby adjudged, ordered and decreed this 23rd day of October, 1947, by the Circuit Court for Somerset County, Maryland, in Equity, that the foregoing report of sale and the sale therein reported be and the same are hereby finally ratified and confirmed.

W. Laird Henry, Jr.

JUDGE

And thereupon it is ordered by the Court here, that the proceedings aforesaid be entered of record, according to law, and the same is accordingly done.

Per: Benjamin R. Barnes, Clerk.

"""

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

At a term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the first Monday in November, being the third day of the same month, in the year of our Lord one thousand nine hundred and forty-seven.

Were present, Hon. W. Laird Henry, Jr., Chief Judge
Hon. Levin C. Bailey, Associate Judge
Hon. Edmond H. Johnson, Associate Judge
Woodland Jackson, Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following, to wit:

Morris Doane)
vs.)
Malinda Doane)
_____)

Be it remembered that heretofore, to wit, on the first day of May in the year nineteen hundred and forty-seven, a certain Morris Doane, by Harry C. Dashiell, his solicitor, exhibited and filed in the Circuit Court here a bill of complaint against Malinda Doane, which said bill of complaint is in the words following, to wit:

Morris Doane)	:	No. 6276 Chancery
vs.)	:	In the Circuit Court
Malinda Doane)	:	For Somerset County, in Equity.
_____)		

TO THE HONORABLE, THE JUDGES OF SAID COURT:

FIRST: That by deed dated the 14th day of December, 1931, and recorded among the land records of said Somerset County, in Liber J.M.T. No. 102, folio 82, etc. Clinton B. James and wife, granted and conveyed unto the plaintiff, Morris Doane, and the defendant, Malinda Doane, who was then the wife of the said Morris Doane, all that lot or parcel of land, situate in West Princess Anne Election District, in Somerset County, Maryland, on the north side of the County Road, known as the Revelle's Neck Road, leading to the colored school house, fronting 70 feet on said road, and adjoining the land of George Dennis, on the east.

SECOND: That the aforesaid real estate above referred to, is still owned by the said Morris Doane and Malinda Doane; but that since the date of the above deed, the said Morris Doane and Malinda Doane, have been divorced and now own the aforesaid land, as tenants in common, that is to say; the said plaintiff Morris Doane, owns an undivided one-half interest in said property, and the said Malinda Doane owns an undivided one-half interest, in said property.

THIRD: That the aforesaid real estate, owned as above set forth, is not susceptible of division or partition, among the parties entitled to interests therein; and that it would be to the interest, and for the benefit of said parties, to sell said real estate and divide the proceeds among them according to their respective rights and interest therein.

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 said respondent, according to their respective rights and interest therein.

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

May it please your honor to grant unto your orator, the Order of Publication, directed to the said Malinda Doane, an adult residing at Bryn Athyn, in Montgomery County and State of Pennsylvania, who is a nonresident of the State of Maryland, and giving notice to said nonresident defendant, of the object and substance of this bill, and warning her to be and appear in this court in person or by solicitor, on or before a certain day to be named therein, to show cause if any she has, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

Harry C. Dashiell,
Solicitor for Complainant

And thereupon, in pursuance of the prayer of the foregoing bill, and by Order of Court here, the following Order of Publication was issued:

Morris Doane)	:	No. 6276 Chancery
vs.)	:	In the Circuit Court
Malinda Doane)	:	For Somerset County
_____)	:	In Equity.

The object of this suit is to procure a decree for the sale of real estate, situate in West Princess Anne Election District, in Somerset County, Maryland.

The bill states that by deed dated December 14, 1931, and recorded among the land records of said Somerset County, in Liber J.M.T. No. 102, folio 82, etc. Clinton B. James and wife, conveyed to Morris Doane and Malinda Doane, who was then the wife of the said Morris Doane; all that lot or parcel of land on the north side of the County Road, known as the Revelle's Neck Road leading to the colored school house, fronting 70 feet on said road, and adjoining the land of George Dennis, on the east; that the real estate is still owned by the said Morris Doane and Malinda Doane, but that since the date of the above deed, the said Morris Doane and Malinda Doane, have been divorced and now own the aforesaid land as tenants in common, that is the said Morris Doane owns an undivided one-half interest in said property, and the said Malinda Doane owns an undivided one-half interest in said property; that the aforesaid real estate owned as above set forth, is not susceptible of division or partition among the parties entitled to interests, therein, and that it would be to the interest and for the benefit of said parties to sell said real estate and divide the proceeds.

It is thereupon this 5th day of May, 1947, ordered by the Circuit Court for Somerset County, in Equity, that the plaintiff by causing a copy of this order to be inserted in some newspaper, published in said Somerset County, once in each of four successive weeks, before the 9th day of June, 1947, give notice to the said Malinda Doane, who is a non-resident of the State of Maryland, and resides in Montgomery County, in the State of Pennsylvania, of the object and substance of this Bill, and warning her to appear in this Court in person or by solicitor on or before the 25 day of June, 1947, to show cause if any she has why a decree ought not to be passed as prayed.

Benjamin L. Barnes, Clerk.

And thereafter to wit, on the 17th day of July, in the year nineteen hundred and forty-seven, the said complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

Morris Doane)	:	No. 6276 Chancery
vs.)	:	In the Circuit Court
Malinda Doane)	:	For Somerset County
_____)	:	In Equity:-

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

It appearing from the papers in the above entitled cause, that the said Malinda Doane has been duly summoned to appear by an Order of Publication, which has been published as required by law, and that said respondent has failed to appear an answer in said cause.

Your petitioner therefore, prays your Honor to pass a decree that said Bill of Complaint be taken pro confesso against the said defendant, Malinda Doane, who has been duly summoned to appear, but has failed to appear an answer as above set forth.

And as in duty bound, etc.

Harry C. Dashiell
Solicitor for Complainant

Upon which said petition the Court here passed the following order, to wit:

Upon the aforegoing petition, it is this 16th day of July, in the year 1947, ordered by the Circuit Court for Somerset County, in Equity, that the said Bill of Complaint be and the same is hereby taken pro confesso against said respondent, Malinda Doane, who has been duly summoned by publication, to appear, but has failed as required by law, and that Sally A. Wilson be and she is hereby appointed Special Examiner to take the deposition in this cause.

Levin C. Bailey

JUDGE

And afterwards, to wit, on the 29th day of July in the year nineteen hundred and forty-seven, Sally A. Wilson, Special Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof to the Court here in the words following to wit:

Morris Doane	) :	No. 6276 Chancery
vs.	) :	In the Circuit Court
Malinda Doane	) :	For Somerset County
_____	) :	In Equity.

In the above entitled cause, and as Special Examiner duly appointed by this Court to take the depositions in said cause, I do certify that at the Law Office of Harry C. Dashiell, in Princess Anne, Maryland, on Saturday, the 26th day of July, 1947, I did take the following depositions, that is to say:

Morris Doane, a witness of lawful age, being first duly sworn deposing says:

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

Ans. Morris Doane, Age 45, Residence, 1720 N. 21st Street, Philadelphia, Pennsylvania, Occupation, laborer.

Int. 2. Do you know the defendant in this cause, Malinda Doane and what was and is now your relationship to her?

Ans. I do know Malinda Doane, and she was my wife. We are both natives of Somerset County, but we were married in Philadelphia, Pennsylvania, in 1922, but later on we were divorced in 1944, and the divorce was obtained at Norristown in Montgomery County and State of Pennsylvania. We have never re-married each other.

Int. 3. Please state whether or not you and the said Malinda Doane own any real estate and if so describe it and state its value.

Ans. Yes. During our married life we purchased a home in Princess Anne. It is located on the north side of the Revelle's Neck Road, in West Princess Anne Election District, in Somerset County, Maryland. The lot fronts 70 feet on said road, and adjoins the land of George Dennis on the east. We purchased this property from Clinton B. James and wife, on December 14, 1931, and the deed is recorded among the land records of said Somerset County, in Liber J.M.T. No. 102, folio 82, etc. This property was conveyed to Morris and Malinda Doane, his wife, but I have been advised that upon our divorce we now own this property as tenants in common, each of us own an undivided one-half interest. In my opinion this property is worth around $700.00 or $800.00.

Int. 4. Please state whether or not the real estate that you have described can be divided in kind or will it be necessary to sell said property and divide the proceeds among the parties entitled to interest.

Ans. The property can not be divided in kind; it is only a building lot with one dwelling thereon. It will therefore be necessary to sell the property and divide the proceeds of sale between Malinda and myself.

Court question and answer.

Nothing further.

Test: Morris Doane

Sally Ann L. Wilson

Nenie Doane, a witness of lawful age, being first duly sworn, deposing says:

Int. 1. Please state your name, age, residence and occupation.

Ans. Nenie Doane, age, 31, residence, Princess Anne, Maryland, occupation, general laborer.

Int. 2. Do you know the parties to this suit and if so, how long have you known them and where do they reside?

Ans. Yes, I know both of the parties to this suit. The plaintiff Morris Doane is my brother and the defendant Malinda Doane, was his wife. He lives in Philadelphia, Pennsylvania, and Malinda now lives at Brynathyn in Montgomery County near Philadelphia.

Int. 3. Please state what was and is the relationship between your brother, Morris Doane, and Malinda Doane.

Ans. Morris Doane and Malinda Doane were husband and wife. They were married in 1922 but my understanding is that they were divorced at Norristown, in Montgomery County, Pennsylvania, in 1944, and that since that time they have both re-married. I know my brother has and I understand Malinda has, and in any event, whenever she visits her people here in Princess Anne, in the last two years she has had a man with her whom she has introduced as her husband.

Int. 4. Please state whether or not the said Morris and Malinda Doane own any real estate in Princess Anne, and if so, describe it and state its value.

Ans. Yes, in 1931 Morris and Malinda Doane purchased a home here in the town of Princess Anne. The deed was from Clinton B. James and wife, dated December 14, 1931, and is recorded in Liber J.M.T. No. 102, folio 82, etc. This property is situated on the north side of the Revelle's Neck Road, just a short distance from Beckford Avenue. It is bounded on the east by the property of George Dennis, and fronts 70 feet on said Revelle's Neck Road. This property in my opinion is worth $700.00 or $800.00.

Int. 5. Please state whether or not the real estate which you have described can be divided in kind, or will it be necessary to sell said real estate and divide the proceeds among the parties entitled to interest.

Ans. This lot of land is just a building lot with one dwelling on it and it can not be divided in kind between the two owners. The dwelling is a two-story dwelling. It will therefore be necessary to sell the property and divide the proceeds between the two parties who now owns it.

Court question and answer.

There is nothing further.

Test; Nenie Doane

Sally Ann Wilson

There being no further witnesses produced to me to be examined, I herewith at the request of the plaintiff's colicitor, return the above depositions to Court, closed under my hand and seal and certify that the examiners costs have been paid by the plaintiff.

Sally Ann Wilson (SEAL)
Special Examiner

And thereafter, to wit, on the 27th day of August in the year nineteen hundred and forty-seven, the Circuit Court here passed the following decree in the premises, to wit:

Morris Doane	) :	No. 6276 Chancery
vs.	) :	In the Circuit Court
Malinda Doane	) :	for Somerset County
_____	) :	In Equity:

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

It is therefore this 27th day of August, in the year 1947, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed, that the real estate in the proceedings mentioned be sold.

That Harry C. Dashiell, be and he is hereby appointed Trustee to make such sale and that the course and manner of his proceedings shall be as follows:

He shall first file in the office of the Clerk of the Circuit Court for Somerset County, in Equity, a bond to the State of Maryland, executed by himself and a surety or sureties to prove by the said court in the penalty of two thousand dollars ($2,000.00), if individual

security or surities, or one-half of said penal sum, if corporate security, conditioned for the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having first given at least three weeks previous notice, inserted in some newspaper, printed and published in said Somerset County, and such further notice as he may think proper of the time, place, manner, and terms of sale which said terms shall be as follows: one-half in cash on the day of sale, and the balance of the purchase money to be paid in six months from the day of sale, the deferred payment to bear interest from the day of sale, and the payment thereof, to be secured by the bond of the purchaser with a surety, or surities, to be approved by the said Trustee, or all cash at the option of the purchaser or purchasers.

And as soon as may be after such sale or sales, the said Trustee shall return to this Court a full and particular account of the same with an affidavit of the truth, thereof, and of the fairness of such sale or sales, annexed and on the ratification of such sale or sales by this Court; and on the payment of the whole purchase money (and not before), the said Trustee by a good and sufficient deed to be executed and acknowledged according to law, convey to the purchaser or purchasers of said property, or to his, hers, or their heirs and assigns, the property to him, her, or them, sold free, clear, and discharged of all the claims of the parties to this cause, and of any person, or persons claiming by, from or under them. And the said Trustee shall bring into this Court the money arising from said sale or sales and the bonds which may be taken for the same, to be disposed of under the direction of this court, after deducting therefrom, the costs of this suit, and such commissions to the said 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.

Edmond H. Johnson

JUDGE.

And thereupon, the said Harry C. Dashiell, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That Harry C. Dashiell, that Harry C. Dashiell, of Somerset County, and State of Maryland, Principal, and the American Surety Company of New York, a corporation created and existing under the laws of the State of New York, are held and firmly bound unto the said State of Maryland, in the full and just sum of one thousand dollars ($1,000.00), to be paid to the said State of Maryland, or its certain Attorney, to which payment, well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, personal representatives and assigns, firmly by these presents, seal with our seals and dated this 12th day of September, in the year 1947.

Whereas, by a decree of the Circuit Court for Somerset County, in Equity, passed on August, 1947, in a cause wherein, Morris Doane is plaintiff and Malinda Doane is defendant, the same being No. 6276 Chancery, the said Harry C. Dashiell, was appointed Trustee to make sale of the real estate mentioned and described in said cause, all of which will appear by reference to the proceedings in said cause.

Now therefore, the condition of the above obligation is such that if the above bounden, Harry C. Dashiell, duly and shall, well, truly and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

As witness the hand and seal of the said Harry C. Dashiell, the corporate seal of the said the American Surety Company, a corporation as aforesaid, and the hand of Harry C. Dash-

iell, the Attorney in fact of said corporation, the day and year above written.

Harry C. Dashiell, Principal (SEAL)

Test:

Lionel Bennett

Corporate Seal

AMERICAN SURETY COMPANY OF NEW YORK

BY: Harry C. Dashiell,
Attorney-in-fact

Which said Bond was thus thereon endorsed, to wit:

The within Bond approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, the said Trustee filed the following affidavit:

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 20th day of August, in the year 1947, before me the subscriber, a Judge of the Circuit Court for said Somerset County, personally appeared Harry C. Dashiell, Solicitor for the plaintiff in the above entitled cause, and made oath in due form of law, that the said Malinda Doane, the defendant in said cause, is not now in the Military or Naval Service of the United States.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the 24th day of September, in the year nineteen hundred and forty-seven, the said trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Morris Doane	) :	No. 6276 Chancery
vs.	) :	In the Circuit Court
Malinda Doane	) :	For Somerset County
_____	) :	In Equity

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Harry C. Dashiell, Trustee, appointed by a decree passed in the above entitled cause, to make sale of the real estate therein mentioned, respectfully represents:

That after giving bond with security for the faithful discharge of the trust as required by said decree and after giving notice of the time, place manner and terms of sale by advertisement in the Marylander and Herald, a weekly newspaper, printed and published in said Somerset County, once a week for three successive weeks, before the day of sale, he did pursuant the said notice, attend at the Court House Door in Princess Anne, Maryland, on Tuesday, the 23rd day of September, in the year 1947, at the hour of 2 o'clock, P.M., and did then and there proceed to offer said real estate for sale at Public Auction, that is to say:

Your said trustee offered all that lot or parcel of land, in the town of Princess Anne, in West Princess Anne Election District, in Somerset County, Maryland, on the north side of the Revelle's Neck Road, bounded on the west by the land of George Dennis, and fronting 70 feet on said road.

The land above described, being the same and all of the land which was conveyed unto the said Morris Doane and Malinda Doane (who were then husband and wife, but have since been divorced) by Clinton B. James and wife, by deed dated the 14th day of December, 1931, and recorded among the land records of said Somerset County, in Liber J.M.T. No. 102, folio 62, etc.

This property is improved by a two-story dwelling.

And your said Trustee sold said real estate to the said Malinda Doane, she being the highest bidder therefor, at and for the sum of nine hundred dollars ($900.00), and the aforesaid purchaser has complied with the terms of said sale, by paying the purchase money in cash, all of which is respectfully submitted.

Harry C. Dashiell, Trustee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:-

I hereby certify that on this 24th day of September, 1947, before me the subscriber, Clerk of Circuit Court of the State of Maryland, in and for Somerset County, aforesaid, personally appeared, Harry C. Dashiell, Trustee, named in the above Report of Sales, and made oath in due form of law, that the matters and things stated in the aforegoing Report of Sales, are true as therein stated, to the best of his knowledge, and belief, and that the sale therein reported, was fairly made.

As witness my hand the day and year above written.

Benjamin L. Barnes
Clerk of Circuit Court

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Morris Doane	) :	No. 6276 Chancery
vs.	) :	In the Circuit Court
Malinda Doane	) :	For Somerset County
_____	) :	In Equity

Ordered that the sale of the real estate mentioned in these proceedings, made and reported by Harry C. Dashiell, Trustee, be ratified and confirmed unless cause to the contrary thereof be shown, on or before the 27th day of October, 1947, providing a copy of this order be inserted in some newspaper, printed and published in said Somerset County, in each of three successive weeks, before the 25th day of October, 1947.

The Report states the amount of sales to be nine hundred dollars ($900.00).

Benjamin L. Barnes, Clerk.

And now at this day, to wit, on the 12th day of November, in the year nineteen hundred and forty-seven, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

Ordered by the Circuit Court for Somerset County, in Equity, this 12th day of November, 1947, that the sale of the real estate mentioned in these proceedings, made and reported by Harry C. Dashiell, 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 since it appears that Harry C. Dashiell, the Regular Auditor of this Court is the solicitor for the complainant, in this cause, it is further ordered that Edna Mae Widdowson be, and she is hereby appointed Special Auditor to state the account in this cause.

Edmond H. Johnson
JUDGE

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

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In the Circuit Court for Somerset County A. Kinsolving Cullen Catherine L. Cullen Plaintiff against Paul Cullen, Jr. Agnes Faye Cullen Eloise Charnick Ralph Charnick Bank of Crisfield, a body corporate A. Kinsolving Cullen, Administrator Defendants	Be it remembered that heretofore, to wit, on the 17th day of September, in the year nineteen hundred and forty-seven, a certain A. Kinsolving Cullen and Catherine L. Cullen, by Prentiss W. Evans, their solicitor, exhibited and filed in the Circuit Court here a bill of partition against Paul Cullen, Jr., Agnes Faye Cullen, Eloise Charnick, Ralph Charnick, Bank of Crisfield, a body corporate, and A. Kinsolving Cullen, Administrator, which said bill of partition is in the words following, to wit:

In the Circuit Court
for
Somerset County
A. Kinsolving Cullen
Catherine L. Cullen
Plaintiff
against
Paul Cullen, Jr.
Agnes Faye Cullen
Eloise Charnick
Ralph Charnick
Bank of Crisfield, a body corporate
A. Kinsolving Cullen, Administrator
Defendants

In Equity No. 6315

To the Honorable, the Judges of said Court:

Your orator, complaining, says:

1. That Paul Cullen, late of Somerset County, Maryland, deceased, was in his lifetime and at the time of his death seized and possessed in fee simple, absolute, of a large amount of valuable real estate in the City of Crisfield, Crisfield Election District, in Somerset County with improvements thereon.

2. That being so deceased, the said Paul Cullen, Sr. departed this life intestate on March 20, 1947 and that A. Kinsolving Cullen, defendant herein, has been made administrator by the Orphans Court for Somerset County of the personal property of the said Paul Cullen, Sr.

3. That said parcels of real estate consist of the following:

(1) All that lot or parcel of land situate, lying and being in the City of Crisfield, Somerset County, State of Maryland, fronting fifty feet (50') on the Southerly side of Maple Street and being that land which is designated as Lot #2 on a plat made by W. Ballard Miles, Surveyor, dated , which said plat is attached to a deed dated August 18, 1947 from A. Kinsolving Cullen and others to Edwin C. Landon, which deed and plat of said Landon are duly recorded among the land records of said Somerset County in Liber B.L.B. No. 141, folio 283; and the same being a part only of all that land conveyed to said Paul Cullen, Sr. by Clarence P. Lankford, Assignee, by deed dated the 17th day of March, 1927 and recorded among the land records of said Somerset County in Liber G.W.L. No. 94, folio 116. This property is improved by a frame store building.

(2) All that lot or parcel of land fronting forty-eight feet (48') on the Easterly side of First Street, adjoining the lands of Leonard F. Mason and Edwin C. Landon, said lands being more particularly described as Parcel #3 on a plat made by W. Ballard Miles, Surveyor, which said plat is attached to and made a part of a deed from Paul Cullen and others to Edwin C. Landon, dated August 18, 1947, which deed is duly recorded among the aforesaid land records in Liber B.L.B. No. 141, folio 283; and the same being a part only of all that land conveyed to

said Paul Cullen, Sr. by Clarence P. Lankford, Assignee, by deed dated the 17th day of March, 1927 and recorded among the land records of said Somerset County in Liber G.W.L. No. 94, folio 116. This property is unimproved.

(3) All that lot or parcel of land, situate, lying and being on the Westerly side of Maryland Avenue, in said City of Crisfield and being the same land, which was conveyed unto said Paul Cullen, Sr. by Mary E. Riggin and the Bank of Crisfield, by deed dated the 21st day of July, 1938, which said deed is duly recorded among the aforesaid land records in Liber B.L.B. No. 139, folio 251. This property is unimproved.

(4) All that lot or parcel of land, the same being the homeplace of said Paul Cullen, Sr., on the Westerly side of Maryland Avenue and being the same and all that land conveyed unto the said Paul Cullen, Sr. by George H. Myers, Trustee, by deed dated June 28, 1929 and recorded among the aforesaid land records in Liber G.W.L. No. 99, folio 14.

(5) All that lot or parcel of land, as laid down and described as Lot #6 on a plat made by Gordon T. Whealton, Sruveyor, by the executors of the last will and testament of Cornelius W. Sterling, deceased, and being a part only of all that land conveyed to Paul Cullen, Sr. by Martin L. Sterling and John F. Sterling, executors of the last will and testament of said Cornelius W. Sterling, said deed bearing date the 24th day of July, 1930 and recorded among the aforesaid land records in Liber G.W.L. No. 100, folio 369. This property is improved by a comfortable dwelling.

(6) All that lot or parcel of land improved by a dwelling house known as the Farlow Property lying and being on the Easterly side of 1st Street, in the City of Crisfield and being a part only of all that land conveyed by the executors of the last will and testament of said Cornelius W. Sterling, aforesaid, by deed bearing date the 24th day of July, 1930 and recorded as aforesaid.

(7) All that lot or parcel of land improved by a dwelling which is the same and all that land conveyed unto the said Paul Cullen, Sr. by Clarence P. Lankford, Attorney, by deed dated the 14th day of June, 1936 and recorded as aforesaid in Liber B.L.B. No. 139, folio 250.

4. That the aforesaid real estate, including the dwellings thereupon, are collectively valued in the Somerset County Tax Records at a total valuation of Forty-three hundred and sixty-five dollars ($4,365.00).

5. That being so seized, the said Paul Cullen, Sr. departed this life intestate, to wit: in 1947, leaving surviving him as his only heirs at law the following children.

(a) A. Kinsolving Cullen
(b) Paul Cullen, Jr.
(c) Eloise Charnick

6. That the said Paul Cullen, Jr. intermarried with Agnes Faye Cullen and they reside in Los Angeles, State of California.

That the said A. Kinsolving Cullen intermarried with Catherine L. Cullen and they reside in the City of Baltimore, State of Maryland.

That the said Eloise Charnick intermarried with Ralph Charnick and they reside in Somerset County, State of Maryland.

That all the aforesaid heirs of said Paul Cullen, Sr. and their respective spouses are adults.

7. Wherefore the aforesaid children of Paul Cullen, Sr. each own and are seized and possessed of an undivided one-third of the aforesaid real estate, which is subject to the following liens held by the Bank of Crisfield, a banking institution existing under the laws of the State of Maryland, whose principal office is located in the City of Crisfield, State of Maryland:-

(1) Judgment dated December 5, 1940 by the Bank of Crisfield, defendant herein,

against Paul Cullen, Sr. et als, the damages thereupon being Five hundred and fourteen dollars ($514.00, Seven dollars ($7.) cost, and the amount owing upon said judgment as of September 4, 1947 is Six hundred forty-seven dollars and sixty-eight cents ($647.68).

(2) Judgment dated March 28, 1933, in the amount of Ten thousand five hundred forty-eight dollars and twenty-nine cents ($10,548.29) damages. The amount owing with interest from September 6, 1947 Thirty-eight hundred twelve dollars and ninety-eight cents ($3,812.98).

8. That your orator desires to have and hold his interest in the property mentioned and referred to in severalty and that the said property is not susceptible of being divided without loss or injury to the parties interested therein and a sale thereof would be to the interest and advantage of all the parties interested therein.

To the end therefore:

1. That a decree may be passed for the sale of the land herein mentioned and referred to and an order for the division of the proceeds arising therefrom among the parties hereto according to their interest therein.

2. That an order may be passed appointing a trustee to make such sale.

3. That your orator may have such other and further relief as his case may require.

And as in duty bound, etc.

Prentiss W. Evans

Solicitor for Complaintants

To the Clerk of the Circuit Court for Somerset County, Maryland:

Mr. Clerk:

Please file the foregoing bill for Partition and Sale of Real Estate. Issue subpoena's to lie for the following defendants:

1. Ralph Charnick, Crisfield, Maryland.
2. Eloise Charnick, Crisfield, Maryland.
3. Bank of Crisfield, a body corporate, Crisfield, Maryland
4. A. Kinsolving Cullen, Administrator, Estate of Paul Cullen, Sr., address--3608 Westbay Avenue, Baltimore, 25, Maryland.
5. Paul Cullen, Jr., 2580½ N. Beachwood Drive, Hollywood, California.
6. Agnes Faye Cullen, 2508½ N. Beachwood Drive, Hollywood, California.

Prentiss W. Evans

Solicitor for Complaintants

And thereafter, to wit, on the 17th day of September, in the year nineteen hundred and forty-seven, the following answers were filed:

In the Circuit Court	)	In Equity, No. 6315
for	)	
Somerset County, Maryland	)	
A. Kinsolving Cullen Catherine L. Cullen, his wife	)	
Plaintiffs.	)	
Vs.	)	
Paul Cullen, Jr. et al	)	

To the Honorable the Judges of said Court:

The answer of Paul Cullen Jr. and Agnes Fay Cullen, his wife, to the bill of complaint in this honorable Court exhibited:

For answer, these defendants admit the matters and facts therein alleged, and consent to the passage of a decree for the sale of the real estate therein set forth and a division of the monies among the parties hereto according to their respective interests therein.

Paul Cullen, Jr.

Agnes Fay Cullen, his wife.

City of Los Angeles, State of California, to wit:

I hereby certify that personally appeared before me, the subscriber, a Notary Public of the State of California, Paul Cullen, Jr. and Agnes Faye Cullen, his wife, and they signed the foregoing paper in my presence.

In witness whereof, I have hereunto affixed and hand and notarial seal this 12th day of September, 1947.

SEAL OF NOTARY — Marian S. Davis
Notary Public
My Commission Expires August 18, 1950

In the Circuit Court for Somerset County, Maryland	)	In Equity, No. 6315
A. Kinsolving Cullen Catherine L. Cullen, his wife Plaintiffs.	)	
Vs.	)	
Paul Cullen, Jr. et al Defendants.	)	

To the Honorable the Judges of said Court:

The answer of Eloise Charnick and Ralph Charnick, her husband, to the bill of complaint of A. Kinsolving Cullen and Catherine L. Cullen his wife, in thie Honorable Court exhibited:

For answer, these defendants admit the matters and facts therein alleged, and consent to the passage of a decree for the sale of the real estate therein set forth and for a division of the monies among the parties hereto according to their respective interests therein.

Eloise Charnick
Ralph Charnick, her husband.

State of Maryland, Somerset County, to wit:

I hereby certify that Eloise Charnick and Ralph Charnick her husband signed the foregoing answer in my presence on September , 1947.

Notary Public.

A. Kinsolving Cullen, et al	:	No. 6315 Chancery
vs.	:	In the Circuit Court for
Paul Cullen, Jr., et al	:	Somerset County, Maryland

: : :

To the Honorable, the Judges of said Court:

The answer of the Bank of Crisfield, a body corporate, to the bill of complaint of A. Kinsolving Cullen, et al, in this Honorable Court exhibited:

I

Answering specifically the seventh paragraph of said bill of complaint, this answering defendant admits that it has the two judgments set forth in said paragraph, and affirmatively alleges that said judgments constitute a first lien on all of the real estate listed and described in said bill of complaint, and that the amounts owing thereon are correct, as set forth in said seventh paragraph.

II

Further answering said bill of complaint as a whole, this answering defendant consents to a passage of a decree for the sale of the real estate, as prayed for, provided distribution from the proceeds thereof shall be applied in the payment of said judgments, after the costs of sale and fees, taxes, etc. are paid by the Trustee.

So answers the Bank of Crisfield, a body corporate, by J. Coyne Sterling, Vice President, thereof.

SEAL OF BANK

Bank of Crisfield
By J. Coyne Sterling, Vice President

In the Circuit Court
for
Somerset County, Maryland
A. Kinsolving Cullen et al
Vs.
Paul Cullen, Jr. et al

In Equity, No. 6315

To the Honorable the Judges of said Court:

The answer of A. Kinsolving Cullen, Administrator of the Estate of Paul Cullen, Sr. to the bill of complaint in this honorable Court by A. Kinsolving Cullen and wife, exhibited:

For Answer, this defendant admits the matters and facts therein alleged, and consents to the passage of a decree for the sale of the real estate therein set forth and for a division of the monies therefrom among the parties hereto according to their respective interests therein.

A. Kinsolving Cullen
Administrator, Estate of Paul Cullen, Sr.

And thereafter, to wit, on the 17th day of September, in the year nineteen hundred and forty-seven, the Circuit Court here passed the following decree in the premises, to wit:

A. Kinsolving Cullen, et al	:	No. 6315 Chancery
vs.	:	In the Circuit Court for
Paul Cullen, Jr., et al	:	Somerset County, Maryland

: : :

This cause standing ready for hearing and being submitted, the proceedings were read and considered.

It is thereupon, this 17th day of September, in the year nineteen hundred and forty-seven by the Circuit Court for Somerset County, adjudged, ordered and decreed that the property mentioned in the proceedings be sold; that Prentiss W. Evans, 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 the Court a bond to the State of Maryland, executed by himself, and a corporate surety or sureties, to be approved by this Court, in the penalty of twelve thousand dollars ($12,000), conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by an future decree or order in the premises; he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement, inserted in some weekly newspaper published in Somerset County, as he shall think proper, of the time, place, manner and terms of sale, which shall be for cash on the day of sale, and as soon as may be convenient after such sale or sales, the said trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an annexed affidavit of the truth thereof and of the fairness of said sale; and, on obtaining the court's ratification of the sale, and on the payment of the whole purchase money (and not before) the said trustee shall, by a good and sufficient deed, to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs, the property to him, her, or them sold free, clear and discharged from all claim of the parties hereto, plaintiff and defendant, and those claiming by, from or under them, or either of them; and the said trustee shall bring into this Court the money arising from said

sale, to be 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.

W. Laird Henry, Jr.
JUDGE

And thereupon, the said Prentiss W. Evans, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, Prentiss W. Evans of Crisfield, Maryland, and the American Bonding Company of Baltimore, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Twelve thousand ($12,000.00) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 2nd day of October, in the year of our Lord one thousand nine hundred and forty-seven.

WHEREAS, the above bounden Prentiss W. Evans by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County has been appointed Trustee to sell certain property mentioned in the case of mentioned in the proceedings in the case of A. Kinsolving Cullen & Catherine L. Cullen, his wife vs. Paul Cullen, Jr. now pending in said Court:

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Prentiss W. Evans do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of:

Prentiss W. Evans (SEAL)

Attest: SEAL OF AMERICAN BONDING COMPANY OF BALTIMORE

By Audrey Cooper COMPANY By E. V. Shockley, Attorney-in-fact

State of Maryland, Baltimore City, sct:

KNOW ALL MEN BY THESE PRESENTS: That the American Bonding Company of Baltimore, a corporation of the State of Maryland, does hereby constitute and appoint E.V. Shockley its Attorney-in-fact to make, execute and deliver on its behalf, as surety, all bonds of any kind, character and description that are or may be required to be filed in any Court in or of the State of Maryland and it does hereby declare that all such bonds signed and executed by its said Attorney-in-Fact shall be as binding on it as if they had been duly executed by its proper officers. This power shall remain in full force and effect until duly revoked and written notice thereof given.

WITNESS the seal of the said American Bonding Company of Baltimore duly affixed by its Vice-President and attested by its Assistant Secretary, this 21st day of April, 1932.

Attest: SEAL OF AMERICAN BONDING COMPANY OF BALTIMORE

J.G. Yost, Assistant Secretary COMPANY By: E.R. Nuttle, Vice-President

I HEREBY CERTIFY that the above is a correct and true copy of the original Power of Attorney, October 2, 1947.

AMERICAN BONDING COMPANY OF BALTIMORE
Geo. D. Henry, Assistant Secretary

Which said Bond was thus thereon endorsed, to wit:

Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the 23rd day of October, in the year nineteen hundred and forty-seven, the said trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

A. Kinsolving Cullen Catherine Cullen	)	No. 6315 Chancery
vs.	)	In the Circuit Court for
Paul Cullen, Jr., et al	)	Somerset County, Maryland.

: : :

To the Honorable Judges of the Circuit Court for Somerset County:

The report of Prentiss W. Evans, Trustee, appointed by a decree of this court, passed in the above entitled cause, dated the 17th day of September, 1947, to make sale of certain real estate, therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of his trust and after having complied with all the other prerequisites, as required by law and the said decree, and giving notice of the time, place, manner and terms of said sale by advertisements inserted in the "Crisfield Times", a weekly newspaper published in the City of Crisfield, for at least three successive weeks before the day of sale, they did, pursuant to said notice, on the 11th day of October, 1947, at 2:00 p.m., and then and there proceeded to sell said property in manner following, that is to say:

Your Trustee offered at public sale to the highest bidder all those lots or parcels of land mentioned in said decree, situated in the City of Crisfield, Somerset County, Maryland and described as follows:

(1) All that house and lot on the Southerly side of Maple Street and fronting fifty (50) feet thereupon and running back a depth of one hundred two feet and seven inches (102' 7") which is more particularly described as Lot No. 2 on a plat made by W. Ballard Miles, Surveyor, dated June 12, 1947, which is attached to and made a part of deed from A. Kinsolving Cullen, et als, to Edwin C. Landon, duly recorded in Somerset County Land Records in Liber B.L.B. No. 141, folio 283 and being a part only of all that land conveyed unto Paul Cullen by Clarence P. Lankford, Assignee, by deed bearing date the 17th day of March, 1927, and recorded as aforesaid in Liber G.W.L. No. 94, folio 116.

(2) All that lot or parcel of land situate, lying and being on the Easterly side of First Street and fronting forty-eight and five hundreths feet (48.5") thereupon and running back a depth of ninety-seven and eighteen hundreths feet (97.18') being bounded on the North by the lands of Edwin C. Landon; on the South by the land of Leonard F. Mason and which is described as Parcel Three on the aforesaid plat made by the aforesaid Miles and recorded as aforesaid and being a part only of all that land conveyed unto said Paul Cullen by the aforesaid deed of Clarence P. Lankford, Assignee, recorded as aforesaid.

(3) All that lot or parcel of land fronting thirty feet and nine inches (30'9") on the West side of First Street, which is laid down and described as Lot No. 6 on a plat made by Gordon T. Whealton, Surveyor, attached to and made a part of the report of the executors of Cornelius W. Sterling and being a part only of all that land conveyed unto Paul Cullen by Martin L. Sterling and John F. Sterling, executors of the last will and testament of Cornelius W. Sterling, by deed dated July 24, 1930, recorded as aforesaid, in Liber G.W.L. No. 100, folio 368. This property is improved by a comfortable dwelling in good condition.

(4) All that lot or parcel of land on the East side of First Street opposite or nearly opposite the aforesaid Lot No. Six on said plat and bounded on the South by land of Fred N. Holland and on the North by Robert Wharton and being the same land conveyed onto Cornelius W.

Sterling to Paul Cullen, by deed dated July 24, 1930, recorded as aforesaid in Liber G.W.L. No. 100, folio 368. This property is improved by a comfortable dwelling.

(5) All that lot or parcel of land being bounded on the North by the lands of Ira Sterling; on the West by the lands of Mary Sterling; on the South by the lands of Edward Sterling and being the same and all that land conveyed unto Paul Cullen by Clarence P. Lankford, Attorney, by deed dated June 4, 1936, which deed is duly recorded as aforesaid, in Liber B.L.B. No. 139, folio 250. This property is often referred to as the "Jim Cullen" property and is improved by a comfortable dwelling.

(6) All that lot or parcel of land on the West side of Maryland Avenue and fronting seventy-five feet (74') thereupon and running back a depth of two hundred and ten feet (210') and being the same land that was conveyed unto Paul Cullen by George H. Myers, Trustee, by deed dated June 12, 1929, recorded as aforesaid, in Liber G.W.L. No. 99, folio 14. This property is the late residence of the said Paul Cullen and has thereupon a large comfortable dwelling suitable for residence, apartments or rooming house.

(7) All that lot or parcel of land on the West side of Maryland Avenue, being bounded on the South by the residence property of the said Paul Cullen above described and being the said Paul Cullen above described and being the same and all of that land conveyed to Paul Cullen by Mary E. Riggin and the Bank of Crisfield, by deed dated July 21, 1938, which said deed is duly recorded, as aforesaid, in Liber B.L.B. No. 139, folio 251. This parcel is very desirable as a building lot.

And your said Trustee sold the above described six parcels of land as follows: Parcels 1, 2 and 3 to A. Kinsolving Cullen and Eloise Charnick; Parcel 4 to Robert Wharton, and Parcels 5 and 6 to A. Kinsolving Cullen and Eloise Charnick, at and for the sums of Four hundred twenty-five dollars ($425.00); Four hundred dollars ($400.00); Twenty-four hundred fifty dollars ($2450.00); Twelve hundred twenty-five dollars ($1225.00); Five hundred twenty-five dollars ($525.00) and Sixty-two hundred dollars ($6200.00), respectively, they being the highest bidders thereof, the terms of sale being cash, which has been fully paid.

With respect to Parcel 7, likewise, to be sold with the aforegoing six parcels, the heirs requested me to withdraw said parcel from said sale, which was done by this Trustee.

Respectfully submitted,

Prentiss W. Evans, Trustee

STATE OF MARYLAND, Somerset County, to wit:-

I hereby certify that on this 22nd day of October, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Prentiss W. Evans, Trustee, named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Witness my hand and notarial seal the day and year above written.

Beryl Sterling SEAL OF
Notary Public NOTARY

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Prentiss W. Evans, Solicitor

A. Kinsolving Cullen Catherine Cullen	:	No. 6315 Chancery
	:	In the Circuit Court for
vs.	:	Somerset County, Maryland
Paul Cullen, Jr., et al		

; : :

ORDER NISI

Ordered this 23rd day of October, in the year nineteen hundred and forty-seven, by the

Circuit Court for Somerset County, and the State of Maryland, in Equity, that the sales of the property mentioned in these proceedings, made and reported by Prentiss W. Evans, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of November, 1947, provided a copy of this order be inserted in some newspaper published in Somerset County, at least once a week for three successive weeks, before the 22nd day of November, 1947.

The report of sale states the amount thereof to be Eleven thousand two hundred and twenty-five dollars ($11,225.00).

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the 5th day of November, in the year nineteen hundred and forty-seven, the following Assignment of interest was filed, to wit:

A. Kinsolving Cullen et al	:	In the Circuit Court for
vs.	:	Somerset County, Maryland
Paul Cullen, Jr. et als	:	No. 6315 Chancery
	: : :	

To Prentiss W. Evans, Trustee

I hereby authorize you and direct you that from the audit in this case, any distributive share that may be coming to me shall be paid to Eloise Charnick and A. Kinsolving Cullen.

Witness my hand and seal this 31st day of October, 1947.

Paul Cullen, Jr. (SEAL)

STATE OF CALIFORNIA, Los Angeles County, to wit:-

I HEREBY CERTIFY that on this 31st day of October, 1947, before me, the subscriber, a Notary Public of the State of California, in and for Los Angeles County, aforesaid, personally appeared Paul Cullen, Jr., and he acknowledged the aforegoing instrument of writing to be his act and deed.

Witness my hand and notarial seal the day and year first above written.

Marian S. Davis SEAL OF
Notary Public NOTARY
My Commission Expires August 18, 1950

And now at this day, to wit, on the 1st day of December, in the year nineteen hundred and forty-seven, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

Prentiss W. Evans
Trustee

A. Kinsolving Cullen Catherine Cullen	:	No. 6315 Chancery
	:	In the Circuit Court for
vs.	:	Somerset County, Maryland
Paul Cullen, Jr., et al	:	

O R D E R

Ordered by the Circuit Court of Somerset County, Maryland, this 28th day of November, 1947, that the sale made and reported by the trustee aforesaid, be and 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 trustee is allowed the usual commission and such proper expenses as he shall produce vouchers for to the auditor.

Edmond H. Johnson
JUDGE

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

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Marie A. Kircher vs. Elizabeth Jane Martin and John Raymond Martin, her husband, Nancy Ellen Kircher, infant, Harry Carl Kircher, Jr., non compos mentis, and Roy F. Mason and Stanley A. Mason, Executors of Augustus A. Mason, deceased, mortgagee.	)	Be it remembered that heretofore, to wit, on the 8th day of July, in the year nineteen hundred and forty-seven, a certain Marie A. Kircher, by E. McMaster Duer, her solicitor, exhibited and filed in the Circuit Court here a bill of complaint against Elizabeth Jane Martin and John Raymond Martin, her husband, Nancy Ellen Kircher, infant, Harry Carl Kircher, Jr., non compos mentis, and Roy F. Mason and Stanley A. Mason,

Executors of Augustus A. Mason, deceased, mortgagee, which said bill of complaint is in the words following, to wit:

Marie A. Kircher vs. Elizabeth Jane Martin and John Raymond Martin, her husband, Nancy Ellen Kircher, infant, Harry Carl Kircher, Jr., non compos mentis, and Roy F. Mason and Stanley A. Mason, Executors of Augustus A. Mason, deceased, mortgagee.	)	No. 6297 Chancery In the Circuit Court for Somerset County and State of Maryland, in Equity.

To the Honorable, the Judges of said Court:

Your Oratrix complaining, says:

FIRST: That your Oratrix, Marie A. Kircher, and the defendants, Elizabeth Jane Martin, adult, Nancy Ellen Kircher, infant, and Harry Carl Kircher, Jr., non compos mentis, are the owners as tenants in common, the said Marie A. Kircher, plaintiff, being the owner of an undivided one-third interest, and the said Elizabeth Jane Martin, Nancy Ellen Kircher and Harry Carl Kircher being the owners of an undivided two-thirds interest, in the following described real estate situate and lying in West Princess Anne Election District, Somerset County, State of Maryland, and more particularly described as follows:

All that lot or parcel of land in the Town of Princess Anne, situate and binding on the West side of Main Street or Somerset Avenue, and bounded on the North by the lands of Robert F. Duer and wife, County Commissioners of Somerset County, Arthur J. Hall and the land of the said Robert Tinkler and wife, bounded on the West by the lands of the said Robert G. Tinkler and wife and Church Street, and bounded on the South by the land of the Bank of Somerset, and being in all respects the same land that was conveyed unto the said Harry C. Kircher by Marion M. Lankford by deed dated April 1st, 1929 and recorded among the land records of Somerset County in Liber G.W.L. No. 97, folio 441, except so much thereof as the said Harry C. Kircher and wife conveyed unto Ameda G. Wilson by deed dated June 16th, 1930 and recorded among the land records aforesaid in Liber No. 100, folio 335.

SECOND: That the said Harry C. Kircher departed this life, intestate, seized and possessed of the property described above in fee simple, and that the said Marie A. Kircher, widow, Elizabeth Jane Martin, Nancy Ellen Kircher and Harry Carl Kircher, children, are the only heirs at law of the said Harry C. Kircher, deceased.

THIRD: That the said real estate is encumbered by a mortgage given by the late Harry C. Kircher to Marion M. Lankford in the sum of Eleven Thousand Dollars, dated September 21st, 1931 and recorded among the land records of said Somerset County in Liber G.W.L. No. 103, folio 52, which said mortgage was assigned to Augustus A. Mason on February 18th, 1942, by Wilmer O.

Lankford, Executor of the estate of Marion M. Lankford, deceased, upon the said mortgage there is now due the sum of Six Thousand Five Hundred Dollars, with interest from March 17th, 1947. That since the assignment of said mortgage, the said Augustus A. Mason has departed this life leaving a last will and testament and appointing Roy F. Mason and Stanley A. Mason of Worcester County and State of Maryland, as executors of his estate who have duly qualified before the Orphan's Court of said Worcester County.

FOURTH: That your Oratrix, Marie A. Kircher, is an adult and resides in Philadelphia in the State of Pennsylvania, and that the said Elizabeth Jane Martin who intermarried with John Raymond Martin, is an adult and resides in said City and State, and that Nancy Ellen Kircher, infant, resides in said City and State and that Harry Carl Kircher, adult, non compos mentis, resides with his mother who is also his Committee, having been duly appointed by decree of this Court under the proceedings No. 6080 Chancery, on the docket of said Court.

FIFTH: That the said Harry C. Kircher died on February 25th, 1942 in the City of Philadelphia, State of Pennsylvania, and no administration has been had on his estate in the Orphan's Court for Somerset County, Maryland and your Oratrix is advised that she may notify creditors by publishing a notice in a paper published in Somerset County, Maryland, advising them to file their claims in these proceedings and that the land herein described may be sold free and clear of the creditors of the said estate.

SIXTH: That the above mentioned real estate is not susceptible of partition without material loss and injury to the parties entitled to interest therein as stated, and in order to make division of their certain interests, it will be necessary that said real estate be sold and that the proceeds thereof be 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 authorizing a notice to creditors to be published in the estate of Harry C. Kircher.

(2) That the proceedings of the said sale may be distributed among your Oratrix and the said Defendants according to their respective interests.

(3) That your Oratrix may have such other and further relief as her case may require.

May it please your Honors to grant unto your Oratrix writs of subpoena directed to the Defendants, Elizabeth Jane Martin, John Raymond Martin, her husband, Nancy Ellen Kircher, infant, Harry Carl Kircher, Jr., non compos mentis, who reside in the City of Philadelphia in the State of Pennsylvania, and unto the Defendants, Roy F. Mason and Stanley A. Mason, who reside in Worcester County, State of Maryland, commanding them and each of them to be and appear in this Court either in person or by solicitor, at some certain day to be named therein, and to answer the premises, abide by and perform such decree as may be passed therein.

And as in duty bound, etc.

Marie A. Kircher, Complainant

E. McMaster Duer,
Solicitor for Complainant

State of Pennsylvania, City of Philadelphia, to-wit:

I hereby certify, that on this 1st day of July, in the year nineteen hundred and forty-seven, before me, the subscriber a Notary Public of the State of Pennsylvania in and for the City of Philadelphia, aforesaid, personally appeared Marie A. Kircher, Complainant, and made oath in due form of law that the matters and facts set forth in the aforegoing bill of complaint are true and correct as therein stated to the best of her knowledge, information and belief, and that the said Elizabeth Jane Martin, John Raymond Martin, Nancy Ellen Kircher, Harry Carl Kircher, Jr., not now in any branch of the military or naval service of the United States or any allied power, nor have they been in any arm or branch of the military or naval service of the United States or any allied power within ninety days prior to the filing of this bill of

complaint.

SEAL OF NOTARY — Elizabeth C. Ellwood
Notary Public
My Commission Expires January 2, 1949

And thereupon, in pursuance of the prayer of the foregoing bill the following subpoenaes were issued.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT — THE STATE OF MARYLAND

TO Nancy Ellen Kircher, infant, of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answer the complaint of Marie A. Kircher against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 7th day of July Anno Domini 1947. ISSUED the 8th day of July Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT — THE STATE OF MARYLAND

TO Harry Carl Kircher, Jr., Non compos mentis of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answer the complaint of Marie A. Kircher against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry. Jr., Chief Judge of the First Judicial Circuit of Maryland, the 7th day of July Anno Domini 1947. ISSUED the 8th day of July Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT — THE STATE OF MARYLAND

TO Roy F. Mason and Stanley A. Mason, Executors of Augustus A. Mason of Worcester County, Greeting: YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in August next to answer the complaint of Marie A. Kircher against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 7th day of July Anno Domini 1947. ISSUED the 8th day of July Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

At which said First MONDAY in August, in the year nineteen hundred and forty-seven and the day of the return of the above recited writs, came again into Court here the said Complainant by her solicitor and the Sheriff of Somerset County, Woodland Jackson, to whom the first writ and second writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned Nancy Ellen Kircher, infant, and copy of summons left with Marie A. Kircher, mother and guardian of said Nancy Ellen Kircher.

Woodland Jackson, Sheriff
By Virgil Marriner, Deputy

To the second of said writs: Summoned Harry Carl Kircher, Jr., non compos mentis, and copy of summons left with Marie A. Kircher, mother, custodian and committee of said Harry Carl Kircher, Jr.

Woodland Jackson, Sheriff
By Virgil Marriner, Deputy

On the same day and year aforesaid came into Court here the said Complainant by her Solicitor and the Sheriff of Worcester County to whom the third writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the third of said writs: Summoned severally and copy left with each defendant 7-14-47.

Arthur W. Duer, Sheriff
S. J. Small, Deputy Sheriff

And afterwards to wit, on the 22nd day of July in the year 1947, the following answer was filed:

Marie A. Kircher	)	No. 6297 Chancery
vs.	)	In the Circuit Court for
Elizabeth Jane Martin and John Raymond Martin, her husband, Nancy Ellen Kircher, infant, Harry Carl Kircher, Jr., non compos mentis, and Roy F. Mason and Stanley A. Mason, Executors of Augustus A. Mason, deceased, mortgagee.	)	Somerset County and State of Maryland, in Equity.

- - - -

The answer of Elizabeth Jane Martin and John Raymond Martin, her husband, two of the defendants in the above entitled cause, answering the same say:

That they admit the matters and facts alleged in said complaint to be true as therein stated, and hereby consent to a passage of a decree for the sale of the property therein mentioned in the bill of complaint filed in these proceedings.

TEST: Elizabeth Jane Martin
J. Arthur Powell John Raymond Martin

And afterwards to wit, on the 23rd day of July in the year 1947, the following answer was filed:

Marie A. Kircher	)	In the Circuit Court for
vs.	)	Somerset County, Maryland
Elizabeth Jane Martin and others	)	In Equity
	)	No. 6297 Chancery
	)	

To the Honorable, the Judges of said Court:

The answer of Roy F. Mason and Stanley A. Mason, Executors of Augustus A. Mason, by Henry P. Walters, their Attorney, to the Bill of Complaint of Marie A. Kircher against them and others in this Court exhibited.

These Defendants admit the matters and facts set forth in said Bill of Complaint and consent to the passage of such decree as may be right and proper in the premises, and waive all delays necessitated by reasons of Court or otherwise; and further consent to immediately sell the property described in these proceedings.

Henry P. Walters, Attorney for
Roy F. Mason and Stanley A. Mason,
Executors of Augustus A. Mason

And afterwards to wit, on the 26th day of August in the year 1947, the following answer was filed:

Marie A. Kircher	)	No. 6297 Chancery
Vs.	)	In the Circuit Court
Elizabeth Jane Martin Harry Carl Kircher, Jr. et als	)	For Somerset County In Equity

- - - -

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Marie A. Kircher, Committee of Harry Carl Kircher, Jr. non compos mentis, respectfully shows:

That the said Marie A. Kircher has been duly appointed a Committee of the said Harry Carl Kircher, Jr., non compos mentis, by a decree of this Honorable Court, dated the 21st day of November, 1945, and has duly filed a bond as such Committee, as required by the aforesaid decree, all of which will fully appear by reference to the proceedings in No. 6080 Chancery, among the Chancery proceedings of this Court.

That the aforesaid Committee on behalf of the respondent, Harry Carl Kircher, Jr., non compos mentis, as aforesaid, hereby admits all the matters and facts in said Bill of Complaint, alleged, and hereby consents to the passage of such decree or order, as to this Honorable Court, may seem right and proper in the premises.

And as in duty bound, etc.

Marie A. Kircher
Committee of Harry Carl Kircher, Jr.,
non compos mentis

And afterwards to wit, on the 27th day of August in the year 1947, the following answer was filed:

Marie A. Kircher	)	No. 6297 Chancery
Vs.	)	In the Circuit Court
Elizabeth Jane Martin Harry Carl Kircher, Jr. Nancy Ellen Kircher, Infant et als	)))	For Somerset County In Equity

- - -

TO THE HONORABLE, THE PETITION OF MARIE A. KIRCHER, THE COMPLAINANT IN THE ABOVE ENTITLED CAUSE, RESPECTFULLY REPRESENTS:

That Nancy Ellen Kircher, infant, has been duly summoned to appear in said cause, but being an infant, under the age of twenty one years, she can not answer and defend this suit for herself.

Your petitioner therefore prays your Honor, to appoint a guardian ad litem to appear an answer for said infant defendant.

E. McMaster Duer
Solicitor for said Complainant

Upon the aforegoing petition, it is this 26th day of August, in the year 1947, by the Circuit Court for Somerset County, in Equity, adjudged, ordered, and decreed, that Grace J. Barnes, be, and she is hereby appointed guardian ad litem, to appear an answer for said Nancy Ellen Kircher, and infant defendant, in the above entitled cause.

Levin C. Bailey
Judge

The answer of Grace J. Barnes, guardian ad litem, of Nancy Ellen Kircher, infant, duly appointed by this Honorable Court, respectfully represents:

That the said Nancy Ellen Kircher, being an infant can not answer and defend this suit,

for herself, but she submits her rights thereunder to the protection of this Honorable Court.

Grace J. Barnes
Guardian Ad Litem

And afterwards, to wit, on the 8th day of September in the year 1947, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof in the words following, to wit:

Marie A. Kircher	)	No. 6297 Chancery
vs.	)	In the Circuit Court for
Elizabeth Jane Martin, et al	)	Somerset County, Maryland

- - -

J. Arthur Powell, a witness of lawfull age, being first duly sworn, deposing says,

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

Ans. - J. Arthur Powell, age 65 yrs, occupation insurance broker.

Int. 2 - Do you know the parties to this suit, if so how long have you known them and where do they reside?

Ans. - I know all the parties to this suit, Marie A. Kircher and her three children, Elizabeth Jane Martin, Nancy Ellen Kircher, and Harry Carl Kircher, Jr., they all reside in the City of Philadelphia and State of Pennsylvania. I know them all personally and have known them for a number of years.

Int. 3 - Did you or not know Harry C. Kircher? If yes, is he living or dead, if dead when and where did he die? Did he or not die intestate and who are his heirs at law?

Ans. - Yes, I knew Harry C. Kircher in his lifetime. He died February 25, 1942. His home was in the City of Philadelphia. I knew him during his drequent visits to Princess Anne, several years before his death. He left no last will and testament and his heirs at law are (a) his widow, Marie A. Kircher who is an adult, (b) a daughter, Elizabeth Jane Martin, who intermarried with the defendant, John Raymond Martin, both of whom are adults and reside in the City of Philadelphia, (c) a daughter, Nancy Ellen Kircher, who is an infant under the age of 21 years and resides with her mother in the City of Philadelphia, (d) a son, Harry Carl Kircher, Jr., who is an adult, non compos mentis, and resides with his mother in the City of Philadelphia. I know all of these parties named above, having visited them a number of times at their home in Philadelphia and also have seen them in Princess Anne.

Harry Carl Kitcher, Jr. was adjudicated a non compos mentis by the Circuit Court for Somerset County as will appear by the proceedings in No. 6080 Chancery in said Court. (Plaintiff herewith files with examiner to be used as evidence in this case certified copy of the decree appointing a committee for said Harry Carl Kircher, Jr.)

Int. 4 - Please state whether or not the said Harry C. Kircher owned any real estate at the time of his death and if so, describe it and state its value.

Ans. - Yes, the said Harry C. Kircher at the time of his death owned a lot or parcel of land situate on the West side of Main Street or Somerset Avenue in the Town of Princess Anne, Maryland, This property is bounded on the north by the land of Robert F. Duer and wife and others, bounded on the west by the land of R. G. Tinkler and wife and Church Street, bounded on the south by the land of the Bank of Somerset. This property has approximately 110 feet binding on said Main Street, and is improved by concrete block and brick buildings and occupied as four stores and an office and in my opinion this entire property described above is worth anywhere between $25,000 and $30,000.

Int. 5 - Please state whether or not the real estate you have described above is incumbered by any liens? If so, please describe said lien or liens.

Ans. - The real estate described above is encumbered, mortgage given by the late Harry C. Kircher to Marion M. Lankford in the sum of Eleven Thousand Dollars, dated September 21st,

1931 and recorded among the land records of said Somerset County in Liber G.W.L. No. 103, folio 52, which said mortgage was assigned to Augustus A. Mason on February 18th, 1942, by Wilmer O. Lankford, Executor of the estate of Marion M. Lankford, deceased, upon the said mortgage there is now due the sum of Six Thousand Five Hundred Dollars, with interest from March 17th, 1947. That since the assignment of said mortgage, the said Augustus A. Mason has departed this life leaving a last will and testament and appointing Roy F. Mason and Stanley A. Mason of Worcester County and State of Maryland, as executors of his estate who have duly qualified before the Orphans' Court of said Worcester County. There are no other liens against the real estate.

Int. 6 - Please state whether or not there was any administration on the estate of Harry C. Kircher.

Ans. - No, there was no administration. So far as I know he owned no personal property in Maryland.

Int. 7 - Please state whether or not the real estate you have described is susceptible of partition among the parties interested in it, or would it or not be for the interest of the said parties to sell said real estate and divide the proceeds among those entitled thereto.

Ans. - The real estate can not be divided in kind among the parties entitled to it, according to their respective interests therein and it will therefore be necessary to sell said real estate and divide the proceeds thereof among said parties.

Considering the nature of this property and th4 fact that the owners live without the State and considering the physical condition of the properties which are in need of repairs, in my opinion, it would be for the benefit and advantage of all the parties to this suit to sell the property and divide the same among those entitled thereto. Although there are five stores or rooms on this property there are not five separate buildings, and in my opinion the property should be sold as an entirety.

Court's Question - Do you know, or can you state any other matter or thing which may be of interest to the parties hereto. If so, state fully in your answer.

Ans. - I know of nothing else.

Test: J. Arthur Powell

Harry C. Dashiell
Ex'mr.

S. Frank Dashiell, a witness of lawfull age, being first duly sworn, deposing says.

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

Ans. - S. Frank Dashiell, age 84 years, occupation general insurance.

Int. 2 - Do you know the parties to this suit, if so, how long have you known them and where do they reside.

Ans. - I knew the late Harry C. Kircher for more than twenty-five years prior to his death and I know Mrs. Marie A. Kircher, his widow, the plaintiff in this suit, and I know through the late Harry C. Kircher and his wife that they had three children and I am acquainted with one of them, but I do not know the two girls.

Int. 3 - Did you or not know Harry C. Kircher? If yes, is he living or dead, if dead, when and where did he die? Did he or not die intestate and who are his heirs at law.

Ans. - Yes, I knew Harry C. Kircher. I bought goods from him when I was in the mercantile business long before he purchased property in this Town. He died in February, 1942 and his home was in Philadelphia, Penna. I was rather intimated with him and he placed all his insurance on his building through my office. He left no last will and testament and his heirs at law are his widow, Marie A. Kircher, who is an adult; a daughter, Elizabeth Jane Martin, who intermarried with the defendant, John Raymond Martin, both of whom are adults and reside in the City of Philadelphia; a daughter, Nancy Ellen Kircher, who is an infant under

the age of 21 years and resides with her mother in the City of Philadelphia; a son, Harry Carl Kircher, Jr., who is an adult, non compos mentis, and resides with his mother in the City of Philadelphia. As I said before, I know only of these two daughters through their mother and their father, both of whom have talked with me about them.

Int. 4 - Please state whether or not the said Harry C. Kircher owned any real estate, at the time of his death, in Maryland and, if so, state its value.

Ans. - Yes, the said Harry C. Kircher at the time of his death owned a lot or parcel of land situate on the West side of Main Street or Somerset Avenue in the Town of Princess Anne, Maryland, This property is bounded on the north by the land of Robert F. Duer and wife and others, bounded on the west by the land of R. G. Tinkler and wife and Church Street, bounded on the south by the land of the Bank of Somerset. This property has approximately 110 feet binding on said Main Street, and is improved by concrete block and brick buildings and occupied as four stores and an office and in my opinion this entire property described above is worth anywhere between $25,000. and $30,000.

Int. 4 - Please state whether or not the said Harry C. Kircher owned any real estate, at the time of his death, in Maryland and, if so, state its value.

Ans. - Yes, the said Harry C. Kircher at the time of his death owned a lot or parcel of land situate on the West side of Main Street or Somerset Avenue in the Town of Princess Anne, Maryland, This property is bounded on the north by the land of Robert F. Duer and wife and others, bounded on the west by the land of R. G. Tinkler and wife and Church Street, bounded on the south by the land of the Bank of Somerset. This property has approximately 110 feet binding on said Main Street, and is improved by concrete block and brick buildings and occupied as four stores and an office and in my opinion this entire property described above is worth anywhere between $25,000. and $30,000.

Int. 5 - Please state whether or not the real estate you have described above is incumbered by any liens? If so, please describe said lien or liens.

Ans. - The real estate described above is encumbered, mortgage given by the late Harry C. Kircher to Marion M. Lankford in the sum of Eleven Thousand Dollars, dated September 21st, 1931 and recorded among the land records of said Somerset County in Liber G.W.L. No. 103 folio 52, which said mortgage was assigned to Augustus A. Mason on February 18th, 1942, by Wilmer O. Lankford, Executor of the estate of Marion M. Lankford, deceased, upon the said mortgage there is now due the sum of Six Thousand Five Hundred Dollars, with interest from March 17th, 1947. That since the assignment of said Mortgage, the said Augustus A. Mason has departed this life leaving a last will and testament and appointing Roy F. Mason and Stanley A. Mason of Worcester County and State of Maryland, as executors of his estate who have duly qualified before the Orphans' Court of said Worcester County. There are no other liens, to my knowledge, against the real estate.

Int. 6 - Please state whether or not there was any administration on the estate of Harry C. Kircher.

Ans. - None to my knowledge.

Int. 7 - Please state whether or not the real estate you have described is susceptible of partition among the parties interested in it, or would it or not be for the interest of the said parties to sell said real estate and divide the proceeds among those entitled thereto.

Ans. - The real estate can not be divided in kind among the parties entitled to it, according to their respective interests therein and it will therefore be necessary to sell said real estate and divide the proceeds thereof among said parties.

Considering the nature of this property and the fact that the owners live without the State and considering the physical condition of the properties which are in need of repairs,

in my opinion , it would be for the benefit and advantage of all the parties to this suit to sell the property and divide the same among those entitled thereto. Although there are five stores or rooms on this property there are not five separate buildings, and in my opinion, the property should be sold as an entirety.

Court's Question - Do you know, or can you state any other matter or thing which may be of interest to the parties hereto, if so, state fully in your answer.

Answer to Court's Question - I know of nothing else.

Test: S. Frank Dashiell

Harry C. Dashiell
Ex'mr.

There being no further witness produced to me to be examined, I herewith at the request of the plaintiff's solicitor, return the above depositions to Court, closed under my hand and seal and certified that the annexed statement of costs is correct.

Given under my hand and seal this 6th day of September, 1947.

Harry C. Dashiell (SEAL)
Examiner in Chancery

Exhibit A referred to in the foregoing Testimony is in the words following to wit:

In the Matter	)	No. 6080 Chancery
of	)	In the Circuit Court for
Harry Carl Kircher, Jr., non compos mentis	)	Somerset County, Maryland

- - -

Upon hearing of the above entitled matter, and it appearing that the said Harry Carl Kircher, Jr. is incompetent by reason of mental disability, to take charge of and manage his property, and that it is necessary and for the advantage and benefit of the said Harry Carl Kircher, Jr. that a committee be appointed by this Court for that purpose, it is thereupon this 12th day of December nineteen hundred and forty-five, by the Circuit Court for Somerset County, aforesaid, in Equity, ordered that Marie A. Kircher of Philadelphia, Pennsylvania be and she is hereby appointed committee of the property and estate of the said Harry Carl Kircher, Jr., with full power and authority to take charge of and manage the same under the direction of this Court; but before the said Marie A. Kircher shall proceed to act as such committee, she shall give bond to the State of Maryland, with surety to be approved by this Court or the Clerk thereof, in the amount of one thousand dollars if a corporate bond or two thousand dollars if a personal bond, for the faithful discharge of her duties as committee.

And it is further ordered that the Court hereby reserve the power to revoke, modify or alter this or any other decree or order herein, at any time after appearance and answer, for good cause shown.

Edmond H. Johnson
Judge.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, do hereby certify that the aforegoing is a true and correct copy of the Order of Court passed In the Matter of Harry Carl Kircher, Jr., non compos mentis, the same being No. 6080 Chancery in the Circuit Court for Somerset County, Maryland.

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of said Court this sixth day of September nineteen hundred and forty-seven.

Benjamin L. Barnes,
Clerk of the Circuit Court
for Somerset County, Maryland

Exhibit B referred to in the foregoing Testimony is in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS, that Marie A. Kircher of 2428 South 72nd Street, Philadelphia, Pennsylvania, as Principal and Lumbermens Mutual Casualty Company, a Corporation created under the laws of the State of Illinois, authorized to do 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) 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 7th day of December, 1945.

WHEREAS the above bounden, Marie A. Kircher was, by an order of the Circuit Court for Somerset County, in EQUITY, passed on the 7th day of December, 1945, in Chancery No. 6080 appointed Committee of the person and estate of the said Harry Carl Kircher, Jr., non compos mentis, with full power and authority to take charge of and manage the property and assume the control of the person of the said Harry Carl Kircher, Jr. under the direction of said Court.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the said Marie A. Kircher does and shall well, truly and faithfully perform the trust reposed in her by said decree or that may be reposed in her by any further decree, or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered
in the presence of
Elizabeth Goers

Marie A. Kircher (SEAL)

SEAL OF COMPANY

LUMBERMENS MUTUAL CASUALTY COMPANY
By: H. T. Levis, Attorney in fact

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That the LUMBERMENS MUTUAL CASUALTY COMPANY, a corporation organized and existing under the laws of the State of Illinois, and having its principal office in the City of Chicago, Illinois, does hereby appoint H. T. Levis, Philadelphia, Pennsylvania its true and lawful agent and attorney-in-fact, to make, execute, seal, and deliver for and on its behalf as surety, and as its act and deed: Any and all bonds and undertakings, the amount of no one bond to exceed Ten Thousand Dollars ($10,000.00).

The execution of such bonds and undertakings in pursuance of these presents shall be as binding upon the said LUMBERMENS MUTUAL CASUALTY COMPANY as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office in Chicago, Illinois.

This Power of Attorney is executed by authority of a resolution adopted by the Board of Directors of said LUMBERMENS MUTUAL CASUALTY COMPANY on May 16, 1939 at Chicago, Illinois, a true and accurate copy of which is hereinafter set forth and is hereby certified to by the undersigned Secretary or Assistant Secretary as being in full force and effect:

> "RESOLVED, That the President or any Vice President or Secretary or Assistant Secretary of the Company shall have power and authority to appoint agents and attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such officer of the Company may appoint agents for acceptance of process."

IN TESTIMONY WHEREOF, the LUMBERMENS MUTUAL CASUALTY COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officers, this 19th day of October, 1943.

Attested and Certified:

P.W. Stade
Assistant Secretary

LUMBERMENS MUTUAL CASUALTY COMPANY

By Jas. C. Wilson
Vice President

STATE OF ILLINOIS)
ss:
COUNTY OF COOK)

I, Stanley E. Heyard, a Notary Public, do hereby certify that Jas. C. Wilson and P.W. Stade, personally known to me to be the same persons whose names are respectively as Vice-President and Assistant Secretary of the Lumbermens Mutual Casualty Company, a corporation of the State of Illinois, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary act for the uses and purposes therein set forth.

Stanley E. Heyard

My Commission Expires March 3, 1944 Notary Public

CERTIFICATION

I, Fred S. Rye, Assistant Secretary of the Lumbermens Mutual Casualty Company, do hereby certify that the attached Power of Attorney dated October 19th, 1943 on behalf of H. T. Levis, Philadelphia, Pennsylvania, is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said Jas. C. Wilson and P.W. Stade who executed the Power of Attorney as Vice President and Assistant Secretary respectively were on the date of the execution of the attached Power of Attorney the duly elected Vice President and Assistant Secretary of the Lumbermens Mutual Casualty Company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Lumbermens Mutual Casualty Company on this 7th day of December, 1945.

SEAL OF COMPANY

Fred S. Rye,
Assistant Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated.

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I, Benjamin L. Barnes, Clerk of the Circuit Court for Somerset County, Maryland, do hereby certify that the aforegoing is truly and correctly copied from Book of Bonds B.L.B. No. 7, folio 36, one of the Record Books of Somerset County.

SEAL OF COURT

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court this eighth day of September in the year nineteen hundred and forty-seven.

Benjamin L. Barnes,
Clerk of the Circuit Court
for Somerset County, Maryland

And thereafter, to wit, on the 23rd day of September in the year 1947, the Circuit Court here passed the following decree in the premises, to wit:

Marie A. Kircher	)	No. 6297 Chancery
vs.	)	In the Circuit Court for
Elizabeth Jane Martin and John Raymond Martin, her husband, Nancy Ellen Kircher, infant, Harry Carl Kircher, Jr., non compos mentis, and Roy F. Mason and Stanley A. Mason, Executors of Augustus A. Mason, deceased, mortgagee.	)	Somerset County and State of Maryland, In Equity.

- - -

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

It is therefore this 23rd day of September, in the year 1947, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed, that the real estate in the proceedings mentioned be sold.

That E. McMaster Duer, be and he is hereby appointed Trustee to make such sale and that the course and manner of his proceedings shall be as follows:

He shall first file in the office of the Clerk of the Circuit Court for Somerset County, in Equity, a bond to the State of Maryland, executed by himself and a surety or sureties to be approved by said court in the penalty of sixty thousand dollars ($60,000.00), if individual security or sureties, or one-half of said penal sum, if corporate security, conditioned for the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having first given at least three weeks previous notice, inserted in some newspaper, printed and published in said Somerset County, and such further notice as he may think proper of the time, place, manner, and terms of sale which said terms shall be as follows: one-third in cash on the day of sale and the balance of the purchase money in two equal installments in six and twelve months from the day of sale, the deferred payments to bear interest from the day of sale and the payment thereof to be secured by the bond of the purchaser with a surety or sureties to be approved by the said Trustee, or all cash at the option of the purchaser or purchasers.

And as soon as may be after such sale or sales, the said Trustee shall return to this Court a full and particular account of the same with an affidavit of the truth, thereof, and of the fairness of such sale or sales, annexed and on the retification of such sale or sales by this Court; and on the payment of the whole purchase money (and not before), the said Trustee by a good and sufficient deed to be executed and acknowledged according to law, convey to the purchaser or purchasers of said property, or to his, her, or their heirs and assigns, the property to him or her, or them, sold free, clear and discharged of all the claims of the parties to this cause, and of any person, or persons claiming by, from or under them. And the said Trustee shall bring into this Court the money arising from said sale or sales and the bonds which may be taken for the same, to be disposed of under the direction of this court, after deducting therefrom, the costs of this suit, and such commissions to the said 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 at the time that the property shall be advertised for sale the said Trustee shall give notice to the creditors of the said Harry C. Kircher to file their claims, if any, with the Clerk of the Circuit Court for Somerset County on or before the 24th day of November, nineteen hundred and forty-seven.

W. Laird Henry, Jr.

Judge

And thereupon, the said E. McMaster Duer, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That E. McMaster Duer, of Somerset County and State of Maryland, Principal and the American Surety Company of New York, a corporation created and existing under the laws of the State of New York, are held and firmly bound unto the said State of Maryland in the full and just sum of thirty thousand dollars ($30,000.00), to be paid to the said State of Maryland, or its certain Attorney, to which payment well, and truly to be made and done, we bind ourselves and each of us, our and each of our, heirs, personal representatives, and assigns,

firmly by these presents, sealed with our seals and dated this 23rd day of September, in the year 1947.

Whereas, by a decree of the Circuit Court for Somerset County in Equity, passed on September 22, 1947, in a cause wherein Marie A. Kircher is plaintiff and Harry Carl Kircher, Jr., et al are defendants, the same being No. 6297 Chancery, now pending in said Court, the said E. McMaster Duer, was appointed Trustee to make sale of the real estate mentioned and described in said cause, all of which will appear by reference to the proceedings in said cause.

Now therefore, the condition of the above obligation is such that if the above bounden, E. McMaster Duer, do and shall, well, truly and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order, in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

As witness the hand and seal of the said E. McMaster Duer, the corporate seal of the American Surety Company of New York, a corporation as aforesaid, and the hand of W. Scott Reig, the Resident Vice-President of said Corporation, the day and year first above written.

TEST:

Harry C. Dashiell

ATTEST:

M. C. Whitmore
Res. Asst. Secretary
28-471-236

SEAL OF COMPANY

E. McMaster Duer, (SEAL)
Principal

AMERICAN SURETY COMPANY OF NEW YORK

BY: W. Scott Reig,
Res. Vice-President

COUNTERSIGNED

By Harry C. Dashiell

At Princess Anne, Md.

Registered Resident Agent

Transcripts from the Record Book of the Board of Trustees

AMERICAN SURETY COMPANY OF NEW YORK

"A meeting of the Board of Trustees of American Surety Company of New York was held at the office of the Company, No. 100 Broadway, New York City, on Tuesday, January 21, 1947, at twelve o'clock noon.

"Upon motion duly made, seconded and unanimously carried, the following Resident Officers were elected, to hold office until their respective successors shall have been duly chosen and shall qualify, or until they shall resign or be removed as provided in the By-Laws:

PLACE	RESIDENT VICE-PRESIDENTS	RESIDENT ASSISTANT SECRETARIES
Philadelphia, Pa.	H. A. Banks	H. A. Banks
	R. E. Benham	R. E. Benham
	Louis J. Biester	Louis J. Biester
	J. S. Bleakly	J. S. Bleakly
	Alexander B. Brock	Alexander B. Brock
	David B. Buck, Jr.	David B. Buck, Jr.
	M. Busha	M. Busha
	J. B. Ferren	J. B. Ferren
	B. M. Fitzgerald	B. M. Fitzgerald
	H. C. Hansen	M. F. Hager
	M. K. Hodgson	H. C. Hansen
	W. G. Keating	M. K. Hodgson
	Jos. A. Mackle	W. G. Keating
	G. A. Mundy	Jos. A. Mackle
	W. Scott Reig	G. A. Mundy
	H. T. Reynolds	W. Scott Reig
	Faller Spreeman	H. T. Reynolds
	W. J. Thomas	Faller Spreeman
		W. J. Thomas
		M. C. Whitmore

"The following resolution was duly adopted:

"RESOLVED, That the President, the Vice-Presidents and the Resident Vice-Presidents be, and they hereby are, and each of them is hereby authorized and empowered to execute and deliver any and all surety bonds and undertakings for or on behalf of the Company, in its business and in accordance with its Charter; such bonds and undertakings to have in every instance, however, the seal of the Company affixed thereto, and to be attested by the signature of the Secretary,

an Assistant Secretary, or a Resident Assistant Secretary of this Company."

STATE OF NEW YORK,)
) ss:
COUNTY OF NEW YORK,)

I, R. P. Luckett, Assistant Secretary of American Surety Company of New York, do hereby certify that the foregoing transcripts from the Record Book of the Board of Trustees of American Surety Company of New York are correct transcripts from said Record Book; I further certify that the foregoing transcript of resolution is a just, true, correct and complete copy of the original thereof.

Given under my hand and the seal of the Company, at New York, N. Y.

R. P. Luckett SEAL OF
Assistant Secretary COMPANY

Which said Bond was thus thereon endorsed, to wit:

The Within Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the 29th day of October in the year 1947, the said E. McMaster Duer, Trustee, exhibited and filed in the Circuit Court here a report of sales „ with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Marie A. Kircher	)	No. 6297 Chancery
vs.	)	In the Circuit Court for
Elizabeth Jane Martin, et al	)	Somerset County, Maryland.

- - -

To the Honorable, the Judges of said Court:

The report of E. McMaster Duer, Trustee, appointed by a decree passed in the above entitled cause, to make sale of the real estate therein mentioned, respectfully represents:

That after giving bond with security for the faithful discharge of the trust as required by said decree and after having given at least three weeks previous notice of the time, place, manner and terms of sale by advertisement in the Marylander and Herald, a weekly newspaper, printed and published in said Somerset County, once a week for four successive weeks, before the day of sale, he did pursuant the said notice, attend at the Court House Door in Princess Anne, Maryland, on Tuesday, the 28th day of October, in the year 1947, at the hour of 2 o'clock p.m., and did then and there proceed to offer said real estate for sale at Public Auction, that is to say:

Your Trustee offered all that lot or parcel of land situate and binding on the west side of Main Street or Somerset Avenue, in the Town of Princess Anne, and bounded on the north by the lands of Robert F. Duer and wife, the County Commissioners of Somerset County, Arthur J. Hall and Robert G. Tinkler and wife, bounded on the west by the lands of the said Robert G. Tinkler and wife and Church Street, and bounded on the south by the lands of the Bank of Somerset, and being in all respects the same land that was conveyed unto Harry C. Kircher by Marion M. Lankford by deed dated April 21st, 1929 and recorded among the land records of Somerset County in Liber G.W.L. No. 97, folio 441; except so much thereof as the said Harry C. Kircher and wife conveyed unto Ameda G. Wilson by deed dated June 16th, 1930 and recorded among the land records aforesaid in Liber No. 100, folio 335.

This property is improved by brick and concrete block buildings occupied as four store rooms and one office and has a frontage on said Main Street of approximately one hundred and seven feet.

And your said Trustee sold said real estate to Ruth P. Griffith, she being the highest bidder therefor, at and for the sum of thirty-six thousand one hundred dollars ($36,100.00),

and the aforesaid purchaser has complied with the terms of said sale, satisfactory to said Trustee, all of which is respectfully submitted.

E. McMaster Duer, Trustee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 29th day October, 1947, before me the subscriber the Clerk of the Circuit Court of the State of Maryland, in and for Somerset County, aforesaid, personally appeared, E. McMaster Duer, Trustee, named in the above Report of Sale, and made oath in due form or law, that the matters and things stated in the aforegoing Report of Sale, are true as therein stated, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

As witness my hand the day and year above written.

Benjamin L. Barnes
Clerk of the Circuit Court

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Marie A. Kircher	)	No. 6297 Chancery
vs.	)	In the Circuit Court for
Elizabeth Jane Martin et al	)	Somerset County, Maryland

- - -

Ordered that the sale of the real estate mentioned in these proceedings, made and reported by E. McMaster Duer, Trustee, be ratified and confirmed unless cause to the contrary thereof be shown, on or before the 1st day of December, 1947, providing a copy of this Order be inserted in some newspaper, printed and published in said Somerset County, in each of three successive weeks, before the 29th day of November, 1947.

The Report states the amount of sales to be thirty-six thousand one hundred dollars ($36,100.00).

Benjamin L. Barnes
Clerk.

And now at this day, to wit, on the 3rd day of December in the year 1947 came again into Court here the said complainant, by her solicitor aforesaid, and on motion of the said complainant, by her solicitor aforesaid, the Court here passed the following order, to wit: Ordered by the Circuit Court for Somerset County, in Equity, this 3rd day of December, 1947, that the sale of the real estate mentioned in these proceedings, made and reported by E. McMaster Duer, 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.

Levin C. Bailey
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

"""

Norman Dryden, Dr. S.P. Fuller, Dr. Sarah Peyton, Robert Testerman, Percy White, Lloyd Chamberlain and Homer Ringgold, constituting the Somerset County, Maryland Welfare Board Vs. Norman Adkins, Carl E. Adkins, Hilda Emma Miles, Eva Tull Mills and Doris C. Tull	Be it remembered that heretofore, to wit, on the 21st day of June in the year 1947, a certain Norman Dryden, Dr. S.P. Fuller, Dr. Sarah Peyton, Robert Testerman, Percy White, Lloyd Chamberlain and Homer Ringgold, constituting the Somerset County, Maryland Welfare Board, exhibited and filed in the Circuit Court here a Creditor's Bill and Exhibit A against Norman Adkins, Carl E. Adkins, Hilda Emma Miles, Eva Tull Mills and Doris C. Tull, which said Creditor's Bill and Exhibit A are in the words following, to wit:

Norman Dryden, Dr. S.P. Fuller, Dr. Sarah Peyton, Robert Testerman, Percy White, Lloyd Chamberlain and Homer Ringgold, constituting the Somerset County, Maryland Welfare Board Vs. Norman Adkins, Carl E. Adkins, Hilda Emma Miles, Eva Tull Mills and Doris C. Tull	No. 6293 Chancery In the Circuit Court for Somerset County, Maryland

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your orators, who sue as well for themselves as for all other creditors of Sarah Dixon, late of Somerset County, Maryland, deceased, who will come in and contribute to the expenses of this cuit, respectfully represent:

1. That your orators are the Somerset County, Maryland, Welfare Board, and as such gave old age assistance to the said Sarah Dixon for the years of 1936 and 1947 inclusive, amounting to $3178.30, and that such claim is prefered by law against the estate of Sarah Dixon and an itemized copy of said claim is herewith filed as a part of this bill marked Exhibit A.

2. That the said Sarah Dixon died intestate on June 1, 1947, in Somerset County, Maryland, and was indebted as aforesaid unto your orators, and unto divers other persons, and had no personal estate of any value and upon which no administration was ever had; but had considerable real estate in Brinkley's Election District, Somerset County, Maryland, particularly a house and lot on the state road leading through Marion and adjoining the lands of Lula Horsey, John C. Horsey and Carra Davis, and, also, in twelve acres of land, more or less, adjoining the lands of Charles Cannon, E. W. Adkins, J. S. Adams, and leaving no children or descendants, and the following as her only heirs at law: Norman Adkins, adult, of Seaford, Delaware, and Carl E. Adkins, adult, of 220 Terrace Avenue, Petersburg, Virginia, only children of William Adkins, a deceased brother of the said Sarah Dixon, deceased; and Hilda Emma Miles, adult, of Somerset County, Maryland, a daughter of a deceased sister of the said Sarah Dixon, deceased.

3. Your orators allege that the said Sarah Dixon did not leave sufficient personal estate to pay the costs of administration, and the debt due and owing by her at the time of her death, but did leave the interest in the real estate above mentioned, and your orators are entitled to have such real estate sold for the payment of their claims, but are unable to obtain adequate relief without the aid of this Honorable Court.

4. That the said Eva Tull Mills is made a party defendant to this cause because she is the owner of a judgment for $95.50, dated July 17, 1944, recorded among the Judicial Records of said Somerset County in No. 22 Appearances, July Term, 1944; and a judgment for $500.00, dated December 10, 1946, recorded among the said Judicial Records in No. 41 Appearances, September Term, 1946; and the said Eva Tull Mills and Doris C. Tull owned a judgment for $50.25, dated July 28, 1932, and recorded as No. 18 Trials, in the July Term, 1945.

To the end, therefore:

A. That the defendants, heretofore named, may answer the several matters hereinafter set forth.

B. That the aforesaid real estate, or so much thereof as may be necessary, may be decreed to be sold for the payment of the aforesaid debt of your orators and all of the other creditors of the said Sarah Dixon, deceased.

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

May it please your Honor to grant unto your orators the writ of supoena of the State of Maryland, directed to the said Eva Tull Mills and Doris C. Tull and Hilda Emma Miles, all adults, and residing in Somerset County, Maryland, commanding them and each of them to be and appear in this Court, in person or by solicitor, on some certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed; and, also, the Order of Publication giving notice to the said Norman Adkins and Carl E. Adkins, both adults, who are non-residents of the State of Maryland, of the object and substance of this bill, and warning them to appear in this Court, in person or by solicitor, on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for Plaintiffs

Exhibit "A" referred to in the foregoing bill is in the words following, to wit:

June 13, 1947

OLD AGE ASSISTANCE GRANTED TO MRS. SARAH DIXON
FROM 1936 TO 1947, INCLUSIVE

1936		1937		1938		1939	
4/23	- $26.00	1/21	- $29.00	1/19	- $15.90	1/21	- $15.90
5/23	- 26.00	2/20	- 21.90	2/21	- 15.90	2/21	- 15.90
6/20	- 26.00	3/22	- 21.90	3/21	- 15.90	3/21	- 15.90
7/23	- 21.90	4/22	- 21.90	4/25	- 15.90	4/21	- 15.90
8/21	- 21.90	5/25	- 26.90	5/21	- 15.90	5/22	- 15.90
9/21	- 21.90	6/22	- 26.90	6/17	- 15.90	6/15	- 15.90
10/22	- 23.65	7/27	- 15.90	7/27	- 15.90	7/21	- 15.90
11/24	- 21.90	8/24	- 15.90	8/22	- 15.90	8/21	- 15.90
12/23	- 21.90	9/21	- 15.90	9/21	- 15.90	9/21	- 15.90
Total	-$211.15	10/19	- 15.90	10/21	- 15.90	10/23	- 15.90
		11/19	- 15.90	11/21	- 15.90	11/21	- 15.90
		12/21	- 15.90	12/21	- 15.90	12/21	- 15.90
		Total	- $244.80	Total	-$190.80	Total	-$190.80

1940		1941		1943		1942	
1/21	- $15.90	1/27	- $ 30.00	1/22	--$ 22.55	1/22	- $22.55
2/23	- 15.90	2/21	- 30.00	2/20	- 25.65	2/21	- 22.55
3/21	- 15.90	3/21	- 30.00	3/26	- 25.65	3/20	- 22.55
4/22	- 15.90	4/22	- 30.00	4/22	- 25.65	4/21	- 22.55
5/22	- 15.90	5/24	- 30.00	5/21	- 25.65	5/22	- 22.55
6/21	- 20.50	6/21	- 22.55	6/21	- 25.65	6/22	- 22.55
7/29	- 20.50	7/23	- 22.55	7/24	- 25.65	7/24	- 22.55
8/21	- 20.50	8/23	- 22.55	8/19	- 25.65	8/25	- 22.55
9/21	- 20.50	9/22	- 22.55	9/23	- 25.65	9/23	- 22.55
10/22	- 20.50	10/23	- 22.55	10/22	- 25.65	10/24	- 22.55
10/31	- 5.00	11/25	- 22.55	11/22	- 25.65	11/24	- 22.55
11/22	- 20.50	12/23	- 22.55	12/20	- 25.65	12/23	- 22.55
11/30	- 9.50	Total	$307.85	Total	-$304.70	Total	$270.60
12/21	- 20.50						
12/31	- 9.50						
Total	$247.00						

1944		1945		1946		1947	
1/21	- $25.65	1/19	- $28.10	1/23	- $36.70	1/22	- $45.00
2/21	- 25.65	2/21	- 31.35	2/21	- 36.70	2/21	- 32.25
3/21	- 26.50	3/21	- 31.35	3/21	- 36.70	Total	- $77.25
4/21	- 26.50	4/21	- 28.10	4/22	- 36.70		
5/20	- 26.50	5/21	- 28.10	5/21	- 36.70	Total by Years	
6/22	- 26.50	6/21	- 28.10	6/21	- 36.70	$211.15	
7/21	- 26.50	7/21	- 28.10	7/22	- 36.70	244.80	
8/24	- 31.10	8/21	- 28.10	8/22	- 36.70	190.80	
9/21	- 28.10	9/21	- 28.10	9/23	- 36.70	190.80	
10/20	- 28.10	10/22	- 28.10	10/21	- 36.70	247.00	
11/21	- 29.85	11/23	- 28.10	11/22	- 40.85	307.85	
12/20	- 28.10	12/21	- 40.00	12/20	- 40.85	270.60	
Total	$329.05	Total	$355.60	Total	$448.70	304.70	
						329.05	

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 23rd day of June, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Elizabeth Hall, the Executive Secretary of the Somerset County, Maryland, Welfare Board, and made oath in due form of law that the aforegoing account is a true and correct statement of the money paid out to the said Sarah Dixon, deceased.

In testimony whereof, I hereunto subscribe my name and affix my Notarial Seal the day and year aforesaid.

SEAL OF NOTARY — Vivian Catlin, Notary Public

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following Order of Publication was issued, to wit:

Norman Dryden, Dr. S.P. Fuller, Dr. Sarah Peyton, Robert Testerman, Percy White, Lloyd Chamberlain and Homer Ringold, instituting the Somerset County, Maryland, Welfare Board,	)	No. 6293 Chancery In the Circuit Court for Somerset County, Maryland
Vs.	)	
Norman Adkins, Carl E. Adkins, Hilda Emma Miles, Eva Tull Mills and Doris C. Tull.	)	

- - -

The object of this suit is to procure a decree for the sale of certain interest in real estate in Brinkley's Election District, Somerset County, Maryland, of which Sarah Dixon died seized and possessed.

The bill states that the said Sarah Dixon died on or about June 1, 1947, intestate, leaving no personal property of any value, but leaving real estate of considerable value in Brinkley's Election District, Somerset County, Maryland; that the plaintiffs constitute the Board of Welfare of Somerset County, Maryland, and as such furnished support to the said Sarah Dixon during the years of 1936 to 1947 inclusive, amounting to $3178.30, which said sum is a debt against the said decedent; that the said Sarah Dixon left surviving her as her only heirs at law two nephews, Norman Adkins, Seaford, Delaware, and Carl E. Adkins, Petersburg, Virginia, sons of William Adkins, a deceased brother of the said Sarah Dixon, and Hilda Emma Miles, of Somerset County, Maryland, daughter of a deceased sister of the said Sarah Dixon; that no administration was ever had on the personal estate of the said Sarah Dixon, and that said personal estate is not sufficient to pay the costs of the administration and the debts due and owing by the said Sarah Dixon at the time of her death; that all of the said Norman Adkins, Carl E. Adkins and Hilda Emma Miles are adults, and that the said Norman Adkins and Carl E. Adkins are non-residents of Maryland; that the said Eva Tull Mills and Doris C. Tull are both adults and residents of said Somerset County, and are made defendants because they are judgment creditors of the said Sarah Dixon, deceased.

It is, therefore, this 21st day of June, 1947, ordered by the Circuit Court for Somerset County, Maryland, in Equity, that the plaintiffs, by causing a copy of this order to be published in some newspaper published in said Somerset County, once in each of four successive weeks before the 26th day of July, 1947, give notice to the said absent defendants of the object and substance of this bill, warning them to appear in this Court, in person or by solicitor, on or before the 12th day of August, 1947, to show cause, if any they have, why a decree ought not to be passed as prayed.

Benjamin L. Barnes,
Clerk of Court

And thereafter to wit, on the 25th day of June in the year 1947, Norman Dryden and others, comprising the Board of Welfare, Somerset County, Maryland, the said complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

Norman Dryden and others,	)	
comprising the Board of	)	No. 6293 Chancery
Welfare, Somerset County,	)	In the Circuit Court
Maryland,	)	for Somerset County,
Vs.	)	Maryland.
Eva Tull Mills and others	)	

- - -

To the Honorable, the Judge of said Court.

The petition of the plaintiff in the above cause respectfully represents:

That since filing the bill of complaint herein, it has come to the knowledge the said Board of Welfare that Sarah A. Dixon, the decedent mentioned in the bill, left a last will and testament which has been duly probated in the Orphans Court of said Somerset County; and that by said last will and testament, all of the real estate owned by the said Sarah A. Dixon at the time of her death was devised to Eva Tull Mills and the said Eva Tull Mills was named as executrix of said last will and testament.

Your petitioner, therefore, prays the Court to allow it to file an amended bill of complaint in which the parties to the bill will correspond to the conditions which exist because of the said last will and testament.

And as in duty bound, etc.

L. Creston Beauchamp
Attorney for Petitioner

Upon which said petition the Court here passed the following order, to wit:

Upon the foregoing petition, it is this 25th day of June, 1947, by the Circuit Court for Somerset County, Maryland, in Equity, ordered and decreed that the said petitioner be and is hereby allowed to file an amended bill of complaint in the above cause.

W. Laird Henry, Jr.
Judge.

And thereafter, to wit, on the 26th day of June in the year 1947, an amended Bill of Complaint was filed, which amended Bill is in the words following, to wit:

Norman Dryden, Dr. S.P. Fuller, Dr. Sarah Peyton, Robert Testerman, Percy White, Lloyd Chamberlin and Homer Ringgold, constituting the Somerset County, Maryland, Board of Welfare,	)	No. 6293 Chancery
	)	In the Circuit Court for
	)	Somerset County, Maryland
vs.	)	
Eva Tull Mills, executrix of Sarah A. Dixon, deceased, and Eva Tull Mills, individually, and Doris C. Tull.	)	
	))	

- - -

To the Honorable, the Judge of said Court.

Your orators, who sue as well for themselves as for all other creditors of Sarah A. Dixon, late of Somerset County, Maryland, who will come in and contribute to the expenses of this suit, by their amended bill of complaint, respectfully represent:

1. That your orators are the Somerset County, Maryland, Welfare Board, and, as such, gave old age assistance to the said Sarah A. Dixon during the years 1936 and 1947, inclusive, amounting to $3178.30, and that such claim is preferred by law against the estate of the said Sarah A. Dixon, deceased; and an itemized copy of said claim is herewith filed as a part of this bill, marked Exhibit A.

2. That the said Sarah A. Dixon died on June 1, 1947, leaving a last will and testament dated December 13, 1937, which will has been admitted to probate by the Orphans Court for said Somerset County, and a certified copy of said last will and testament is herewith filed, marked Exhibit B; that by said last will and testament, the said Sarah A. Dixon devised all the real estate she owned at the time or her death to the defendant Eva Tull Mills, and, also, appointed the said Eva Tull Mills executrix of said last will and testament, and the said executrix has qualified by filing bond therefor.

3. Your orators allege that the said Sarah A. Dixon did not leave sufficient personal estate to pay the costs of administration and the debt due and owing by her to your orators at the time of her death, but did leave considerable real estate in Brinkley's Election District, Somerset County, Maryland, particularly a house and lot on the state road leading from Marion to Coulborn's Creek, adjoining the lands of Mrs. Carrie Davis and Mrs. Elizabeth Woodland, and containing ½ acre, more or less, which was conveyed to the said Sarah A. Dixon by Washington Beauchamp and wife by deed dated October 13, 1890, recorded among the land records of said Somerset County in Liber H.F.L. No. 8, folio 383, and, also, an one-half interest in 12 acres of land in said district adjoining the lands of Charles Cannon, E.W. Adkins and J.S. Adams; and your orators are informed that they are entitled to have said real estate sold for the payment of their claim, but are unable tosecure adequate relief with the aid of this Honorable Court.

4. That the defendant, Eva Tull Mills, is the devisee and executrix named in the above mentioned will; and, is also the holder of a mortgage on the above house and lot for $500. dated May 16, 1947, recorded among said land records in Liber B.L.B. No. 140, folio 140; and, also, is the owner of a judgment against the said Sarah A. Dixon for $95.50, dated July 17, 1944, and a judgment for $500. dated December 10, 1946,- both of said judgments being duly recorded among the judicial records of said county; and the said Eva Tull Mills and Doris C. Tull own a judgment against the said Sarah A. Dixon for $50.25, dated July 28, 1932, and renewed.

To the end, therefore,

A. That the defendants, heretofore named, may answer the several matters hereinafter set forth.

B. That the said real estate, or so much thereof as may be necessary, may be decreed to be sold for the payment of the afore-debt to your orators and of all other creditors of the said Sarah A. Dixon, deceased.

C. And that your orators may have such other and further relief as their case may require.

May it please Your Honor to grant unto your orators the writ of subpoena of the State of Maryland directed to the said Eva Tull Mills, individually and as executrix of the last will and testament of the said Sarah A. Dixon, deceased, adult, and to the said Doris C. Tull, adult, both of whom reside in Somerset County, Maryland, commanding them and each of them to be and appear in this Court, in person or by solicitor, on some certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

L. Creston Beauchamp
Solicitor for plaintiffs

Exhibit "B" referred to in the foregoing amended bill is in the words following, to wit:

I, Sarah A. Dixon, widow of Alfred W. Dixon, of Marion Station, Maryland, do hereby make this my last will and testament.

After the payment of all my just debts and funeral expenses, including a monument to my

memory, which I already have ready to set up, and three hundred dollars which I have placed in the Farmers Bank to pay my funeral expenses, which I hereby charge my hereinafter named executrix to do for me, I give and bequeath my estate as follows:-

(1) I give and bequeath the said three hundred dollars in Bank to my executrix, hereinafter named and the said grave stone also and charge that she shall carry out my instructions and give my a decent burial and grave marker.

(2) I give and bequeath all my clothes and family pictures (except the pictures to be given to Upshur Dixon) to Mrs. Mollie A. Tull who lives in Crisfield, and also I give to said Mollie A. Tull the sum of Two hundred dollars which I now have in the farmers Bank, this being a different deposit from what I have there to bury myself with.

(3) I give and bequeath to Mr. Upshur Dixon of Princess Anne, Md. the pictures of Mary and William Dixon.

(4) All the rest and residue of my estate, real, personal and mixed of every kind and wheresoever situate, I hereby give, devise and bequeath to my dear friend EVA T. MILLS, and she is to see to my last rites and attend to them.

(5) I hereby constitute and appoint the said EVA T. MILLS to be the executrix of this my last will and testament, and hereby excuse her from giving bond.

Witness my hand and seal this 13th day of December, in the year nineteen hundred and thirty seven.

Sarah A. Dixon (SEAL)

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

Carrie T. Davis

Doris C. Tull

SOMERSET COUNTY, to wit:

THEN CAME Eva T. Mills and in the presence of Almighty God, solemnly promised and declared that the foregoing instrument of writing is the true and whole last Will and Testament and Codicil of Sarah A. Dixon late of Somerset County, deceased, that hath come to her hands or possession, and that she doth not know of any other and that the same was delivered to her by the testatrix.

Before, Florence E. Dryden,
Register of Wills for
Somerset County.

SOMERSET COUNTY, to wit:

THEN CAME Carrie T. Davis and Doris C. Tull the subscribing witnesses to the foregoing last will and Testament of Sarah A. Dixon, late of Somerset County, deceased, and they in the presence of Almighty God, solemnly promised and declared that they did see the Testatrix therein named, sign and seal this Will; that they heard her publish, pronounce and declare the same to be her last Will and Testament. That at the time of her so doing, she was, to the best of their apprehension of sound and disposing mind, memory and understanding, capable of executing a valid deed or contract; and that they subscribed their named as witnesses to this Will in the presence, and at the request of the Testatrix, and in the presence of each other.

Before, Florence E. Dryden, Register of Wills
for Somerset County.

Sarah Dixon of Marion Station, Maryland having heretofore made my will dated Dec. 13th,

1937 which in now filed a lock box in the Farmers Bank of Smst Co for safe keeping. And now desiring to make some changes therein and make some additions thereto, do hereby make this my first codicil to my said last will and testament leaving the said last will and testament in full force and effect except in so far as it has been altered or affected or added to by this codicil.

In one of the items of my will I left the money which is now tied up in the Farmers Bank of Somerset Co to Mollie Tull I wish to revoke this & leave it to my dear friend Eva Tull Mills, which has been looking after me. And still is, at this time I left this to Mollie Tull, she was not getting any assistance, at that time But now she is getting old age assis-ince.

I hereby confirm the appointment of Eva Tull Mills as Executrix of my last will & codicil.

In Testimony whereof I have hereto subscribed my name and affixed my seal this 24th day of November in the year Nineteen Hundred Forty Five.

Witness Sarah Dixon

Addie Handy

J. Stanley Adams

SOMERSET COUNTY, to wit:

June 7, 1947.

THEN CAME Addie Handy and J. Stanley Adams the subscribing witnesses to the foregoing Codicil to the last Will and Testament of Sarah A. Dixon, late of Somerset County, deceased, and they in the presence of Almighty God, solemnly promised and declared that they did see the Testatrix therein named, sign and seal this Codicil to this Will; that they heard her publish, pronounce and declare the same to be her codicil to her last Will and Testament. That at the time of her so doing, she was, to the best of their apprehension of sound and disposing mind, memory and understanding, capable of executing a valid deed or contract; and that they subscribed their names as witnesses to this Cocidil to this Will in the presence, and at the request of the Testatrix, and in the presence of each other.

Before, Florence E. Dryden,
Register of Wills for
Somerset County.

STATE OF MARYLAND, SCT,

In the Orphans' Court for Somerset County:

The Court having carefully examined the above last Will and Testament of Sarah A. Dixon, late of Somerset County, deceased, together with the Codicil thereunto attached, and also the evidence adduced as to its validity, orders and decrees this 24th day of June, 1947, that the same be admitted in this Court as the true and genuine last Will and Testament and Codicil of the said Sarah A. Dixon deceased.

Lacy V. Bozman)
J. Henry Bedsworth) Judges of the Orphans' Court for Somerset County
Lacy West Tyler) Test: Florence E. Dryden, Reg. W. S. Co.

STATE OF MARYLAND, SOMERSET COUNTY, SS.

I, Florence E. Dryden, Register of Wills and by law keeper of the Seal and of the Records and of the Original Papers of the Orphan's Court of Somerset County, DO HEREBY CERTIFY that the foregoing is a true and full copy of the last Will and Testament and Codicil of Sarah A. Dixon, late of said county deceased, taken from the original now on file and the same being one of the Records kept in the office of the Register of Wills for Somerset County.

In Testimony Whereof, I hereunto subscribe my name and affix the Seal of said Court, this twenty-fifth day of June in the year of our Lord, nineteen hundred and forty-seven.

SEAL OF Florence E. Dryden
ORPHANS' COURT Register of Wills for Somerset County

And thereupon in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenaes were issued, to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF THE STATE OF MARYLAND

COURT TO Eva Tull Mills, individually and as Executrix of Sarah A. Dixon, deceased, of Somerset County, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in July instant to answer the complaint of Somerset County Board of Welfare against you & another in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 5th day of May Anno Domini 1947. ISSUED the 1st day of July Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF THE STATE OF MARYLAND

COURT TO Doris C. Tull, of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in July next to answer the complaint of Somerset County Welfare Board against you & another in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 5th day of May Anno Domini 1947. ISSUED the 1st day of July Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

At which said First MONDAY in July, in the year nineteen hundred and Forty seven and the day of the return of the above recited writs, came again into Court here the said Complainants by their solicitor and the Sheriff of Somerset County, Woodland Jackson, to whom the first writ and second writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summons Copy left.

Woodland Jackson, Sheriff
Frank H. Ward, Deputy Sheriff

To the second of said writs: Summons Copy left.

Woodland Jackson, Sheriff
Frank H. Ward, Deputy Sheriff

And thereafter, to wit, on the 11th day of July in the year 1947, the following answer was filed:

Norman Dryden, Dr. S.P. Fuller, Dr. Sarah Peyton, Robert Testerman, Percy White, Lloyd Chamberlain and Homer Ringgold, instituting the Somerset County Maryland Welfare Board	)	No. 6293 Chancery
	)	In the Circuit Court for
	)	Somerset County,
	)	Maryland
vs.	)	
Norman Adkins, Carl E. Adkins, Hilda Emma Miles, Eva Tull Mills, and Doris C. Tull	)	
	)	

- - -

To the Honorable, the Judges of said Court:

The answer of Eva Tull Mills, Executrix of the Estate of Sarah A. Dixon, deceased, and Eva Tull Mills, individually, and Eva Tull Mills and Doris C. Tull, partners trading as E.W. Tull & Company, by Edgar A. Jones, their Attorney, to the amended bill of complaint, against

them in this Honorable Court, exhibited.

These defendants answering, say:

1. That these defendants neither admit nor deny the allegations set forth in Paragraph 1 of said bill.

2. That these defendants admit the matters and things alleged in Paragraph 2 of said bill.

3. That these defendants admit the matters and things alleged in Paragraph 3 of said bill.

4. That these defendants admit the matters and things alleged in Paragraph 4 of said bill.

And, as in duty bound, etc.

Edgar A. Jones

Solicitor for Defendants

And afterwards, to wit, on the 18th day of August in the year 1947, Harry C. Dashiell, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof of certain interrogatories with him filed and the testimony by him taken, in the words following, to wit:

Norman Dryden and others, constituting the Somerset County, Maryland, Board of Welfare	)	No. 6293 Chancery
	)	In the Circuit Court for
vs.	)	Somerset County, Maryland
Eva Tull Mills, individually, executrix, etc.	))	

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In this cause an order having been passed for testimony to be taken to support the allegations of the bill, I, Harry C. Dashiell, of Princess Anne, Maryland , one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, do hereby certify that on this _____ day of August, 1947, in said Somerset County, I took the following testimony to wit:

Earl D. Butler, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1. Q. State your name, age, residence and occupation?

A. Earl D. Butler, 29 years, Marion, Maryland, farmer.

2. Q. Did you know Alfred W. Dixon, of Somerset County, Maryland, in his lifetime? If he is dead state when he died and if he died intestate?

A. I did know Mr. Dixon. He died about fifteen years ago and did not leave any will.

3. Q. State what if any real estate he left in Somerset County, and give your ideas of the value of it?

A. He left a tract of cleared land in Brinkley's Election District, this county, containing about twelve acres. It adjoins land owned by Robert Windsor and formerly owned by John Horsey, and is worth about five hundred dollars.

4. Q. Please state if you knew Mrs. Sara A. Dixon in her lifetime; if so is she living or dead and if dead when did she die and did she or not die intestate?

A. I knew Mrs. Dixon. She died two or three months ago, and she did leave a will.

5. Q. Please state what if any property she owned at the time of her death?

A. She owned a house and lot on the south side of the state road leading from Marion to Coulbourn's Creek, adjoining the lands of Roy Woodland and Carrie Davis, which is worth around two thousand dollars.

Court question and answer: Nothing further.

Earl D. Butler

Harry C. Dashiell.

Elizabeth Hall, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

1. Q. State your name, age, residence and occupation?

A. Elizabeth Hall, 30 years, Crisfield, Maryland, Director of Somerset County Welfare Board.

2. Q. Did you know Mrs. Sara A. Dixon in her life time. If she is dead state when you died and if she left a will?

A. I knew Mrs. Dixon. She died on June 1, 1947, and she did leave a will, which is recorded in the Orphan's Court.

3. Q. Please state what, if any, relations you had with Mrs. Dixon growing out of your position as Director of the Somerset County Welfare Board?

A. From my own knowledge and from the books of the office that I found containing the records in the case Mrs. Dixon received old age assistance from the Somerset County Board of Welfare in 1936 of $211.15; 1937, $244.80; 1938, $190.80; 1939, $190.80; 1940, $247.00; 1941, $307.85; 1942, $270.60; 1943, $304.70; 1944, $329.05; 1945, $355.60; 1946, $448.70 and 1947, $77.25, making a total of $3178.30. No part of this sum has ever been paid and the entire amount is due from Mrs. Dixon's estate to the Welfare Board.

4. Q. State what, if any, property Mrs. Dixon had at the time of her death?

A. She owned a house and lot in the village of Marion, Maryland, on the south side of the state road leading from Marion to Coulbourne's Creek, adjoining the lands of Roy Woodland and Carrie Davis, which she purchased from Washington Beauchamp and wife, by deed duly recorded. She also owned an one-half interest in about twelve acres of cleared land in Brinkley's Election District, adjoining the lands of Robert Windsor and others, which she inherited from her husband, Alfred W. Dixon. Mr. and Mrs. Dixon had no children and Mr. Dixon died in 1934 so that Mrs. Dixon inherited one-half of the property he owned at his death.

Court question and answer: nothing further.

Elizabeth W. Hall

Harry C. Dashiell

Exhibit B filed with examiner to be used as evidence in this cause.

There being no further witnesses present to be examined, and at the suggestion of the plaintiff, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct and has been paid in full by the plaintiff.

Harry C. Dashiell (SEAL)
Examiner in Chancery

And thereafter, to wit, on the 29th day of August, in the year 1947, the Circuit Court here passed the following decree in the premises, to wit:

Norman Dryden and others, constituting the Somerset County, Maryland, Board of Welfare,	)	No. 6293 Chancery
vs.	)	In the Circuit Court for Somerset County, Maryland.
Eva Tull Mills, individually, executrix, etc.	)	

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

It is thereupon, this 29th day of August, 1947, by the Circuit Court for Somerset County, Maryland, in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings be sold; that L. Creston Beauchamp be and he is hereby appointed trustee to make such sale, the course and manner of his said proceedings to be as follows: He shall first file in the office of the Clerk of the Circuit Court for said Somerset County, a corporate bond, to the

State of Maryland in the sum of twenty-five hundred dollars, conditioned upon the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having given at least three weeks previous notice inserted in some newspaper printed in said Somerset County and such other notice as he may think proper of the time, place, manner and terms of sale, which terms shall be cash on the day of sale.

And as soon as may be convenient after any such sale, the trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale annexed. And on the ratification of such sale by this Court and on the payment of the entire purchase money, and not before, the trustee by good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser or purchasers of said property, to his, her or their heirs, the property to him, her or them sold, free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from or under them. And the said trustee shall bring into this Court the money arising from said sale, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commissions to the said trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust. And it is further ordered, that at the time of advertising such sale, the trustee shall give notice to the creditors of Sara A. Dixon, deceased, to file with the Clerk of the Court in these proceedings their respective claims, duly proven, within thirty days from the date of sale.

Edmond H. Johnson

Judge.

And thereupon, the said L. Creston Beauchamp, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, L. Creston Beauchamp, of Somerset County, Maryland, principal, and the Maryland Casualty Company, a Maryland Corporation, surety, are held and firmly bound unto the State of Maryland, in the full and just sum of twenty-five hundred 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 29th day of October, nineteen hundred and forty-seven.

WHEREAS, the above bounden L. Creston Beauchamp, by virtue of a decree of the Circuit Court for Somerset County in Equity, has been appointed trustee to sell the real estate mentioned in the proceedings in the case of Norman Dryden and others, constituting the Somerset County, Maryland, Board of Welfare against Eva Tull Mills, individually, executrix, etc., the same being No. 6293 on the Chancery docket of said Court, and now pending in said Court;

NOW the condition of the above obligation is such that if the above bounden L. Creston Beauchamp do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

L. Creston Beauchamp (SEAL)

MARYLAND CASUALTY COMPANY

BY L.C. Beauchamp, Attorney in Fact

TEST:

Elizabeth B. Whaley

Which said Bond was thus thereon endorsed, to wit:

The Within Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the 2nd day of October, in the year 1947, the said Trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Norman Dryden and others, constituting the Somerset County, Maryland, Welfare Board vs. Eva Tull Mills and others	No. 6293 Chancery In the Circuit Court for Somerset County, Maryland

To the Honorable, the Judge of said Court.

The report of L. Creston Beauchamp, trustee in the above cause, appointed by a decree of this Court, dated August 29, 1947, to make sale of the real estate therein mentioned, respectfully shows:

That by virtue of the power and authority contained in said decree and after having given bond with approved security as required by law, conditioned upon the faithful performance of the trust reposed in him by said decree, and after having given at least twenty-one days notice of the time, place, manner and terms of sale by advertisement in the Marylander and Herald, a weekly newspaper published in said county, and by hand-bill posted at the Court House door in said county, he did, in pursuance of said notice, attend at the Court House door in Princess Anne, Maryland, on Tuesday, September 30, 1947, at or about the hour of one-thirty o'clock P.M., and then and there proceeded to sell at public auction the following described property mentioned in said proceedings, namely:

He first offered all that house and lot in Bribkley's Election District, Somerset County, Maryland, on the state road leading from Marion to Coulbourn's Creek, adjoining the land of Mrs. Carrie Davis and Mrs. Elizabeth Woodland, and containing one-half acre, more or less, which was conveyed to Sarah A. Dixon by Washington Beauchamp and wife, by deed dated October 13, 1890, recorded among the land records of said Somerset County in Liber H.F.L. No. 8, folio 383, being located in the heart of the Marion residential section and is in good condition, and sold the same to Eva Tull Mills, she being the highest bidder therefor, at and for the sum of twenty-six hundred and ten dollars, which she has paid in cash.

He next offered all that one-half interest in all that lot in said Brinkley's Election District, adjoining the lands of Charles Cannon, E.W. Adkins, and J.S. Adams, and containing twelve acres, more or less, the said one-half interest being that which the said Sarah A. Dixon inherited as the heir at law of her husband, Alfred W. Dixon, deceased, and which was conveyed to the said Alfred W. Dixon by Mary M. Miles and others, by deed dated December 8, 1900, recorded among the land records of said Somerset County in Liber No. 31, folio 124; and sold the same to Robert W. Windsor, he being the highest bidder therefor, at and for the sum of two hundred follars, which he has paid in cash.

And the trustee prays a ratification of his proceedings in the premises.

Respectfully submitted,

L. Creston Beauchamp, Trustee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 2d day of October, 1947, before me, the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp, the trustee mentioned in the foregoing report of sale, and made oath in due form of law that the matters and facts stated in said report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Benjamin L. Barnes,
Clerk of the Court

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

L. Creston Beauchamp,	)	No. 6293 Chancery
Ex parte	)	In the Circuit Court for
	)	Somerset County, Maryland.

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 2d day of October, 1947, that the report of L. Creston Beauchamp, trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported, be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 7th day of November, 1947; provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 5th day of November, 1947.

The report states the amount of sale to be $2810.00

Benjamin L. Barnes,

Clerk of Court.

And thereafter to wit, on the 12th day of November, in the year 1947, the said complainant by his solicitor aforesaid filed in Court here a petition in the words following, to wit:

Norman Dryden and others, constituting the Somerset County, Maryland, Board of Welfare,	)	No. 6293 Chancery
	)	In the Circuit Court for
vs.	)	Somerset County,
Eva Tull Mills, individually, executrix, etc.	)	Maryland.
	)	

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of the plaintiffs in the above entitled cause, respectfully represent that the order nisi ordered printed in this cause was, through inadvertence and mistake, inaccurately published in the Crisfield Times, and it is necessary to have an Order of Court renewing said order nisi that the same may be published correctly.

Your petitioner therefore respectfully asks that the Court grant leave to file an additional order nisi in order that the same may be correctly published in the newspaper.

AND as in duty bound, etc.

L. Creston Beauchamp,

Solicitor for plaintiffs

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 12th day of November, 1947, before me, the subscriber, the Clerk of the Court for Somerset County, Maryland, personally appeared L. Creston Beauchamp, the solicitor named in the above cause, and made oath in due form of law that the matters and things stated in the above form are true as therein set forth to the best of his knowledge and belief.

Benjamin L. Barnes

Clerk of the Court.

Upon which said petition the Court here passed the following order, to wit:

Upon the aforegoing petition and affidavit, it is hereby ordered this 12th day of November, nineteen hundred and forty-seven, by the Circuit Court for Somerset County, Maryland, in Equity, that the plaintiffs in the above cause be and they are hereby granted leave to file and publish an additional order nisi in the above cause.

Edmond H. Johnson

Judge.

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

L. Creston Beauchamp, Ex parte	)	
Norman Dryden and others, constituting the Somerset County, Maryland, Board of Welfare,	)	No. 6293 Chancery
	)	In the Circuit Court for
vs.	)	Somerset County,
Eva Tull Mills, individually, executrix, etc.	)	Maryland
	)	

- - -

Ordered by the Circuit Court for Somerset County, Maryland, in Equity, this 12th day of November, 1947, that the report of L. Creston Beauchamp, trustee mentioned in the foregoing report of sale, and the sale of real estate by him reported, be and the same are hereby ratified and confirmed, unless cause to the contrary appear by exceptions filed on or before the 13th day of December, 1947; provided a copy of this order be inserted in some newspaper printed in said Somerset County once in each of three successive weeks before the 11th day of December, 1947.

The report states the amount of sale to be $2810.10.

Benjamin L. Barnes,
Clerk of Court.

And now at this day, to wit, on the 17th day of December, in the year 1947, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

L. Creston Beauchamp,	)	No. 6293 Chancery
Ex parte.	)	In the Circuit Court for
	)	Somerset County, Maryland

- - -

It having been proved to the Court that a copy of the preceding order nisi, as amended on November 12, 1947, has been published according to the provisions of the amended order nisi, and no exceptions having been filed and no cause to the contrary having been shown, it is this 17th day of December, 1947, adjudged, ordered and decreed by the Circuit Court for Somerset County, Maryland, in Equity, that the within report of L. Creston Beauchamp, trustee, and the sale by him reported, be and the same are hereby finally ratified and confirmed.

Levin C. Bailey
Judge.

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

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Prentiss W. Evans, Assignee, Ex-Parte, for the purpose of foreclosure and collection under power contained in a mortgage of H. Clifton Butler and Annie Butler, his wife, to Paul L. Gunby and assigned to the Bank of Crisfield and then by assignment to Prentiss W. Evans for foreclosure and collection.	)	Be it remembered that heretofore to wit, on the thirteenth day of September in the year nineteen hundred forty-seven, a certain Prentiss W. Evans of Somerset County and State of Maryland, exhibited and filed in the Circuit Court here an Order to docket suit, statement of mortgage

debt, original and assignments of a certain Mortgage executed and delivered to Paul L. Gunby by a certain H. Clifton Butler and Annie Butler, his wife, which said order to docket suit, statement of mortgage debt, original and assignments of mortgage, are in the words following, to wit:

Prentiss W. Evans, Assignee, Ex-Parte, for the purpose of foreclosure and collection under power contained in a mortgage of H. Clifton Butler and Annie Butler, his wife, to Paul L. Gunby and assigned to the Bank of Crisfield and then by assignment to Prentiss W. Evans for foreclosure and collection.	)	No. 6312 Chancery In the Circuit Court for Somerset County, Maryland

Mr. Clerk:

Please docket a case on your chancery docket as above, file the within mortgage dated the 21st day of October, 1931, and recorded among the land records of Somerset County in Liber J.M.T. No. 103, folio 44, made by H. Clifton Butler and Annie Butler, his wife, to Paul L. Gunby, and by assignment dated the 21st day of October, 1931, and recorded among the land records of said Somerset County in Liber G.W.L. No. 103, folio 45, assigned to the Bank of Crisfield, and then by assignment dated the 9th day of September, 1947, and recorded among the land records of said Somerset County in Liber G.W.L. No. 103, folio 45, assigned to Prentiss W. Evans for the purpose of foreclosure and collection.

Prentiss W. Evans

STATEMENT OF MORTGAGE DEBT

Statement of Mortgage claim of Bank of Crisfield, owner of mortgage foreclosed herein.

To Principal amount of mortgage	$147.23
To interest, from 6/17/47 to 9/9/47	$ 2.07
To principal and interest to Sept. 9, 1947, being total amount due on said mortgage.	$149.30

STATE OF MARYLAND, Somerset County, to-wit:

I hereby certify that on this 9th day of September, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared J. Coyne Sterling, Vice President of the Bank of Crisfield, and made oath in due form of law that subject to assignment to Prentiss W. Evans for purpose of foreclose and collection, said Bank of Crisfield is the present holder and owner of the mortgage foreclosed in this case, and that the aforegoing is a true and just statement of the amount of mortgage claim under said mortgage, now remaining due and unpaid, and he did further made oath in due form of law that H. Clifton Butler and Annie Butler, his wife, are now now, nor for 30 days prior to the institution of the foreclosure proceeding in this cause, been in the military service of the United States.

As witness my hand and notarial seal.

SEAL of Notary — Beryl Sterling, Notary Public

THIS MORTGAGE, Made this 21st day of October in the year nineteen hundred and thirty-one, by H. Clifton Butler and Annie Butler, his wife, of Somerset County, in the State of Maryland;-

Whereas, the said H. Clifton Butler and Annie Butler, his wife, are justly indebted unto Paul L. Gunby, of said County and State, in the sum of SIX HUNDRED DOLLARS ($600.00), the same being the balance of the purchase money for the real estate hereinafter described, this day conveyed unto the said H. Clifton Butler by the said Paul L. Gunby and wife, which said indebtedness is evidenced by the promissory note of the said H. Clifton Butler and Annie Butler, his wife, for said sum of SIX HUNDRED DOLLARS ($600.00), bearing even date herewith, and payable to the said Paul L. Gunby two years after date, with interest from date, which said interest is to be paid semi-annually; and whereas, for the purpose of further securing the payment of said promissory note, with interest, and payable as aforesaid, the said H. Clifton Butler and Annie Butler, his wife, have agreed to execute this mortgage.

Now therefore this Mortgage Witnesseth, that in consideration of the premises the said H. Clifton Butler and Annie Butler, his wife, have granted and by these presents do grant and convey unto the said Paul L. Gunby, his heirs and assigns, all that farm or tract of land situate, lying and being in Lawson's District, Somerset County, in the State of Maryland, which was conveyed unto the said H. Clifton Butler by the said Paul L. Gunby and wife by deed bearing even date herewith, not yet delivered or recorded, but intended to be delivered and recorded among the Land Records of said Somerset County cotemporaneously with this mortgage, being the same real estate and premises which was devised by Benjamin Lankford, late of said Somerset County, deceased, in his last will and testament duly recorded among the Testamentary Records of said Somerset County in Liber S.C.L. No. 5 folio 378, unto his daughter, Sarah A. Miles, now deceased, except so much thereof as was conveyed by the said Sarah A. Miles in her lifetime unto James F. Lankford, and unto William H. Morris and others, Trustees of Phoenix Methodist Protestant Church by deeds duly recorded among the Land Records of said Somerset County, and except also so much thereof as was conveyed by Clara M. Hodson unto Alonzo S. Ward, unto Paul L. Gunby, unto Susan Townsend and unto the Board of Education of Somerset County by deeds duly recorded among said Land Records, the said Clara M. Hodson being the only heir at law of the said Sarah A. Miles, and said real estate containing fifty-eight acres of land, more or less, being the same and all the real estate and premises conveyed unto the said Paul L. Gunby by H. Fillmore Lankford, Executor of the last will and testament of the said Clara M. Hodson, by deed bearing date the tenth day of September, in the year nineteen hundred and thirty, and recorded among said Land Records in Liber G.W.L. No. 100 folio 433, except so much thereof as is described as follows, beginning for the same near a bridge and running thence by and with a ditch and the Susan Townsend land, N.63°-0' E, 12.52 chains, to the corner of the said Townsend land, thence by and with the land of the heirs of Clarence L. Gunby and certain marked trees, S.57°-30' E.5.25 chains, to a large lead ditch, thence by and with the said lead ditch, the four following courses and distances, next following, S.4°-30' W. 3.64 chains, thence S.2°-30' E.1.72 chains, thence S. 1°-0' E.2.93 chains, thence S.9°-0' W. 1.79 chains, to another ditch, thence by and with the last mentioned ditch the three courses and distances next following, N.64°-0' W. 5.45 chains, thence N.63°W, 2.85 chains, thence N. 59°W, 1.63 chains to another ditch, thence by and with the last said ditch S.39°W, 3.25 chains, to a ditch and the cleared land, thence by and with the said ditch the two courses next following, N.44° W. 5.23 chains, thence N.35° W, 1.07 chains to the place of beginning, containing 9.92 acres of woodland, more or less, and except also a road, twelve feet wide, beginning at the South-west corner of the School House lot, on the County Road, and running by the old Whittington place and the sycamore tree, through the land hereby conveyed, to the land of the said Paul L. Gunby, which was conveyed to him by Clara M. Hodson, at a place known as "Opossum

Gully", with a right of way to the said H. Clifton Butler, his heirs and assigns, and as appurtenant to the land, hereby conveyed, over the aforesaid twelve foot road.

And special reference is here made to the deeds and records aforesaid for a more accurate description of the lands and premises hereby mortgaged.

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

To have and to hold the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said Mortgagee, his heirs and assigns forever.

PROVIDED that if the said Mortgagors shall well and truly pay unto the said Mortgagee, the aforesaid sum of money, with interest as aforesaid, as the same shall respectively become due and payable, according to the tenor and effect of the said promissory note, 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 Mortgagor shall possess the aforesaid property upon paying, in the mean time, all taxes and assessments, public debts 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 aforesaid, the said H. Clifton Butler and Annie Butler, his wife, do hereby covenant to pay when legally demandable. But if default be made in the payment of said money, or the interest thereon to accrue, or in any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and it shall be lawful for the said Mortgagee, his personal representatives or assigns, or Clarence P. Lankford, their Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, for cash, 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 by advertisement in some newspaper printed in Somerset County, and such other notice as by the party making sale may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted; the proceeds arising from such sale to apply first to the payment of all expenses incident to such sale including a reasonable Attorney's fee, 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; secondly, to the payment of all claims of the said Mortgagee, his 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, or to whoever may be entitled to the same; and in the event that said mortgaged property, or any part thereof, shall be advertised under the powers hereby granted, and that the said Mortgagors, or any person in their behalf shall pay said mortgage debt and interest after an advertisement and before a sale, the said mortgagors covenant to pay to the party advertising under said powers hereby granted all expenses incident to said advertisement, including a reasonable Attorney's fee and one-half the commission hereinbefore mentioned, to be calculated upon the mortgage debt and interest, and the same shall be a lien upon the mortgaged property, and no sale advertised under said powers shall be stopped or stayed unless all of said costs, fees and commissions shall first be paid; and in the event that said property shall be sold under the powers hereby granted, or under a decree or order of any court having jurisdiction to decree or order of any court having jurisdiction to decree or order a sale thereof, all the annual crops pitched or cultivated thereon shall pass with the said mortgaged property to the purchaser at any such sale.

And the said mortgagors do further covenant to insure, and pending the existence of this mortgage to keep insured, the improvements on hereby mortgaged land to the amount of at least Six Hundred dollars, 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, his personal representatives and assigns, to the extent of the lien or claim hereunder, and to deposit the policy or policies in the hands of the mortgagee, and if the said mortgagors shall fail to insure and keep insured the improvements aforesaid for the benefit of the mortgagee, and to deposit the policy or policies as aforesaid, the said mortgagee is hereby authorized to insure and keep insured the said improvements, and whatever sum the said mortgagee may be required to pay for such insurance shall be considered and is hereby declared to be an additional indebtedness hereby intended to be secured, with interest from the date of payment, as though included in the mortgage debt hereinbefore first mentioned.

Witness the hands and seals of said mortgagors.

Test: H. Clifton Butler (his) (Mark) (SEAL)

Myrtle V. Gorsuch Anna A. Butler (SEAL)

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify, That on this 21st 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 Somerset County, aforesaid, personally appeared H. Clifton Butler and Annie Butler, his wife, the mortgagors named in the foregoing mortgage and acknowledged the foregoing mortgage to be their respective act and deed; and at the same time and place also personally appeared before me, Paul L. Gunby, the within named mortgagee, and made oath in dur form of law, that the consideration mentioned in the foregoing mortgage is true and bona fide as therein set forth.

In testimony whereof, I have hereunto subscribed my name and affixed my notarial seal the day and year last above written.

SEAL OF NOTARY Myrtle V. Gorsuch
Notary Public

Received for Record October 22, 1931 and recorded in Liber J.M.T. No. 103, folio 44, one of the Land Records of Somerset County.

Per: J. Millard Tawes, Clerk.

For value received, I hereby assign the within mortgage, and the debt thereby secured, to the "Bank of Crisfield", a body corporate existing under the laws of the State of Maryland, and guarantee the payment of the same.

Witness my hand and seal this 21st day of October, in the year nineteen hundred and thirty-one.

Witness: Marvin F. Sterling Paul L. Gunby (SEAL)

Filed for Record October 23, 1931 and recorded in Liber J.M.T. No. 103, folio 45.

Test: J. Millard Tawes, Clerk.

The Bank of Crisfield, a body corporate, hereby assigns the within mortgage to Prentiss W. Evans for the purpose of foreclosure and collection.

Witness the corporate seal of the said Bank of Crisfield and the signature of J. Coyne Sterling, Vice President thereof the day and year first above written.

Witness: BANK OF CRISFIELD

Merrill O. Byrd By: J. Coyne Sterling

Filed for Record September 13, 1947 and recorded in Liber B.L.B. No. 141, folio 292.

Test: Benjamin L. Barnes, Clerk.

And thereupon the said Prentiss W. Evans, Assignee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, Prentiss W. Evans, of Crisfield, Maryland, as Principal, and the American Bonding Company of Baltimore, a body corporate, duly incorporated under thelaws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of One Thousand ($1,000.00) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our Heirs, Executors, Administrators, Successors or Assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 2nd day of October, in the year of our Lord forty-seven.

WHEREAS, the above bounden Prentiss W. Evans by virtue of the power contained in a mortgage from H. Clifton Butler & Anna B. Butler, his wife to Paul L. Gunby and wife bearing date the day of and recorded among the mortgage records of Somerset County in Liber No. 103 Folio 44 and duly assigned of record to Prentiss W. Evans, who is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

The condition of the above obligation is such, That if the above bounden Prentiss W. Evans do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

IN TESTIMONY WHEREOF, the above bounden Prentiss W. Evans has hereto set his hand and seal and the said body corporate has caused these presents to be duly signed by its Attorney-in-fact, the day and year first herein above written.

Signed, sealed and delivered in the presence of: Prentiss W. Evans (SEAL)

SEAL OF COMPANY AMERICAN BONDING COMPANY OF BALTIMORE

Attest: By E. V. Shockley, Attorney-in-fact

By Audrey Cooper

State of Maryland, Baltimore City, sct:

KNOW ALL MEN BY THESE PRESENTS: That the American Bonding Company of Baltimore, a corporation of the State of Maryland, does hereby constitute and appoint E.V. Shockley its Attorney-in-Fact to make, execute and deliver on its behalf, as surety, all bonds of any kind, character and description that are or may be required to be filed in any Court in or of the State of Maryland and it does hereby declare that all such bonds signed and executed by its said Attorney-in-Fact shall be as binding on it as if they had been duly executed by its proper officers. This power shall remain in full force and effect until duly revoked and written notice thereof given.

WITNESS the seal of the said American Bonding Company of Baltimore duly affixed by its Vice-President and attested by its Assistant Secretary, this 21st day of April, 1932.

AMERICAN BONDING COMPANY OF BALTIMORE

SEAL ATTEST: J.G. Yost, Assistant Secretary. SEAL OF COMPANY By: E.R. Nuttle, Vice-President

I HEREBY CERTIFY that the above is a correct and true copy of the original Power of Attorney, October 2, 1947.

AMERICAN BONDING COMPANY OF BALTIMORE

Geo. D. Henry, Assistant Secretary

Which said bond was thus thereon endorsed, to wit:

Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the tenth day of October, in the year nineteen hundred and forty-seven, the said Assignee exhibited and filed in the Circuit Court here a Report of Sales, with an affidavit thereunto annexed, which said Report and Affidavit are in the words following, to wit:

Prentiss W. Evans, Assignee, Ex-Parte, for the purpose of foreclosure and collection under power contained in a mortgage of H. Clifton Butler and Annie Butler, his wife, to Paul L. Gunby and assigned to the Bank of Crisfield and then to Prentiss W. Evans for foreclosure and collection.	)	No. 6312 Chancery In the Circuit Court for Somerset County, Maryland

To the Honorable, the Judges of said Court:

The report of sale of Prentiss W. Evans, Assignee of a certain mortgage made and executed by H. Clifton Butler and Annie Butler, his wife, dated October 21, 1931, to Paul L. Gunby and wife, and recorded among the land records of said Somerset County in Liber J.M.T. No. 103, folio 44, and duly assigned to the Bank of Crisfield, a body corporate, by assignment dated October 21, 1931 and recorded in said land records in Liber J.M.T. No. 103, folio 45 and duly assigned to the undersigned for the purpose of foreclosure and collection, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage, or in the payment of the interest thereon or in some other covenant or condition of said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to your Honors--

That after giving bond with security approved by the Clerk of this Court for the faithful performance of the assignee, as aforesaid reposed in him by and pursuant to said mortgage, and as required by law, and after giving more than twenty days notice of the time, place manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in Somerset County, once a week for three successive weeks before the day of sale; he did, pursuant to said notice, attend at the U.S. Postoffice at Crisfield, Maryland, on the fourth day of October, at 1:30 P.M. and did then and there proceed to sell the property described in said mortgage, to wit:

All that lot or parcel of land situate, lying and being in Lawsons District, Somerset County and State of Maryland, which is bounded on the North by the land of Anna and Julia Taylor; on the South by the County Road; on the West by the County Road and being the same and all that land conveyed unto H. Clifton Butler by Paul L. Gunby and wife, by deed bearing date the 31st day of October, 1941, and recorded among the aforesaid land records in Liber J.M.T. No. 101, folio 589; except so much thereof as was conveyed by said H. Clifton Butler and wife to George Blake and wife, by deed dated July 2, 1946 and recorded among theaforesaid land records in Liber B.L.B. No. 136, folio 474, containing fifty acres of land, more or less.

And your said assignee sold the above described property to Furman E. Dize, Jr., for the sum of Seven Hundred Dollars, he being at that sum the highest bidder therefor, the terms of said sale being CASH, which has been fully paid.

Respectfully submitted,

Prentiss W. Evans,
Assignee

STATE OF MARYLAND, SOMERSET COUNTY, to wit:

I hereby certify that on this 9th day of October, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Prentiss W. Evans, Assignee, and he made oath in due form of law that the matters and facts therein contained are true and correct to the best of his knowledge, information and belief. And he further made oath, in due form of law, that the sale was fairly made.

Witness my hand and notarial seal day and year above written.

SEAL OF NOTARY — Beryl Sterling, Notary Public

Upon which said Report the Clerk of the Circuit Court here passed the following order:

Prentiss W. Evans, Solicitor

Prentiss W. Evans, Assignee, Ex-Parte, for the purpose of foreclosure and collection under power contained in a mortgage of H. Clifton Butler and Annie Butler, his wife, to the Bank of Crisfield and then to Prentiss W. Evans for foreclosure and collection.	No. 6312 Chancery In the Circuit Court for Somerset County, Maryland

ORDER NISI

Ordered this 15th day of October, in the year nineteen hundred and forty-seven by the Circuit Court for Somerset County, and the State of Maryland, in Equity, that the sales of the property mentioned in these proceedings, made and reported by Prentiss W. Evans, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 15th day of November, 1947, provided a copy of this order be inserted in some newspaper published in Somerset County, at least once a week, for three successive weeks, before the 15th day of November, 1947.

The report of sale states the amount thereof to be Seven hundred dollars ($700.00).

Benjamin L. Barnes, Clerk

And now at this day to wit, on the 19th day of November, Nineteen hundred and forty-seven, comes again into Court here the said assignee and on motion of the said assignee the Court here passed the following order, to wit:

Prentiss W. Evans, Assignee, Ex-Parte, for the purpose of foreclosure and collection under power contained in a mortgage of H. Clifton Butler and Annie Butler, his wife to the Bank of Crisfield and then to Prentiss W. Evans for foreclosure and collection.	No. 6312 Chancery In the Circuit Court for Somerset County, Maryland

ORDER

ORDERED by the Circuit Court for Somerset County, Maryland, sitting in Equity, this 19th day of November, 1947, that the sales of the real estate made and reported by Prentiss W. Evans, Assignee of a mortgage from H. Clifton Butler and Annie Butler to Bank of Crisfield, said real estate being mentioned and described in these proceedings, be, and the same is hereby ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given, as required by the Order Nisi passed in said cause, and the said Prentiss W. Evans is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

Edmond H. Johnson
Judge.

And thereafter, to wit, on the 29th day of December, Nineteen Hundred and Forty-Seven, the following affidavit was filed:

Prentiss W. Evans, Assignee, Ex-Parte, for the purpose of foreclosure and collection under power contained in a mortgage of H. Clifton Butler and Annie Butler, his wife, to the Bank of Crisfield and then to Prentiss W. Evans for foreclosure and collection.	No. 6312 Chancery In the Circuit Court for Somerset County, Maryland

STATE OF MARYLAND, Somerset County, to wit:-

I HEREBY CERTIFY that personally appeared before me, the subscriber, a Notary Public of

the State of Maryland, in and for Somerset County, aforesaid, Prentiss W. Evans, to me personally known, and he made oath in due form of law that the amount due on the mortgage filed in these proceedings to the Bank of Crisfield, with all interest thereupon, as of the date of sale, amounted to One hundred forty-seven dollars and twenty-three cents ($147.23), and he further made oath, as aforesaid, that H. Clifton Butler died intestate prior to the date of sale of the property mentioned in these proceedings, and that his sole heirs at law are the following:

Anna Butler, his widow; Aleene Ward, a child; Virginia Cox, a child; Richard Butler, a child; Charles Butler, a child; June Butler, a child; Oliver Butler, a child; Kay Butler, a child; Elmo Butler, a child; Sarah Butler, a child and Josephine Butler, a child.

Witness my hand and notarial seal this 29th day of December, 1947.

SEAL OF NOTARY — Beryl Sterling, Notary Public

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

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STATE OF MARYLAND SOMERSET COUNTY, to wit:

At a Term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the first Monday in January, being the fifth day of the same month, in the year of our Lord, One thousand nine hundred and forty-eight.

Were present, Hon. W. Laird Henry, Jr., Chief Judge
Hon. Levin C. Bailey, Associate Judge
Hon. Edmond H. Johnson, Associate Judge
Woodland Jackson, Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following, to wit:

Minnie G. Nock
Mayhew Nock
Plaintiffs
vs.
Flora Branner, Harry J. Branner
Dorothy Cassel, Joseph Cassel
Myrtle Gorsuch
Joelene Milbourne
Woodland Willing, Norris Willing
Defendants

Be it remembered that heretofore, to wit, on the 29th day of October, Nineteen Hundred Forty-Seven, a certain Minnie G. Nock and Mayhew Nock, by Prentiss W. Evans, their Solicitor, exhibited and filed in the Circuit Court here a Bill of Complaint against Flora Branner, Harry J. Branner, Dorothy Cassel, Joseph Cassel, Myrtle Gorsuch, Joelene Milbourne, Woodland Willing, and Norris Willing, which said bill of complaint is

in the words following, to wit:

Minnie G. Nock
Mayhew Nock
Plaintiffs
vs.
Flora Branner, Harry J. Branner
Dorothy Cassel, Joseph Cassel
Myrtle Gorsuch
Joelene Milbourne
Woodland Willing, Norris Willing
Defendants

No. 6325 Chancery
In the Circuit Court for
Somerset County, Maryland

To the Honorable, the Judges of said Court:

Your Orators, complaining, say:

I

That Woodland Milbourne, of Somerset County, Maryland, deceased, was in his lifetime and at the time of his death seized and possessed in fee simple absolute of a large amount of valuable real estate in Asbury Election District, in Somerset County with improvements thereon.

II

That said parcel of real estate consisted of that land described in a deed from Mayhew Nock and wife to said Woodland Milbourne dated January 29, 1926, recorded in said county land records in Liber W.J.S. No. 92, folio 457, reference to which recordations is hereby made and prayed to be taken and considered as a part hereof.

III

That said real estate consists of a house and lot of land and is improved by a comfortable dwelling.

IV

That said land and dwelling are valued in the said Somerset County tax records at $225.00 and $1150.00 respectively.

V

That on the zforesaid property, there exists an encumbrance in the following manner: A first mortgage dated April 21, 1922 from said Woodland Milbourn to the Bank of Crisfield, a body corporate, said mortgage is duly recorded among the land records of said Somerset County, and the amount due and owing thereupon is Seven hundred twenty-one dollars and twenty-two cents ($721.22) with interest from September 1, 1947, at 5%.

VI

That being so seized, the said Woodland Milbourne departed this life intestate, to wit: in 1941 leaving surviving him as his only heirs at law the following children,

(a) Minnie G. Nock, the plaintiff, who intermarried with Mayhew Nock.

(b) Flora Branner, who intermarried with Harry J. Branner.

(c) Dorothy Cassel, who intermarried with Joseph Cassel.

(d) Myrtle Gorsuch, who is a widow.

(e) Vera Milbourne Willing, who intermarried with Norris Willing.

VII

That Vera Milbourne Willing, heir of Woodland Milbourne, as aforesaid, departed this life intestate on or about June 1943 seized and possessed of an undivided one-fifth interest in and to the aforesaid real estate and leaving as her only heirs at law the following infant children and husband:

(a) Joelene Milbourne, an infant, eighteen years, who resides at 209 Wilden Drive, Towson 4, Maryland

(b) Woodland Willing, an infant, twelve years, who resides with his father, Norris Willing, at 505 Clark Avenue, Pocomoke City, Maryland.

(c) Norris Willing, who resides, as aforesaid, her husband.

VIII

That all of the parties to these proceedings are adults over the age of twenty-one years and are suijuris, except the aforesaid two minor children of said Vera Willing Milbourne, namely, Joelene Milbourne and Woodland Willing.

IX

That your Orators desire to have and hold their interest in the property mentioned and referred to in severalty and that the said property is not susceptible of being divided without loss or injury to the parties interested therein and a sale thereof would be to the interest and advantage of all the parties interested therein.

X

That your Orators and the Defendants herein have negotiated a sale of the property, herein referred , to Sidney W. Carmine, at and for the sum of Five thousand dollars ($5000.00) cash, which represents a very fair and high figure therefor. A copy of the contract of sale with said Sidney W. Carmine being attached hereto and made a part hereof.

To the end therefore:

1. That a decree may be passed for the sale of the land herein mentioned and referred to and an order for the division of the proceeds arising therefrom among the parties hereto according to their interests therein.

2. That an order may be passed appointing a trustee to make such sale.

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

And as in duty bound, etc.

Prentiss W. Evans

Solicitor for the Plaintiffs

MEMORANDUM for the Clerk of the Circuit Court for Somerset County, Maryland.

Mr. Clerk:

Please issue summons for the Defendants herein, to lie, except for the following Defendants, who are infants under the age of twenty-one years:

Joelene Milbourne, who resides at 209 Wilden Drive, Towson 4, Maryland, and who resides with Myrtle Gorsuch, her aunt.

Woodland Willing, who resides with his father, Norris Willing, at 505 Clark Avenue, Pocomoke City, Maryland.

Prentiss W. Evans,
Solicitor for Plaintiff

September 3, 1947

R E C E I P T

Received of Sidney W. Carmine, the sum of Two hundred Dollars ($200.) as down-payment of the Woodland Milbourn property in Asbury District, Somerset County, Maryland and being the same land conveyed to said Woodland Milbourne by Mayhew Nock and Minnie G. Nock, his wife, by deed dated January 29, 1926, recorded among the land records of Somerset County in Liber W.J.S. No. 92, folio 457. Balance of purchase money, which if Forty-eight hundred dollars ($4800.00) to be paid by October 15, 1947. Time is of the essence and in event of failure to pay balance of purchase money, namely, Forty-eight hundred dollars ($4800.00) by October 15, 1947, the Two hundred dollars ($200.00) shall be deemed as rent and forfeited.

By Minnie G. Nock
Agent for

Flora Branner
Dorothy Cassel
Myrtle Gorsuch
Norris Willing

I hereby accept and agree to purchase the above described property, at the aforesaid terms.

Witness: Beryl Sterling SEAL OF NOTARY Sidney Carmine

And thereupon, in pursuance of the prayer of the foregoing bill the following subpoenaes were issued.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL OF COURT

THE STATE OF MARYLAND

TO Flora Branner, Harry J. Branner, Dorothy Cassel, Joseph Cassel, Myrtle Gorsuch, & Norris Willing, of Somerset County, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in November next to answer the complaint of Minnie G. Nock & Mayhew Nock against you & others in said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 1st day of September Anno Domini 1947. ISSUED the 29th day of October, Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

The above subpoena was issued "to lie" and consequently there is no Sheriff's return.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL THE STATE OF MARYLAND

OF TO Joelene Milbourne, infant of Baltimore County, Greeting:

COURT YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in November next to answer the complaint of Minnie G. Nock & Mayhew Nock against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr. Chief Judge of the First Judicial Circuit of Maryland, the 1st day of September Anno Domini 1947. ISSUED the 29th day of October Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

SEAL THE STATE OF MARYLAND

OF TO Woodland Willing, infant of Worcester County, Greeting:

COURT YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first Monday in November next to answer the complaint of Minnie G. Nock & Mayhew Nock against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr. Chief Judge of the First Judicial Court of Maryland, the 1st day of September Anno Domini 1947. ISSUED the 29th day of October Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

At which said First Monday in November, in the year nineteen hundred and forty-seven and the day of the return of the above recited writs, came again into Court here the said Complainants by their solicitor and the Sheriff of Baltimore County, Clarence E. Deitz, to whom the second writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the second of said writs: Summoned Joelene Milbourne, an infant, by reading subpoena to said infant this 31st day of October, 1947 and a copy of subpoena left with Joelene Milbourne, an infant, and a copy of subpoena left with Myrtle Gorsuch, aunt of said infant.

$1.70 Costs

Clarence E. Deitz

Sheriff

At which said First Monday in November, in the year nineteen hundred and forty-seven and the day of the return of the above recited writs, came again into Court here the said Complainants by their solicitor and the Sheriff of Worcester County, Artuhr W. Duer, to whom the third writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the third of said writs: Summoned Woodland Willing, infant, and copy of subpoena left with said infant, also copy of subpoena left with Norris Willing, father of said infant this 31st day of October, 1947. So ans.

Arthur W. Duer

Sheriff

And afterwards to wit, on the 1st day of December in the year 1947, the following answer was filed:

Minnie G. Nock, et al	)	No. 6325 Chancery
vs.	)	In the Circuit Court
Flora Branner, et al	)	for
	)	Somerset County, Md.

To the Honorable the Judges of the Circuit Court for Somerset County, Maryland:

The answers of Flora Branner, Harry J. Branner, her husband; Dorothy Cassel and Joseph Cassel, her husband; Myrtle Gorsuch; and Norris Willing, all adult defendants, by Prentiss W. Evans, their Counsel, hereby admits the matters and facts alleged is the bill of Complaint filed herein by Minnie G. Nock and Mayhew Nock, her husband.

These answering defendants petition this Honorabe Court to approve the sale of the property referred to herein and made to Sidney Carmine at and for the sum of $5000.00 as per agreement and receipt filed herein. These answering defendants consent to the appointment of a Trustee to make the private sale, as aforesaid.

And as in duty bound, etc.

Prentiss W. Evans
Solicitor for Defendants.

And thereafter to wit, on the 1st day of December, in the year nineteen hundred and forty-seven, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Minnie G. Nock Mayhew Nock Plaintiffs	)	No. 6325 Chancery In the Circuit Court for
vs.	)	Somerset County,
Flora Branner, Harry J. Branner, Dorothy Cassel, Joseph Cassel, Myrtle Gorsuch, Moelene Milbourne, Woodland Willing, Norris Willing, Defendants	)))))	Maryland

To the Honorable, the Circuit Court for Somerset County:-

The petition of the plaintiff in the above cause respectfully represents:

That Joelene Milbourne and Woodland Willing, defendants in the above cause have been duly summoned, but being infants they cannot answer and defend this suit for themselves; and they have no guardian within the jurisdiction of this Court to answer and defend for themselves.

The plaintiff therefore prays your Honors to appoint a guardian ad litem to appear and answer for said infants.

And as in duty bound etc.

Prentiss W. Evans
Solicitor for Plaintiff

Upon which said petition the Court here passed the following order, to wit:

Upon the foregoing petition it is ordered by the Circuit Court for Somerset County, this 28th day of November, nineteen hundred and forty-seven, that Grace Barnes be and she is hereby appointed guardian ad litem to appear and answer for Joelene Milbourne and Woodland Willing, infant defendants in the above cause.

Edmond H. Johnson
Judge

And thereupon the said Grace Barnes, as guardian ad litem, of Joelene Milbourne and Woodland Willing, infants, filed in Court here the following answer, to wit:

Minnie G. Nock Mayhew Nock Plaintiffs	)	No. 6325 Chancery
	)	In the Circuit Court for
vs.	)	Somerset County,
Flora Branner, Harry J. Branner, Dorothy Cassel, Joseph Cassel, Myrtle Gorsuch, Joelene Milbourne, Woodland Willing, Norris Willing, Defendants	)	Maryland

To the Honorable, the Circuit Court for Somerset County:

The answer of Joelene Milbourne and Woodland Willing, infant defendants in the above cause by Grace Barnes, guardian ad litem, duly appointed by the Circuit Court for Somerset County, to the bill of complaint of Minnie G. Nock and Mayhew Nock against them in the said Court exhibited:

These defendants, for answer to the said bill of complaint, by their said guardian, answer and say, that being ignorant of the matters charged in the said bill, and being infants of tender years they can not admit any of the allegations of said bill, but submit their rights to the protection of this Honorable Court.

And as in duty bound, etc.

Grace Barnes
Guardian ad litem.

And afterwards, to wit, on the 10th day of December, in the year nineteen hundred and forty-seven, Benson W. Sterling, Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof of certain interrogatories with him filed and the testimony by him taken, in the words following, to wit:

Minnie G. Nock Mayhew Nock Plaintiffs	)	No. 6325 Chancery
	)	In the Circuit Court for
vs.	)	Somerset County,
Flora Branner, Harry J. Branner, Dorothy Cassel, Joseph Cassel, Myrtle Gorsuch, Joelene Milbourne, Woodland Willing, Norris Willing, Defendants	)	Maryland

In this cause an order having been passed for testimony to be taken to support the allegations of the bill, I, Benson W. Sterling, of Crisfield, Maryland one of the standing examiners of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn etc., do hereby certify that on this 9th day of December 1947, in Somerset County, aforesaid, I did take the following testimony, to wit:

J. Coyne Sterling, a witness of lawful age, produced on the part of the plaintiffs, being duly sworn, deposes and says:

Int.--1. Please state your name, age, residence and occupation?

Ans.-- My name is J. Coyne Sterling, my age is 63 years, my residence is Crisfield, Maryland and I am Cashier of the Bank of Crisfield.

Int.--2. Are you acquainted with the parties to this suit, and if so, how long have you known them and where do they reside?

Ans.-- I know all of the parties to this suit, and have known them all of their life, they reside in various places now of which I do not know their respective addresses.

Mrs. Nock lives in Crisfield but the other children and grand-children of Woodland Milbourne and his wife, who are deceased.

Int.--3. Are you familiar with the residence property of the late Woodland Milbourne in Asbury District, Somerset County, Maryland which has been sold to Mr. Carmine and the sale of which os the object of these proceedings?

Ans.-- I am very familiar with this property. Our Bank has a mortgage on it which has existed for some twenty years or more.

Int.--4. Would, in your opinion, $5,000.00 be a fair price for this property?

Ans.-- I think this is a very fair price.

Int.--5. Have you had any experience in appraising property in Asbury District?

Ans.-- Yes, as Cashier of the Bank of Crisfield for more than twenty-five years we do this most every day.

COURTS QUESTION ?

Ans.-- I think it is a very good sale for all of the parties concerned.

Witness J. Coyne Sterling

Benson W. Sterling

A. Wellington Tawes, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:-

Int.--1. Please state your name, age, residence and occupation?

Ans.-- My name is A. Wellington Tawes, my age is 58 years, my residence is Crisfield, Maryland and I am President of the Bank of Crisfield.

Int.--2. Are you acquainted with the parties to this suit, and if so, how long have you known them and where do they reside?

Ans.-- I have known them all of their life, they reside at various places now of which I do not know their respective addresses. Mrs. Nock lives in Crisfield but the other children and grand-children of Woodland Milbourne and his wife, who are both deceased.

Int.--3. Are you familiar with the residence property of the late Woodland Milbourne in Asbury Dist. Somerset County, Maryland which has been sold to Mr. Carmine and the sale of which is the object of these proceedings.

Ans.-- I am very familiar with this property. Our Bank has a mortgage on it which has existed for some twenty or more years.

Int.--4. Would, in your opinion, $5,000.00 be a fair price therefor.

Ans.-- Yes, very fair.

Int.--5. Have you had any expeirence in apprising property in Asbury Dist.

Ans.-- Yes, as President of the Bank for the past ten years we do this every day.

Court's Question:

It's a very good sale for all of the parties concerned.

Witness: A. Wellington Tawes

Benson W. Sterling

There being no further witness present to be examined and at the suggestion of the Solicitor for the complainant, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct.

Bill of Costs:

Examiner - - - - - - - $4.00

WITNESS MY HAND AND SEAL

Benson W. Sterling (SEAL)
EXAMINER IN CHANCERY.

And thereafter, to wit, on the 24th day of December, in the year nineteen hundred and forty-seven, the Circuit Court here passed the following decree in the premises, to wit:

Minnie G. Nock Mayhew Nock Plaintiffs vs. Flora Branner, Harry J. Branner, Dorothy Cassel, Joseph Cassel, Myrtle Gorsuch, Joelene Milbourne, Woodland Willing, Norris Willing, Defendants	No. 6325 Chancery In the Circuit Court for Somerset County, Maryland

This cause standing ready for hearing and being submitted, the proceedings were read and considered.

It is thereupon, this 24th day of December, in the year nineteen hundred and forty-seven by the Circuit Court for Somerset County, adjudged, ordered and decreed that the property mentioned in the proceedings be privately sold, pursuant to the contract executed with Sidney Carmine, at and for the sum of Five thousand dollars ($5,000.00) cash, which said contract is attached to and made a part of these proceedings; that Prentiss W. Evans, 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 the Court a bond to the State of Maryland, executed by himself, and corporate surety, to be approved by the Clerk of this Court, in the penalty of Five thousand dollars ($5,000.00), conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by a future decree or order in the premises; he shall then proceed to make the said private sale to said Sidney Carmine, as per said contract and at the price set forth in said contract, and as soon as may be convenient after such private 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 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 said Sidney Carmine, his heirs, the property to him sold, free clear and discharged from all claim of the parties hereto, plaintiff and defendant, and those claiming by, from or under them, or either of them; and the said trustee shall bring into this Court the money arising from said sale, to be distributed under the direction by 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, situation and fidelity wherewith he shall appear to have discharged his trust.

Levin C. Bailey
Judge

And thereupon, the said Prentiss W. Evans, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, Prentiss W. Evans, Crisfield, Maryland and the American Bonding Company of Baltimore, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Five Thousand and 00/100 ($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 bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 30th day of December, in the year of our Lord one thousand nine hundred and forty-seven.

WHEREAS, the above bounden Prentiss W. Evans by virtue of a decree of the Honorable the

Judge of the Circuit Court of Somerset County has been appointed Trustee to sell certain property, mentioned in the proceedings in the case of Minnie G. Nock and Mayhew Nock vs. Flora Branner and Harry J. Branner, Dorothy Cassel and Joseph Cassel, Myrtle Gorsuch, Joelene Milbourne, Woodland Willing and Norris Willing now pending in said Court:

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Prentiss W. Evans do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of:

Philip W. Tawes — Prentiss W. Evans (SEAL)

As to Surety: SEAL OF COMPANY — AMERICAN BONDING COMPANY OF BALTIMORE

By Betty L. Carson — By E. V. Shockley, Attorney-in-Fact

STATE OF MARYLAND, BALTIMORE CITY, sct:

KNOW ALL MEN BY THESE PRESENTS: That the American Bonding Company of Baltimore, a corporation of the State of Maryland, does hereby constitute and appoint E.V. Shockley its Attorney-in-Fact to make, execute and deliver on its behalf, as surety, all bonds of any kind, character and description that are or may be required to be filed in any Court in or of the State of Maryland and it does hereby declare that all such bonds signed and executed by its said Attorney-in-Fact shall be as binding on it as if they had been duly executed by its proper officers. This power shall remain in full force and effect until duly revoked and written notice thereof given.

WITNESS the seal of the said American Bonding Company of Baltimore duly affixed by its Vice-President and attested by its Assistant Secretary, this 21st day of April, 1932.

SEAL — Attest: J.G. Yost, Assistant Secretary. SEAL OF COMPANY — AMERICAN BONDING COMPANY OF BALTIMORE By: E. R. Nuttle, Vice-President.

I HEREBY CERTIFY that the above is a correct and true copy of the original Power of Attorney, December 30, 1947.

SEAL OF COMPANY — AMERICAN BONDING COMPANY OF BALTIMORE

Geo. D. Henry
Assistant Secretary

Which said Bond was thus thereon endorsed, to wit:

Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the seventh day of January, in the year nineteen hundred and forty-eight, the said trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Minnie Nock, et al	:	No. 6325 Chancery
vs.	:	In the Circuit Court for
Flora Branner, et al	:	Somerset County, Maryland

\- - -

To the Honorable Judges of the Circuit Court for Somerset County, Md.

The report of Prentiss W. Evans, Trustee, appointed by decree of this Court passed in the above entitled cause, dated December 24, 1947, to make sale of certain real estate mentioned and described therein, respectfully shows:

That after giving bond with security for the faithful performance of his trust and after having complied with all other prerequisites, as required by law and said decree, he did, pursuant to said decree and the contract with Sidney Carmine, which said contract is attached to

and made a part of these proceedings: Convey unto said Sidney Carmine and Mary Anne Carmine, his wife by deed, all the right title and interest of all of the parties to these proceedings the property of the said parties, namely, all that lot of land mentioned and described in a deed from Mayhew Nock and wife to Woodland Milbourne dated January 29, 1926 which is duly of record among the Land Records of Somerset County, Maryland in Liber W.J.S. No. 92 at folio 457.

And said Trustee has collected in full the purchase price for said property, namely, five thousand dollars and prays for an audit to be made of said money so that same might be distributed to the parties lawfully entitled thereto.

Respectfully submitted.

Prentiss W. Evans
Trustee

State of Maryland, Somerset County, to wit:

I hereby certify that on this 7th day of January, 1948, personally appeared before me the subscriber, the Clerk of the Circuit Court for Somerset County, Maryland, Prentiss W. Evans, Trustee, named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Witness my hand and the seal of the Circuit Court for Somerset County, Maryland this 7th day of January, 1948.

Benjamin L. Barnes,
Clerk.
Circuit Court for Somerset
County, Maryland.

And now at this day, to wit, on the 7th day of January in the year nineteen hundred and forty-eight, came again into Court here the said complainant, by his solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

Minnie Nock, et al	)	No. 6325 Chancery
vs.	)	In the Circuit Court
Flora Branner, et al	)	for
	)	Somerset County, Md.

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, Maryland, that the Report of Sale filed in these proceedings and made by Prentiss W. Evans, Trustee, are hereby finally ratified and confirmed this 7th day of January, nineteen hundred and forty-eight.

W. Laird Henry, Jr.
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

" " " "

STATE OF MARYLAND, SOMERSET COUNTY, to wit:

At a Term of the Circuit Court for Somerset County, in Equity, begun and held at Princess Anne Town, in and for said County, on the first Monday in March, being the first day of the same month, in the year of our Lord, one thousand nine hundred and forty-eight.

Were present, Hon. W. Laird Henry, Jr., Chief Judge
Hon. Levin C. Bailey, Associate Judge
Hon. Edmond H. Johnson, Associate Judge
Woodland Jackson, Sheriff and Benjamin L. Barnes, Clerk.

In the record of proceedings of said Court, among others were the following, to wit:

Olive Christy Letetia Sterling Plaintiffs vs. Ellsworth Hickman Defendant	Be it remembered that heretofore, to wit, on the 12th day of January, Nineteen Hundred Forty-Eight, a certain Olive Christy and Letetia Sterling, by Prentiss W. Evans, their Solicitor, exhibited and filed in the Circuit Court here a Bill of Complaint against Ellsworth Hickman, which said bill of complaint is in the words following,

to wit:

Olive Christy Letetia Sterling Plaintiffs vs. Ellsworth Hickman Defendant	No. 6335 Chancery In the Circuit Court for Somerset County, Maryland

To the Honorable, the Judges of said Court:

Your Oratrix complaining, say:

I

That John Edward Sterling of Mahlon, late of Somerset County, deceased, was in his lifetime and at the time of his death, seized and possessed, in fee simple absolute, of a large amount of real estate lying in Asbury Election District, Somerset County.

II

That said real estate consisted of the following parcels of land:

(1) All that lot or parcel of land situate, lying and being in Asbury Election District, containing one-half acre of land, more or less, which is bounded on the North by the lands owned or formerly owned by Dr. W.J. Barkley; on the East by the lands of L.J. Sterling; on the South by the concrete State Road; on the West by the lands owned or formerly owned by H. Nelson and which said property is improved by a two-story comfortable dwelling and is assessed upon the Assessment Books of Somerset County for Eight Hundred (800) Dollars and is a part only of all that real estate conveyed unto John Edward Sterling by John Sterling Sterling, by deed dated April 6, 1895 and which is recorded among the land records of said Somerset County in Liber H.F.L. No. 16, folio 330.

(2) All that lot or parcel of land situate, lying and being in Asbury Election District, Somerset County, Maryland, the same being woodsland and containing two (2) acres of land, more or less, which is bounded on the North by the lands of Robert H. Sterling; on the East by the lands of Hilda Landon; on the South by the County Road; on the West by the lands of Sally E. Byrd and which said real estate is improved and is assessed at Eighty (80) Dollars on the Assessment Records of Somerset County, Maryland and is the same and all that land conveyed to said John Edward Sterling of Mahlon by Mahlon D. Sterling, by deed dated Nov. 7, 1899 and which is recorded among the said land records in Liber O.T.B. No. 26 folio 500 & 501.

III

That being so seized, the said John Edward Sterling of Mahlon departed this life intestate about the year 1903 leaving surviving him, as his only heirs at law, to whom the land descended:

(a) Your Oratrix, Letetia Sterling, his widow, who resides in Asbury, Crisfield, Somerset County, Maryland.

(b) Your Oratrix, Olive Christy, a daughter, who resides in Crisfield, Somerset County, Maryland, and

(c) Ellsworth Hickman, a grandson, who is the son of Esther Hickman, deceased, daughter of said John Edward Sterling of Mahlon.

IV

That all the parties hereto are adults and are suis-juris.

V

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 be divided among the parties according to their several interests.

To the end, therefore:

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

(2) That the proceeds of said sale may be distributed between your Oratrix and the defendant herein, according to their respective rights and interests.

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

And as in duty bound, etc.

Prentiss W. Evans

Solicitor for Complaintant

And thereafter, to wit, on the twelfth day of January, Nineteen Hundred and Forty-Eight, the following answer was filed:

Letetia Sterling Olive Christy	)	No. 6335 Chancery
	)	In the Circuit Court
vs.	)	for
Ellsworth Hickman	)	Somerset County, Maryland

To the Honorable the Judges of the Circuit Court for Somerset County, Maryland:

The answer of Ellsworth Hickman, to the bill of complaint filed herein by Letetia Sterling and Olive Christy, respectfully represents:

He admits the matters and facts set forth in said bill of compalint, that he is a grandson of said John Edward Sterling of Mahlon and that he is entitled to an undivided one third interest of the two pieces of property of which the said John Edward Sterling of Mahlon, died seized and possessed, and that the consents to the passage of a decree for the sale of said real estate so that the proceeds therefrom may be divided among the parties hereto, according to their respective interests, namely, a one third interest to said Letetia Sterling, and a one third interest to said Olive Christy and a one third interest to said Ellsworth Hickman.

Respectfully submitted

Ellsworth Hickman

State of Pennsylvania, Court of Northampton.

Personally appeared before me the subscriber, a Notary Public Ellsworth Hickman and he subscribed his name hereto in my presence.

Witness my hand and seal this 10th day of January, 1948.

SEAL OF NOTARY — Lillian I. Erdell

Notary Public

My Commission Expires May 1, 1948

And thereafter, to wit, on the twelfth day of January, Nineteen Hundred and Forty-Eight, the following affidavit was filed:

Olive Christy, et al	)	No. 6335 Chancery
vs.	)	In the Circuit Court for
Ellsworth Hickman	)	Somerset County, Md.
	)	

To the Honorable the Judges of said Court:

I hereby certify, that as Director and General Counsel of the Bank of Crisfield, I am familiar with the values of real estate in the City of Crisfield, Maryland and its surburbs; that daily in the connection with the approval or disapproval of loan applications I evualate said properties. I am reasonably familiar with the land mentioned in these proceedings, and in my opinion Parcel No. One is worth three thousand dollars and Parcel No. Two is worth about five hundred dollars.

Witness my hand and seal this 12 day of January, 1948.

Prentiss W. Evans, Director
Bank of Crisfield, Crisfield, Md.

State of Maryland, Somerset County, to wit:

Sworn to and subscribed to before me this 12th day of January, 1948.

SEAL OF COURT

Betty Harrington,
Deputy Clerk, Circuit Court for
Somerset County, Md.

And thereafter, to wit, on the twelfth day of January in the year Nineteen Hundred and Forty-Eight, the Circuit Court here passed the following decree in the premises, to wit:

Olive Christy Letetia Sterling	)	No. 6335 Chancery
	)	In the Circuit Court for
vs.	)	Somerset County, Maryland
Ellsworth Hickman	)	
	)	

The bill of complaint and answer in the above cause having been submitted, the proceedings therein were by the Court read and considered:

IT IS THEREUPON, This 12th day of January, in the year nineteen hundred and forty-eight, by the Circuit Court for Somerset County, State of Maryland, adjudged, ordered and decreed that the real estate in said proceedings be sold; that Prentiss W. Evans 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, in the penalty of thirty-five hundred Dollars ($3500.) if a corporate surety be given, and in the penalty of seven thousand Dollars ($7000.) if a private surety be given, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises; he shall then proceed to make the said sale, having given at least three weeks' notice by advertisement inserted in such newspaper or newspaper published in Somerset County, Maryland, as he shall think proper, of the time, place,manner and terms of sale, which terms shall be cash on 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 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, the said trustee shall, by a good and sufficient deed, to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, 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.

AND IT IS FURTHER ORDERED, that at the time of advertising such sale the trustee shall affix to such advertisement a notice to creditors of John Edward Sterling of Mahlon, late of Somerset County, State of Maryland, deceased, to file their claims, duly authenticated, with the Clerk of this Court within 90 days after the date of such sale.

W. Laird Henry, Jr.

Judge

And thereupon, the said Prentiss W. Evans, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, Prentiss W. Evans of Crisfield, Maryland and the Fidelity and Deposit Company of Maryland, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Thirty-five Hundred ($3500.00) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 16th day of January in the year of our Lord one thousand nine hundred and forty-eight.

WHEREAS the above bounden Prentiss W. Evans by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County has been appointed Trustee to sell certain property mentioned in the proceedings in the case of Olive Christy and Letetia Sterling vs. Ellsworth Hickman now pending in said Court:

NOW,THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Prentiss W. Evans do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of:

Philip W. Tawes — Prentiss W. Evans (SEAL)

Attest: — FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By Audrey Cooper — By Wesley C. Brooks, Attorney-in-fact

STATE OF MARYLAND, BALTIMORE CITY, sct:

KNOW ALL MEN BY THESE PRESENTS: That the Fidelity and Deposit Company of Maryland, a corporation of the State of Maryland, does hereby constitute and appoint Wesley C. Brooks Attorney-in-Fact to make, execute and deliver on its behalf, as surety, all bonds of any kind, character and description that are or may be required to be filed in any Court in or of the State of Maryland, and it does hereby declare that all such bonds signed and executed by its said Attorney-in-Fact shall be as binding on it as if they had been duly executed by its proper officers. This power shall remain in full force and effect until duly revoked and written notice thereof given.

WITNESS the seal of the said Fidelity and Deposit Company of Maryland duly affixed by its Vice-President and attested by its Assistant Secretary, this 21st day of April, 1932.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

SEAL — Attest: — SEAL OF COMPANY — By: E.R. Nuttle

J.G. Yost
Assistant Secretary — Vice-President

I HEREBY CERTIFY that the above is a correct and true copy of the original Power of Attorney, January 16th, 1948.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

T.N. Ferciot, Jr. Assistant Secretary

Which said Bond was thus thereon endorsed, to wit:

Bond Approved.

Benjamin L. Barnes, Clerk

And thereafter, to wit, on the eleventh day of February, in the year nineteen hundred and forty-eight, the said trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Olive Christy Letetia Sterling	)	In the Circuit Court for
	)	Somerset County, Maryland
vs.	)	No. 6335 Chancery
Ellsworth Hickman	)	

To the Honorable Judges of the Circuit Court for Somerset County:

The report of Prentiss W. Evans, Trustee, appointed by a decree of this court, passed in the above entitled cause, dated the 12th day of January, 1948 to make sale of certain real estate, therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of his trust and after having complied with all the other prerequisites, as required by law and the said decree, and giving notice of the time, place, manner and terms of said sale by advertisements inserted in the "Crisfield Times" a weekly newspaper published in the City of Crisfield, for at least three successive weeks before the day of sale, and he did, pursuant to said notice, attend before the Postoffice, in the City of Crisfield, on the 7th day of February, at 2:00 p.m., and then and there proceeded to sell said property in manner following, that is to say:-

Your trustee offered at public sale to the highest bidder the property mentioned in said decree, situated in Asbury Election District, Somerset County, State of Maryland and described as follows:

(1) All that lot or parcel of land situate, lying and being in Asbury Election District, Somerset County, State of Maryland, containing one-half of an acre of land, more or less, which is bounded on the North by the lands owned or formerly owned by Dr. W.J. Barkley; on the East by the lands of L.J. Sterling; on the South by the concrete State Road; on the West by the lands owned or formerly owned by H. N elson and being a part only of all that land conveyed unto John Edward Sterling of Mahlon by John Sterling and wife, by deed dated April 6, 1895, which deed is duly recorded among the land records of Somerset County in Liber H.F.L. No.16, folio 330.

(2) All that lot or parcel of land situate, lying and being in Asbury Election District, Somerset County, Maryland, the same being woodsland and containing two (2) acres of land, more or less, which is bounded on the North by the lands of Robert H. Sterling; on the East by the lands of Hilda Landon; on the South by the County Road; on the West by the lands of Sally E. Byrd and being all that land conveyed to John Edward Sterling of Mahlon by Mahlon D. Sterling, by deed dated November 7, 1899 and which is recorded among the said land records in Liber O.T.B. No. 26, folios 500 & 501.

And your said Trustee sold the above described two parcels of land as follows: Parcel 1 to Letetia Sterling, at and for the sum of One thousand dollars ($1000.00) and Parcel 2 to Stanley M. Matthews, at and for the sum of Seven hundred and twenty-five dollars ($725.00), they being the highest bidders therefor, the terms of sale being cash, which purchase prices

have been fully paid.

Respectfully submitted,
Prentiss W. Evans
Trustee

STATE OF MARYLAND, Somerset County, to wit:-

I HEREBY CERTIFY that on this 9th day of February, 1948, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Prentiss W. Evans, trustee named in the above report of sale, and made oath in due form of law that the matters and things stated in the aforegoing report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Witness my hand and notarial seal the day and year first above written.

SEAL OF NOTARY — Beryl Sterling
Notary Public

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Order Nisi

No. 6335 Chancery
In the Circuit Court for
Somerset County, Maryland

Olive Christy, et al
vs.
Ellsworth Hickman

Ordered this 11th day of February, in the year nineteen hundred and forty-eight, by the Circuit Court for Somerset County, State of Maryland, In Equity, that the sales of the property mentioned in these proceedings, made and reported by Prentiss W. Evans, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 15th day of March, 1948, provided a copy of this Order be inserted in some newspaper published in Somerset County, at least once a week for three successive weeks, before the 13th day of March, 1948.

The report of sales states the amount thereof to be Seventeen hundred and twenty-five dollars ($1725.00).

Benjamin L. Barnes
Clerk.

And now at this day, to wit, on the sixteenth day of March, in the year nineteen hundred and forty-eight, came again into Court here the said complainants, by their solicitor aforesaid, and on motion of the said complainant, by his solicitor aforesaid, the Court here passed the following order, to wit:

Olive Christy Letetia Sterling vs. Ellsworth Hickman	))))	No. 6335 Chancery In the Circuit Court for Somerset County, Maryland

O R D E R

Ordered by the Circuit Court of Somerset County, Maryland, this 16th day of March, 1948, that the sale made and reported by the trustee aforesaid be, and is hereby ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the order nisi passed in said cause; and the trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

Levin C. Bailey
Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin P. Barnes, Clerk.

"""

Harwood Wallace Ilene Wilson Wallace Vs. Eunice Mitchell Francis E. White Helen White Joan Anne White Roland White	)	Be it Remembered, that heretofore to wit, on the 8th day of April, in theyear nineteen hundred and forty-seven, a certain Harwood Wallace and Ilene Wilson Wallace, by Harry C. Dashiell, their Solicitor, exhibited and filed in the Circuit Court here a bill of complaint against Eunice Mitchell, Francis E. White, Helen White, Joan Anne White, Roland White, which said

bill of complaint is in the words following, to wit:

Harwood Wallace Ilene Wilson Wallace Vs. Eunice Mitchell Francis E. White Helen White Joan Anne White Roland White	)	No. 6264 Chancery In the Circuit Court For Somerset County In Equity:-

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

Your orators, complaining, say:

FIRST: That Martha Webster, late of Somerset County, deceased, was in her life time and at the time of her death, seized and possessed of valuable real estate, situate lying and being in Dames Quarter Election District, in said Somerset County and State of Maryland, and which said real estate was conveyed to the said Martha Webster by Frederick P. White and others, by deed dated the 9th day of April, 1908, and recorded among the land records of said Somerset County, in Liber S.F.D. No. 57, folio 168, etc.

SECOND: That being so seized, the said Martha Webster, departed this life, intestate, in the month of _____, 19__, without leaving a husband surviving her, but leaving surviving her, as her only heirs-at-law, the following children and descendants; namely:

a. A son William D. Webster.

b. A daughter, Edith Webster Shockley

c. A daughter, Jennie Webster White, who died intestate, leaving as her only children and heirs-at-law, the defendants, in this suit; namely, a daughter, Eunice Mitchell, who is an adult and resides in Baltimore City, Maryland; a son, Francis E. White, who is an adult and who resides in Ann Arundel County, Maryland; a son Joseph White, Jr. who died after the death of his mother, leaving surviving him a widow, Helen White, an adult, and a daughter Joan Anne White, an infant, under the age of 21 years of age, both of whom reside in Ann Arundel County, and State of Maryland; and a son, Roland White, who is an adult and whose last known Post Office address, was Crownsville, in said Ann Arundel County and State of Maryland.

THIRD: That since the death of the said Martha Webster, the following children have conveyed their interest in said real estate, to the plaintiffs, Harwood Wallace and Ilene Wilson Wallace, his wife, of said Somerset County, Maryland, by a deed dated July 31, 1946, that is to say:

The grantors in said deed are William D. Webster and Nettie Webster, his wife, and Edith Webster Shockley, a widow, and the original of said deed is herewith filed, marked "Plaintiff's Exhibit A".

FOURTH: That the aforesaid real estate owned by the said Martha Webster, at the time of her death, is now owned in the following proportions: The said plaintiffs herein, Harwood Wallace and Ilene Wilson Wallace, his wife, owns a two-third undivided interest therein, and the said defendants, Eunice Mitchell, Francis E. White, Helen White and Joan Anne White, and Roland White; together own the remaining one-third undivided interest therein.

FIFTH: That the aforesaid real estate owned as aforesaid, is not susceptible of division or partition among the parties and title to interests therein, and that it would be to the interest and for the benefit of said party to sell real estate and to divide the proceeds among them according to their respective rights and interest therein.

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 orators and the defendants herein, according to their respective rights, and interests in said real estate.

(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, the writ of subpoena directed to the said Eunice Mitchell, an adult residing at 1409 West Baltimore Street, Baltimore, Maryland, and to Francis E. White, an adult residing at 31 Maryland Avenue, Annapolis, Maryland, and to Helen White, an adult, and Joan Anne White, an infant, under the age of 21 years, residing at 1301 West Street, Annapolis, Maryland, and to Roland White, an adult whose last known Post Office address, was at Crownsville in said Ann Arundel County, Maryland, commanding them and each of them, to be and appear in this court, either in person or by solicitor, on or before a certain day to be named therein, to show cause if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

Harry C. Dashiell

Solicitor for Complainants

Exhibit "A" referred to in the foregoing bill is in the words following, to wit:

DEED Harwood Wallace and Ilene Wilson Wallace, his wife From William D. Webster et als	This deed made this 31st day of July, in the year 1946, by William D. Webster and Nettie Webster, his wife, and Edith Webster Shockley (Widow) all of Wicomico County and State of Maryland.

Witnesseth, that in consideration of the sum of four hundred dollars ($400.00), the receipt of which is hereby acknowledged, the said William D. Webster and Nettie Webster, his wife, and Edith Webster Shockley, do grant and convey unto Harwood Wallace and Ilene Wilson Wallace, his wife, of Somerset County and State of Maryland, as tenants by the entireties, their heirs and assigns, in fee simple; all the grantors undivided right, title, interest, and estate, both at law and in equity (the same being an undivided two-thirds interest) in and to all that lot or parcel of land, situate lying and being in Dames Quarter Election District, in said Somerset County and State of Maryland, and more fully described as follows, that is to say:-

All that lot or parcel of land, situate as aforesaid, and lying and binding on the south side of the state road, leading through Dames Quarter bounded on the east by the land of Clifford Carr, and on the south and west by the land of Woodall Ford and containing one acre of land, more or less.

The land hereby conveyed being the same land which was conveyed unto Martha Webster, late of Somerset County, deceased, by Frederick P. White, and others, by deed dated the 9th day of April, 1908, and recorded among the land records of said Somerset County, in Liber S.F.D. No. 57, folio 168, etc. and which said land upon the death of the said Martha Webster, intestate,

descended to her children, as her only heirs-at-law, two of which said children are her son, William D. Webster, and her daughter, Edith Webster Shockley.

And special reference is hereby made to the aforesaid deed, and to all the references in said deed contained, for a more accurate and perfect description of the lands and premises, hereby conveyed.

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

To have and to hold the undivided two-thirds interest in the land and premises, above described and mentioned, and hereby intended to be conveyed, unto and to the proper use and benefit of the said Harwood Wallace and Ilene Wilson Wallace, his wife, as tenants by the entireties, their heirs and assigns, in fee simple.

And the said William D. Webster and Nettie Webster, his wife, and Edith Webster Shockley, covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of the said land, as may be requisite.

As witness the hands and seals of the said grantors.

TEST:	William D. Webster	(SEAL)
Harry C. Dashiell	Nettie Webster	(SEAL)
TEST:	Edith Webster Shockley	(SEAL)
Harry C. Dashiell		

STATE OF MARYLAND, SOMERSET COUNTY TO WIT:-

I hereby certify that on this 31st day of July, 1946, before me the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County, aforesaid, personally appeared, William D. Webster, and Nettie Webster, his wife, and Edith Webster Shockley, and acknowledged the aforegoing deed to be their act and deed.

As witness my hand and notarial seal the day and year above written.

Federal Stamps: $.55	SEAL OF	Sally L. Ford
State Stamps: $.40	NOTARY	Notary Public

Received for Record August 6, 1946 and recorded in Liber B.L.B. No. 136, folio 441, one of the Land Records of Somerset County.

Per: Benjamin L. Barnes ,Clerk.

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenas were issued, to wit:

MARYLAND, SOMERSET COUNTY, to wit:

THE STATE OF MARYLAND

SEAL OF COURT

TO Eunice Mitchell of Baltimore City, GREETING:

You are Hereby Commanded that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in May next to answer the complaint of Harwood Wallace and Ilene Wilson Wallace against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland the 3rd day of March Anno Domini 1947.

ISSUED the 8th day of April Anno Domini 1947.

Per order

Benjamin L. Barnes ,Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

SEAL OF COURT

THE STATE OF MARYLAND

TO Francis E. White of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in May next to answer the complaint of Harwood Wallace and Ilene Wilson Wallace against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 3rd day of March Anno Domini 1947.

ISSUED the 8th day of April Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk

MARYLAND, SOMERSET COUNTY, to wit:

THE STATE OF MARYLAND

SEAL OF COURT

TO Helen White of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED that, all escuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in May next to answer the complaint of Harwood Wallace & Ilene Wilson Wallace against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 3rd day of March Anno Domini 1947.

ISSUED the 8th day of April Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

THE STATE OF MARYLAND

SEAL OF COURT

TO Joan Anne White, infant of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in May next to answer the complaint of Harwood Wallace & Ilene Wilson Wallace against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 3rd day of March Anno Domini 1947.

ISSUED the 8th day of April Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

THE STATE OF MARYLAND

SEAL OF COURT

TO Roland White of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in May next to answer the complaint of Harwood Wallace and Ilene Wilson Wallace against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 3rd day of March Anno Domini 1947.

ISSUED the 8th day of April Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

At which said first Monday in May in the year nineteen hundred and forty-seven, and the day of the return of the first above recited writ, came again into Court here the said complainants bytheir solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the writ aforesaid was, in form aforesaid delivered for service, also, came, and made return thereof to the Court here in the words following, to wit:

To the first of said Writs: Non Est Liberto

Joseph C. Deegan, Sheriff

On the same day and year aforesaid came into Court here the said Complainants by their Solicitor and the Sheriff of Anne Arundel County to whom the second, third and fourth and fifth writs aforesaid were in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the second of said Writs: Summoned the within named defendant 4/15/47 and a copy of this subpoena left in his hands.

Joseph W. Alton,
Sheriff A.A. Co.
By J.W.A.,Jr.

To the third of said Writs: Summoned the within named defendant this 9th day of April, 1947 and a copy of this subpoena left in his hands.

Joseph W. Alton
Sheriff A.A. Co.
By Meade

To the fourth of said Writs: Summoned Joan Anne White this 9th day of April 1947 and a copy of this subpoena left in her hands, and a copy of subpoena also left in the hands of Helen White, her mother, this 9th day of April, 1947.

Joseph W. Alton, Sheriff
Anne Arundel County, Md.
By Meade

To the fifth of said Writs: Non Est

Joseph W. Alton, Sheriff
Anne Arundel County

And thereafter, to wit, on the nineteenth day of May in the year nineteen hundred and forty-seven, the following renewal of subpoena was issued:

Eunice Mitchell	Roland White
1409 W. Baltimore St.	Last known Post office address is
	Anne Arundel County at Crownsville

Mr. Clerk:

Please renew subpoena for the above defendants. No. 6264 Chencery.

Harry C. Dashiell
Plf's Attorney.

MARYLAND, SOMERSET COUNTY, to wit:

THE STATE OF MARYLAND

SEAL OF COURT

TO Eunice Mitchell of Baltimore City, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of Harwood Wallace and Ilene Wilson Wallace against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of

Maryland, the 5th day of May Anno Domini 1947.

ISSUED the 19th day of May Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, to wit:

THE STATE OF MARYLAND

SEAL OF COURT

TO Roland White of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in June next to answer the complaint of Harwood Wallace and Ilene Wilson Wallace against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 5th day of May Anno Domini 1947.

ISSUED the 19th day of May Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

At which said first Monday in June in the year nineteen hundred and forty-seven, and the day of the return of the first of the above recited writs, came again into Court here the said complainants by their solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the writ aforesaid was, in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said Writs: Non Est Liberto

Joseph C. Deegan

Sheriff

On the same day and year aforesaid came into Court here the said Complainants by their Solicitor and the Sheriff of Anne Arundel County to whom the second writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following to wit:

To the second of said Writs: Non Est

Joseph W. Alton

Sheriff

Meade

And thereafter to wit, on the eighteenth day of June in the year nineteen hundred and forty-seven, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Harwood Wallace Ilene Wilson Wallace	)	No. 6264 Chancery
	)	In the Circuit Court
Vs.	)	For Somerset County
Eunice Mitchell	)	In Equity

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the complainants, Harwood Wallace and Ileen Wilson Wallace, respectfully represents:

That there has been issued in the above entitled cause, two subpoenas against the defendant, Eunice Mitchell, whose last known address was, 1409 West Baltimore Street, Baltimore, Maryland, and two subpoenas against the defendant, Roland White, whose last known address was Crownsville, in Anne Arundel County, in the State of Maryland, and that all of sais subpoenas against both of the defendants, have been returned "Non Est".

Your petitioner therefore prays the Court to pass an order that both of said defendants be summoned by an Order of Publication, duly published in some newspaper, printed in Somerset County, as required by law.

Harry C. Dashiell
Solicitor for Complainants

Upon which said petition the Court here passed the following order, to wit:

In the above entitled cause, it appearing that two subpoenas have been issued in said cause against the defendant, Eunice Mitchell and two subpoenas have been issued in said cause against the defendant, Roland White, and that all of said subpoenas have been returned "Non Est", it is thereupon this 18 day of June, 1947, by the Circuit Court for Somerset County in Equity, ordered that leave be, and it is hereby granted to the said complainants in this cause, Harwood Wallace and Ileen Wilson Wallace, to summon the said defendants, Eunice Mitchell and Roland White, by an Order of Publication , duly published as required by law.

W. Laird Henry, Jr.
Judge

And thereafter, to wit, on the eighteenth day of June, in the year nineteen hundred and forty-seven, the following Order of Publication was issued:

Harwood Wallace Ileen Wilson Wallace	)	No. 6264 Chancery
	)	In the Circuit Court
Vs.	)	for Somerset County
Eunice Mitchell Roland White, et al	)	In Equity
	)	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The object of this suit is to procure a decree for certain real estate located in Dames Quarter Election District, in Somerset County and State of Maryland.

The bill states that Martha Webster, late of Somerset County, deceased, was in her lifetime and at the time of her death, seized and possessed of valuable real estate, in Dames Quarter Election District, in Somerset County, and State of Maryland, which was conveyed to her by Frederick P. White and others, by deed dated April 9, 1908, and recorded in Liber S.F.D. No. 57, folio 168, etc; that being so seized, the said Martha Webster departed this life without leaving a husband surviving her, but leaving surviving her, as her only heirs-at law, the following children and descendants: a son, William D. Webster, an adult; a daughter Edith Webster Shockley, an adult; a daughter, Jennie Webster White, who died intestate, leaving as her only children and heirs-at-law, a daughter, Eunice Mitchell, an adult, residing in Baltimore City, Maryland; a son, Francis E. White, an adult, residing in Anne Arundel County, Maryland; a son Joseph White, Jr. who died after the death of his mother, leaving surviving him a widow, Helen White, an adult and a daughter, Joan Anne White, an infant under the age of 21 years, residing in Anne Arundel County and State of Maryland, and a son, Roland White, who is an adult, and whose last known Postoffice address was Crownsville, in said Anne Arundel County, Maryland; that since the death of the said Martha Webster, the said William D. Webster and Nettie Webster, his wife, and Edith Webster Shockley, a widow, have conveyed their interest in said real estate to the said Harwood Wallace and Ileen Wilson Wallace, by deed dated July 31, 1946, and recorded among the land records of said Somerset County, in Liber B.L.B. No. 136, folio 441; that said real estate is now owned in the following proportions: the said Harwood Wallace and wife, own a 2/3 undivided interest therein, and the said Eunice Mitchell, Francis E. White, Helen White, Joan Anne White, and Roland White; together own the remaining 1/3 undivided interest therein; that the aforesaid real estate is not susceptible of division or partition among the parties entitled to interest therein, and that it would be to the in-

terest and for the benefit of said parties to sell said real estate and divide the proceeds among them.

It is thereupon this 18th day of June, in the year 1947, ordered by the Circuit Court for Somerset County, in Equity, that the complainants, by causing a copy of this order to be inserted in some newspaper, printed and published in said Somerset County, once in each of four successive weeks, before the 19th day of July, 1947, give notice to the said absent defendants, Eunice Mitchell and Roland White, of the object and substance of this Bill, and warning them to appear in this Court, in person or by solicitor, on or before the 5th day of August, 1947, to show cause if any they have, why a decree ought not to be passed as prayed.

W. Laird Henry, Jr. Judge

And thereafter to wit, on the third day of July in the year nineteen hundred and forty-seven, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Harwood Wallace Ilene Wilson Wallace	)	No. 6264 Chancery
	)	In the Circuit Court
Vs.	)	For Somerset County
Eunice Mitchell Francis E. White Helen White Joan Anne White Roland White	)	In Equity:
	)	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Harwood Wallace and Ilene Wilson Wallace, Complainants, in the above entitled cause, respectfully represents:

That heretofore, to wit, on April 8, 1947, the Complainants filed their Bill of Complaint, in said cause, for the sale of certain real estate in Dames Quarter Election District, Somerset County, Maryland, owned by the late Martha Webster at the time of her death.

That in said original Bill of Complaint, it was alleged that the said Martha Webster died intestate, without leaving a husband surviving her, but leaving surviving her, as her only heirs-at-law, the children and descendants named in said Bill of Complaint.

That since the filing of said Bill of Complaint, your complainants have discovered that the said Martha Webster did not die intestate, but on the contrary, left a Last Will and Testament duly probated and recorded among the land records of said Somerset County.

Your petitioners therefore, pray this Honorable Court, to pass an order granting leave to your petitioners, to amend the original Bill of Complaint, and in lieu thereof, to file an amended Bill of Complaint in this cause.

And as in duty bound, etc.

Harry C. Dashiell
Solicitor for Complainants

Upon which said petition the Court here passed the following order, to wit:

Upon the aforegoing petition, it is ordered this 3rd day of July, in the year 1947, that leave be, and it is hereby granted, to the complainants, in this cause, Harwood Wallace and Ilene Wilson Wallace, his wife, to file an amended Bill of Complaint, in this cause, in lieu of the original Bill of Complaint, filed in said cause, and upon the filing of said amended Bill of Complaint, to summons the defendants named therein.

Levin C. Bailey
Judge

And thereafter, to wit, on the 3rd day of July in the year nineteen hundred and forty-seven, the said solicitor filed in Court here an Amended Bill of Complaint, in the words following, to wit:

Harwood Wallace Ilene Wilson Wallace	)	No. 6264 Chancery
	)	In the Circuit Court
Vs.	)	For Somerset County
Eunice Mitchell Francis E. White Helen White	)	In Equity:
Joan Anne White Roland White	)	
	)	

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

Your orators complaining says:

FIRST: That in lieu of the original Bill of Complaint, filed in this cause, on April 8, 1947, your orators filed herewith, the following amended Bill of Complaint.

SECOND: That Martha Webster, late of Somerset County, deceased, was in her lifetime and at the time of her death, seized and possessed of valuable real estate, situate lying and being in Dames Quarter Election District, in said Somerset County and State of Maryland, which said real estate was conveyed to the said Martha Webster by Frederick P. White and others, by deed dated the 9th day of April, 1908, and recorded among the land records of said Somerset County, in Liber S.F.D. No. 57, folio 168, etc.

THIRD: That being so seized, the said Martha Webster, departed this life in the month of June, 1932, without leaving a husband surviving her, but left a Last Will and Testament, duly probated and recorded among the testamentary records of said Somerset County, under and by virtue of the provision of which said Last Will and Testament, the real estate, referred to in this cause, was devised as follows:

"Second: All the rest and residue of my estate, real and personal, of every kind and wheresoever situated, I give, devise, and bequeath to my son, Willie D. Webster and my daughter, Jennie Webster White, to be equally divided between them, share and share alike, their heirs, personal representatives and assigns, absolutely".

And a certified copy of said Last Will and Testament is herewith filed as apart of this Bill, marked Complainants Exhibit B.

FOURTH: That since the death of the said Martha Webster, the said William D. Webster and Nettie Webster, his wife, have conveyed their interest in said real estate to the complainants by deed duly recorded among the land records of said Somerset County, and the original of said deed has been heretofore filed with the original Bill of Complaint, as an Exhibit in this cause.

FIFTH: That after the death of the said Martha Webster, her daughter, named in said will, Jennie Webster White, departed this life intestate, leaving surviving her, as her only heirs-at-law, the defendants, in this suit; namely, a daughter, Eunice Mitchell, who is an adult residing in Anne Arundel County, Maryland; a son, Francis E. White, who is an adult, who resides in Anne Arundel County, Maryland; a son, Joseph White, Jr. who died after the death of his mother, leaving surviving him, a widow, Helen White, an adult, and a daughter, Joan Anne White, an infant, under the age of 21 years, both of whom reside in Anne Arundel County and State of Maryland; and a son, Roland White, who is an adult, and whose last known address, was in said Anne Arundel County and State of Maryland.

SIXTH: That the aforesaid real estate, owned by the said Martha Webster, at the time of her death, is now owned in the following proportions: the said complainants, herein, Harwood Wallace and Ilene Wilson Wallace, his wife, own an undivided one-half interest therein, and the said defendants, Eunice Mitchell, Francis E. White, Helen White, Joan Anne White, and Roland White; together own the remaining undivided interest therein.

SEVENTH: That the aforesaid real estate owned as aforesaid, is not susceptible of division or partition among the parties entitled to interest therein, and it would be to the inter-

est and for the benefit of said parties, to sell said real estate, and to divide the proceeds among them according to the respective rights, and interest, therein.

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 orators and the defendants herein, according to the respective rights, and interests, in said real estate.

(3) That your orators may have such other and further relief as their case may require.

May it please your Honor, to grant unto your orators, the writ of subpoena, directed to the said Eunice Mitchell, an adult, to Francis E. White, an adult, to Helen White, an adult, and to Joan Ann White, an infant, under the age of 21 years; all residing in Anne Arundel County and State of Maryland, and to Roland White, an adult, whose last known Post Office address was at Crownsville, in said Anne Arundel County, Maryland, commanding them and each of them, to be and appear in this Court, either in person or by solicitor, on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound.

Harry C. Dashiell
Colisitor for Complainant

Exhibit "B" referred to in the foregoing bill is in the words following, to wit:

I, Sarah M. Webster, of Somerset County and State of Maryland, do make this my last will and testament, in manner following, that is to say:

After the payment of all my just debts and funeral expenses, I give, devise and bequeath my estate as follows:

First: I give and bequeath to my daughter, Edith M. Shockley, the sum of one dollar.

Second: All the rest and residue of my estate, real and personal of every kind and wheresoever situated, I give, devise and bequeath to my son, Willie D. Webster, and my daughter, Jennie Webster White, to be equally divided between them, share and share alike, their heirs personal representatives and assigns, absolutely.

And I hereby revoke all other wills and codicils by me heretofore made.

In testimony whereof I have hereunto subscribed my name and affixed my seal this 12 day of December, in the year nineteen hundred and thirty-one.

Sarah M. her X mark Webster (SEAL)

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

Irving J. Wallace
Fred Bozman
Woodall Ford

SOMERSET COUNTY, to wit:

July 2, 1932.

THEM CAME William D. Webster and in the presence of Almighty God, solemnly promised and declared that the foregoing instrument of writing is the true and whole last Will and Testament of Sarah M. Webster, late of Somerset County, deceased, that hath come to his hands or possession, and that he doth not know of any other and that the same was delivered to him by Irving J. Wallace.

Before, Florence E. Dryden, Register of Wills
for Somerset County.

SOMERSET COUNTY, to wit:

July 7, 1932.

THEN CAME Irving J. Wallace and Woodall Ford, two of the subscribing witnesses to the foregoing last Will and Testament of Sarah M. Webster, late of Somerset County, deceased, and they in the presence of Almighty God, solemnly promised and declared that they did see the Testatrix therein named, sign and seal this Will; that they heard her publish, pronounce and declare the same to be her last Will and Testament. That at the time of her so doing, she was to the best of their apprehension of sound and disposing mind, memory and understanding, capable of executing a valid deed or contract; and that they subscribed their names as witnesses to this Will in the presence, and at the request of the Testatrix, and in the presence of the other subscribing witness thereto they further deposed that they saw Fred Bozman subscribe his name as witness to this Will in the presence and at the request of the Testatrix.

Before, Florence E. Dryden, Register of Wills
for Somerset County.

STATE OF MARYLAND, SCT.

In the Orphans' Court for Somerset County:

The Court having carefully examined the above last Will and Testament of Sarah M. Webster, late of Somerset County, deceased, and also the evidence adduced as to its validity, orders and decrees this 12th day of July, 1932, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Sarah M. Webster deceased.

John E. Whitelock
Chas. W. Goldsborough — Judges of the Orphans' Court for Somerset County
John S. Causey

Test: Florence E. Dryden, Reg. W.S. Co.

Filed for record July 2, 1932 and recorded in Liber F.E.D. No. 33 folios 285 & 286.

Test: Florence E. Dryden, Reg. W.S. Co.

STATE OF MARYLAND
SOMERSET COUNTY, SS.

I, Florence E. Dryden, Register of Wills and by law keeper of the Seal and of the Records and of the Original Papers of the Orphan's Court of Somerset County, DO HEREBY CERTIFY that the foregoing is a true and full copy of the last Will and Testament of Sarah M. Webster, late of said county, deceased, taken from Liber F.E.D. No. 33 folios 285 & 286, the same being one of the Records kept in the office of the Register of Wills for Somerset County.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of said Court, this twenty-sixth day of June in the year of our Lord, nineteen hundred and forty-seven.

SEAL OF COURT — Florence E. Dryden
Register of Wills for Somerset County

And thereupon, in pursuance of the prayer of the foregoing bill, and by order of Court here, the following subpoenaes were issued, to wit:

MARYLAND, SOMERSET COUNTY, TO WIT:

THE STATE OF MARYLAND

SEAL OF COURT — TO Francis E. White & Helen White of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Harwood Wallace et al against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr. Chief Judge of the First Judicial Circuit of Maryland, the 7th day of July Anno Domini 1947.

ISSUED the 7th day of July Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND SOMERSET COUNTY, TO WIT:

THE STATE OF MARYLAND

SEAL OF COURT

TO Eunice Mitchell and Roland White of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Harwood Wallace et al against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 7th day of July Anno Domini 1947.

ISSUED the 7th day of July Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

THE STATE OF MARYLAND

SEAL OF COURT

TO Joan Ann White, infant of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in August next to answer the complaint of Harwood Wallace et al against you in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 7th day of July Anno Domini 1947.

ISSUED the 7th day of July Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

At which said first Monday in August in the year nineteen hundred and forty-seven, and the day of the return of the above recited writs, came again into Court here the said complainants by their solicitor, and the Sheriff of Anne Arundel County, to whom the writ aforesaid was, in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said writs: Summoned Ambo by reading to and serving copies of Subpoena on each of the defendants this 8/2/47.

Joseph W. Alton, Sheriff

M

To the second of said writs: Non sunt.

Joseph W. Alton, Sheriff

To the third of said writs: Summoned by reading to and serving copy of Subpoena on Joan Ann White, Infant, as well as having served a copy on Helen White, Mother, this 7/17/47.

Joseph W. Alton, Sheriff

And thereafter, to wit, on the twelfth day of August in the year nineteen hundred and forty-seven, the following renewal of subpoena was issued:

Harwood Wallace and wife	)	No. 6264 Chan.
Vs.	)	In the Circuit Court
Eunice Mitchell, et als	)	for Somerset County
	)	In Equity

Mr. Clerk:

In the above entitled cause, please renew sub-poenas as follows:

Eunice Mitchell,
1104 W. Lombard St.

Roland White,
Crownsville,
Anne Arundel, Maryland

Harry C. Dashiell
Solicitor for Plaintiffs

MARYLAND, SOMERSET COUNTY, TO WIT:

THE STATE OF MARYLAND

SEAL OF COURT

TO Eunice Mitchell of Baltimore City, Greeting:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in September next to answer the complaint of Harwood Wallace & wife against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 7th day of July Anno Domini 1947.

ISSUED the 12th day of August Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

MARYLAND, SOMERSET COUNTY, TO WIT:

THE STATE OF MARYLAND

SEAL OF COURT

TO Roland White of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED that, all excuses and delays set apart, you personally appear before the Circuit Court for Somerset County, sitting in Chancery at Princess Anne Town, on the first MONDAY in September next to answer the complaint of Harwood Wallace et al against you & others in the said Court exhibited. Hereof fail not at your peril.

WITNESS, the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 7th day of July Anno Domini 1947.

ISSUED the 12th day of August Anno Domini 1947.

Per order

Benjamin L. Barnes, Clerk.

At which said first Monday in September in the year nineteen hundred and forty-seven, and the day of the return of the first of the above recited writs, came again into Court here the said Complainants by their solicitor, and the Sheriff of Baltimore City, Joseph C. Deegan, to whom the writ aforesaid was, in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the first of said Writs: Summoned Eunice Mitchell and a copy of subpoena left with the defendant.

Medwick
8/13/47

Joseph C. Deegan
Sheriff.

On the same day and year aforesaid came into Court here the said Complainants by their Solicitor and the Sheriff of Anne Arundel County to whom the second writ aforesaid was in form aforesaid delivered for service, also came, and made return thereof to the Court here in the words following, to wit:

To the second of said Writs: Non Est.

Joseph W. Alton
Sheriff.

And thereafter to wit, on the thirteenth day of September in the year nineteen hundred and forty-seven, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Harwood Wallace Ilene Wilson Wallace	)	No. 6264 Chancery
	)	In the Circuit Court
Vs.	)	For Somerset County
Eunice Mitchell, et al	)	In Equity

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The petition of the complainants, Harwood Wallace and Ilene Wilson Wallace, his wife, respectfully represents:

That there has been issued in the above entitled cause, two subpoenas against the defendant, Roland White, whose last known address was Crownsville in Ann Arundel County in the State of Maryland, and that both of said subpoenas against said defendant have been returned "Non Est".

Your petitioner therefore prays the Court, to pass an order, that the said defendant, Roland White, be summons by an Order of Publication duly published in some newspaper, printed in Somerset County as required by law.

Harry C. Dashiell
Solicitor for Complainant

Upon which said petition the Court here passed the following order, to wit:

In the above entitled cause, it appearing that two subpoenas have been issued in said cause against the defendant, Roland White, and that both of said subpoenas have been returned "Non Est", it is thereupon this 13th day of September, 1947, by the Circuit Court for Somerset County, in Equity, ordered that leave be, and it is hereby granted to the said complainants in this cause, Harwood Wallace and Ilene Wilson Wallace, to summons the said defendant Roland White by an Order of Publication duly published as required by law.

W. Laird Henry, Jr.
Judge

And thereafter, to wit, on the thirteenth day of September, in the year nineteen hundred and forty-seven, the following Order of Publication was issued:

Harwood Wallace Ilene Wilson Wallace	)	No. 6264 Chancery
	)	In the Circuit Court
Vs.	)	For Somerset County
Eunice Mitchell, et al	)	In Equity

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The object of this suit is to procure a decree for the sale of certain real estate located in Dames Quarter Election District, in Somerset County and State of Maryland.

The amended Bill of Complaint states that Martha Webster, late of Somerset County, deceased, was in her lifetime and at the time of her death, seized and possessed of valuable real estate in Dames Quarter Election District, in Somerset County and State of Maryland, which was conveyed to her by Frederick P. White, and others, by deed dated April 9, 1908, and recorded in Liber S.F.D. No. 57, folio 108, etc.

That being so seized the said Martha Webster departed this life in the month of June, 1932 without leaving a husband surviving her, but leaving a Last Will and Testament duly probated and recorded among the Testamentary Records of said Somerset County, under the provisions of which the real estate referred to above was devised as follows: "All the rest and residue of my estate, real and personal, of every kind and wheresoever situated, I give, devise, and bequeath to my son, Willie D. Webster and my daughter, Jennie Webster White, to be

equally divided between them, etc."; that since the death of the said Martha Webster, the said William D. Webster and Nettie Webster, his wife, have conveyed their interest in said real estate to the complainants by deed duly recorded in Somerset County; that since the death of the said Martha Webster, her daughter, the said Jennie Webster White, departed this life intestate, leaving surviving her a daughter, Eunice Mitchell, a son, Francis E. White, both of whom are adults and reside in Ann Arundel County; a son, Joseph White, Jr. who died after his mother, leaving a widow, Helen White, an adult and a daughter, Joan Ann White, an infant who resides in said Ann Arundel County and a son, Roland White, who is an adult and whose last known Post Office address was in said Ann Arundel County, Maryland; that the aforesaid real estate is now owned in the following proportions, that the said complainant herein, Harwood Wallace and wife, own an undivided one-half interest therein, and the said defendants, Eunice Mitchell, Francis E. White, Helen White, Joan Ann White and Roland White own the remaining undivided one-half interest therein, that the aforesaid real estate is not susceptible of partition among the parties and that it would be to their interest to sell said real estate and divide the proceeds among them.

It is thereupon this 13th day of September, in the year 1947, ordered by the Circuit Court for Somerset County, in Equity, that the complainants by causing a copy of this order to be inserted in some newspaper printed and published in said Somerset County, once in each of four successive weeks before the 17th day of October, 1947, give notice to the said absent defendant, Roland White, an adult of the object and substance of this Bill and warning him to appear in this Court in person or be solicitor, on or before the 4th day of November, 1947, to show cause if any he has, why a decree ought not to be passed as prayed.

W. Laird Henry, Jr.
Judge

And thereafter, to wit, on the nineteenth day of November, in the year nineteen hundred and forty-seven, the following Military Affidavit was filed:

Harwood Wallace and wife	)	No. 6264 Chancery
Vs.	)	In the Circuit Court
Eunice Mitchell, et al	)	for Somerset County
_____	)	in Equity

I hereby certify that on this 19th day of November, in the year Nineteen Hundred and Forty Seven, before me the subscriber, a Judge of the Circuit Court for Somerset County, personally appeared, Harry C. Dashiell, the Solicitor for the Complainants, in said cause, and made oath in due form of law, that Eunice Mitchell, Francis E. White, Helen White, and Roland White, are not now in the Military or Naval Service of the United States.

Edmond H. Johnson
Judge of the Circuit Court

And thereafter to wit, on the nineteenth day of November, in the year nineteen hundred and forty-seven, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Harwood Wallace and wife	)	No. 6264 Chancery
Vs.	)	In the Circuit Court
Eunice Mitchell, et al	)	For Somerset County
_____	)	In Equity

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The petition of Harwood Wallace and wife, complainants, in the above entitled cause, respectfully represents:

That it appears from the papers in said cause, that Joan Anne White, has been duly summon-

ed to appear to said cause, but that the said defendant, is an infant under the age of twenty one years, and can not appear and defend this suit for herself.

Your petitioners therefore, pray this Honorable Court, to appoint a guardian adliten to appear and answer for said infant defendant.

Harry C. Dashiell
Solicitor for Complainant

Upon which said petition the Court here passed the following order, to wit:

Upon the aforegoing petition, it is this 19th day of November, 1947, by the Circuit Court for Somerset County, in Equity, ordered that Grace J. Barnes be, and she is hereby appointed guardian adliten to appear and answer for said infant defendant, Joan Anne White.

Edmond H. Johnson
Judge

And thereupon the said Grace J. Barnes, as guardian specially appointed, filed in Court here the following answer, to wit:

The answer of Grace J. Barnes, Guardian Adliten, duly appointed by this Honorable Court, respectfully represents:

That the said Joan Anne White, being an infant under the age of twenty one years, can not defend this suit for herself and she submits her rights thereunder to the protection of this Honorable Court.

Grace J. Barnes
Guardian Adliten

And thereafter to wit, on the twentieth day of November, in the year nineteen hundred and forty-seven, the said complainants by their solicitor aforesaid filed in Court here a petition in the words following, to wit:

Harwood Wallace and wife	)	No. 6264 Chancery
Vs.	)	In the Circuit Court
Eunice Mitchell, et al	)	For Somerset County
_____	)	In Equity

The petition of Harwood Wallace and wife, Complainants, in the above entitled cause, respectfully represents:

That it appears from the proceedings in said cause, that Eunice Mitchell, Francis E. White and Helen White, adult defendants, in the above cause, have been duly summoned to appear in said cause, but have failed to appear and answer as required by law; and it further appearing that Roland White, an adult defendant, in said cause, has been duly summoned to appear by an Order of Publication, published as required by law, but that said defendant Roland White, has failed to appear and answer as required by law.

Your petitioners therefore pray the Court to pass a decree pro confesso against said adult defendants, Eunice Mitchell, Francis E.White, Helen White and Roland White, all of whom have been duly summoned to appear, but have failed to appear and answer in said cause.

Harry C. Dashiell
Solicitor for Complainant

Upon which said petition the Court here passed the following order, to wit:

Upon the aforegoing petition, it is this 20th day of November, 1947, by the Circuit Court for Somerset County in Equity, adjudged, ordered and decreed that said Bill of Complaint be, and the same is taken pro confesso against the said defendants, Eunice Mitchell, Francis E. White, Helen White and Roland White; all adults who have been duly summoned to appear, but have failed to appear and answer as required by law.

And since it appears that Harry C. Dashiell, the Regular Examiner of this Court, is the

solicitor for the complainant, in this cause, it is further ordered that Edna Mae Widdowson be, and she is hereby appointed Special Examiner to take the depositions in this cause.

Edmond H. Johnson

Judge

And afterwards, to wit, on the sixteenth day of December, in the year nineteen hundred and forty-seven, Edna Mae Widdowson, Special Examiner in Chancery, to whom the papers in the foregoing cause have been delivered to take testimony under the foregoing order, made return thereof of certain interrogatories with her filed and the testimony by her taken, in the words following to wit:

Harwood Wallace and Eileen Wilson Wallace, his wife	)	No. 6264 Chancery
	)	In the Circuit Court
Vs.	)	For Somerset County
Eunice Mitchell, et als	)	In Equity

In the above entitled cause, I, Edna Mae Widdowson, Special Examiner duly appointed by this Court, do hereby certify that at the law office of Harry C. Dashiell, on Saturday, December 13, 1947, I did take the following depositions, that is to say:

Harwood Wallace, a witness of lawful age, being first duly sworn deposing says:

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

Ans. Harwood Wallace; age, 40 years; residence, Dames Quarter, Maryland; occupation, Oyster Inspector for the Department of Tidewater Fisheries.

Int. 2. Do you know the parties to this suit, and if so, how long have you known them and where do they reside?

Ans. I know all the parties to this suit. My wife and my self are the plaintiffs and we live at Dames Quarter, Maryland. I know all of the defendants, Eunice Mitchell, who lives in Baltimore City, Francis White, Helen White and Joan Anne White, live at Annapolis in Anne Arundel County and Roland White did live at Crownsville in Anne Arundel County, but his whereabouts are now unknown.

Int. 3. Did you know Martha Webster in her lifetime, if yes, is she living or dead, if dead when did she die and did she or not leave a Last Will and Testament.

Ans. I knew Martha Webster all of my life. She died at Dames Quarter, Maryland in the month of June, 1932. Her husband died before her death and at the time of her death she did leave a Last Will and Testament which was filed for record in the office of the Register of Wills for Somerset County.

(Plaintiff herewith files to be used as evidence in this cause, certified copy of the Last Will and Testament of Martha Webster, whose full name was Sarah M. Webster, marked Plaintiff's Exhibit B).

Int. 4. Please state whether or not the said Martha Webster owned any real estate at the time of her death and if so, describe it and tell us whether or not this said real estate was disposed of under her Last Will and Testament, to which you have just referred.

Ans. Yes, Mrs. Martha Webster owned a house and lot at Dames Quarter, at the time of her death. It is located on the west side of the State Road, leading through Dames Quarter towards Deal Island; it is bounded on the north by the land of Woodall Ford and on the south by the land of Edwin Bozman and contains one acre of land. This property was conveyed to Martha Webster by Frederick P. White, by deed dated April 9, 1908, and recorded among the land records of said Somerset County in Liber S.F.D. No. 57, folio 108, etc. This property in my opinion, is worth about six hundred dollars ($600.00).

Int. 5. Please state what disposition if any the said Martha Webster made of this real

estate, under her Will and what changes if any have taken place in the title to said real estate since her death.

Ans. Under her will she left this house and lot to her son, Willie D. Webster and her daughter, Jennie Webster White, to be equally divided between them, share and share alike.

Since the death of Mrs. Martha Webster, her daughter, Jennie Webster White, has died, living the following as her only children and heirs-at-law, who are the defendants in this suit; namely, a daughter, Eunice Mitchell, who is an adult and who resides in Baltimore City; a son, Francis E. White, who is an adult, and who resides at Annapolis, in Anne Arundel County. She also left at the time of her death, another son, Joseph White, Jr. who has died since his mother's death, leaving surviving him a widow, Helen White, who is an adult and a daughter, Joan Anne White, who is an infant under the age of 21 years. They also live in Annapolis, in Anne Arundel County. Mrs. White also had another son, Roland White, who was an adult and who did live at Crownsville in Anne Arundel County, but my information is that he disappeared a few years ago and the family know nothing of his whereabouts since he disappeared.

I have lived at this property for the past six years and in July, 1946, I purchased the interest of William D. Webster and this interest was conveyed to me by a deed from the said Webster and Nettie Webster, his wife, dated July 31, 1946, and recorded among said land records in Liber B.L.B. No. 136, folio 441. This deed was also executed by Edith Webster Shockley another daughter of Mrs. Martha Webster, but I afterwards found out that Mrs. Shockley had no interest in the property.

Int. 6. Please state by whom said real estate is owned at the present time.

Ans. My wife and myself own a one-half interest therein and the heirs-at-law of Jennie Webster White, whom I have named, own the other one-half interest therein.

Int. 7. Please state whether or not said real estate can be divided in kind among the parties entitled to interest therein, or whether or not it will be necessary to sell said real estate and divide the proceeds between them.

Ans. It is only a house and lot and there is no possible way to divide the property in kind among so many people. It will therefore be necessary to sell said real estate and divide the proceeds among the parties entitled to interest.

Court question and answer.

Nothing further.

Test: Edna Mae Widdowson Harwood Wallace

T. Hodson White, a witness of lawful age, being first duly sworn, deposing says:

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

Ans. T. Hodson White; age 61 years; residence, Dames Quarter, Maryland; occupation, Farmer.

Int. 2. Do you know the parties to this suit and if so where do they reside.

Ans. Yes, I know the parties to this suit. I have known the plaintiffs, Harwood Wallace and Eileen Wilson Wallace, all of their lives and I also know all of the defendants, who are the children of Mrs. Jennie Webster White, and I knew her all of my life.

Int. 3. Please state whether or not you knew Martha Webster in her lifetime, if so is she living or dead, when did she die and did she or not die intestate.

Ans. I knew Mrs. Martha Webster very well. She died at Dames Quarter, in the summer of 1932. I have understood that she left a Last Will and Testament which was recorded in the office of the Register of Wills here in Princess Anne.

Int. 4. Please state what real estate if any Mrs. Martha Webster owned at the time of her death and describe it and state its value.

Ans. At the time of her death Mrs. Martha Webster owned a house and lot at Dames

Quarter. This property is located on the west side of the State Road, leading through Dames Quarter towards Deal Island. It contains an acre of land and is bounded on the north by the land of Woodall Ford and on the south by the land of Edwin Bozman. This property was conveyed to Mrs. Martha Webster by Frederick P. White and others. It is worth in my opinion about six hundred dollars ($600.00).

Int. 5. Please state what if anything you know about the title to this property at the present time.

Ans. I am not of course entirely familiar with the records but I understand that Mrs. Martha Webster in her will, left this property to her son, Willie D. Webster, whom I also know, and her daughter, Jennie Webster White.

Jennie Webster White died after her mother's death. She left at the time of her death a husband who has since died and the children who are the defendants in this suit. They are Eunice Mitchell, Francis E. White and Roland White. She also left another son, Joseph White, Jr. who has since died leaving a widow, Helen White and an infant daughter, Joan Anne White, This family did live at Annapolis for a number of years before Mrs. White's death and I think that most of them are still living there.

It is also my understanding that about a year ago, Mr. Harwood Wallace and his wife, purchased some of the interest in this property and that the interest which he purchased were conveyed to him by a deed which he has referred to in his testimony.

Int. 6. Please state whether or not in your opinion this property can be divided in kind or should it be sold and the proceeds divided.

Ans. As I understand it, this property is owned by H arwood Wallace and his wife, and the children of Mrs. Jennie White and if that is so, there is no way to divide it in kind among so many persons. It will have to be sold and the proceeds divided among them.

Court question and answer.

There is nothing further that I desire to say.

Test: Edna Mae Widdowson T. Hodson White

There being no further witnesses produced to me to be examined, I herewith at the request of the plaintiff's solicitor, return the above depositions to Court, closed under my hand and seal and certify that the annexed statement of costs is correct.

Given under my hand and seal this 13th day of December, 1947.

Edna Mae Widdowson (SEAL)
Special Examiner

Bill of Cost
Edna Mae Widdowson
$4.00

And thereafter, to wit, on the thirty-first day of December, in the year nineteen hundred and forty-seven, the Circuit Court here passed the following decree in the premises, to wit:

Harwood Wallace and wife	)	No. 6264 Chancery
Vs.	)	In the Circuit Court
Eunice Mitchell, et al	)	For Somerset County
_____	)	In Equity

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

It is thereupon this 31st day of December, 1947, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed, that the real estate in the proceedings mentioned be sold.

That Harry C. Dashiell be, and he is hereby appointed Trustee to make such sale and that the course and manner of his proceedings shall be as follows:

He should first file in the office of the Clerk of the Circuit Court for Somerset County, in Equity, a bond to the State of Maryland, executed by himself and a surety or surities, to be approved by the said Court in the penalty of two thousand dollars ($2000.00), if individual surety or surities, or one-half of said penal sum, if corporate security, conditioned for the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said real estate, having first given at least three weeks previous notice, inserted in some newspaper, printed and published in said Somerset County, and such further notice as he may think proper of the time, place, manner, and terms of sale which said terms shall be as follows: one-half in cash, on the day of sale, and the balance of the purchase money to be paid in six months from the day of sale, the deferred payment to bear interest from the day of sale, and the payment thereof, to be secured by the bond of the purchaser with a surety, or surities, to be approved by the said Trustee, or all cash at the option of the purchaser or purchasers.

And as soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular account of the same with an affidavit of the truth, thereof, and of the fairness of such sale or sales, annexed and on the ratification of such sale or sales by this Court; and on the payment of the whole purchase money (and not before) the said Trustee by a good and sufficient deed to be executed and acknowledged according to law, conveying to the purchaser or purchasers of said property, or to his, hers, or their heirs and assigns, the property to him, her, or them, sold free, clear, and discharged of all the claims of the parties to this cause, and of any person, or persons claiming by, from, or under them.

And the said Trustee shall bring into this Court, the money arising from said sale or sales, and the bonds which may be taken for the same, to be disposed of, under the direction of this Court, after deducting therefrom the costs of this suit and such commissions to the said 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.

Levin C. Bailey

Judge

And thereupon, the said Harry C. Dashiell, Trustee, filed in Court here a bond in the words following, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That Harry C. Dashiell, of Somerset County and State of Maryland, Principal, and the American Surety Company of New York, a corporation created and existing under the laws of the State of New York, are held and firmly bound unto the State of Maryland, in the full and just sum of one thousand dollars ($1,000.00), to be paid to the said State of Maryland, or its attorney, to which payment, well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, personal representatives and assigns, firmly by these presents, seal with our seals and dated this 6th day of January, in the year 1948.

Whereas, by a decree of the Circuit Court for Somerset County, in Equity, passed on December 31, 1947, in a cause wherein Harwood Wallace and wife are plaintiffs, and Eunice Mitchell, et als are defendants, the same being No. 6264 Chancery, on the Chancery Docket, of said Court, the said Harry C. Dashiell was appointed Trustee, to make sale of the real estate therein mentioned and described all of which will appear by records to the proceedings in said cause.

Now therefore, the condition of the above obligation is such, that if the above bounden, Harry C. Dashiell, due and shall well, truly and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise, to be and remain in full force and virtue in

law.

As witness the hand and seal of the said Harry C. Dashiell, the corporate seal of the said, The American Surety Company, a corporation as aforesaid, and the hand of Harry C. Dashiell, the Attorney-in-fact of said corporation, the day and year above written.

Harry C. Dashiell, Principal (SEAL)

TEST: SEAL OF AMERICAN SURETY COMPANY OF NEW YORK

S. Frank Dashiell COMPANY BY: Harry C. Dashiell
Attorney-in-fact

Which said Bond was thus thereon endorsed, to wit:

The Within Bond Approved.

Benjamin L. Barnes, Clerk.

And thereafter, to wit, on the fifth day of February, in the year nineteen hundred and forty-eight, the said trustee exhibited and filed in the Circuit Court here a report of sales, with an affidavit thereunto annexed, which said report and affidavit, so as aforesaid filed, are in the words following, to wit:

Harwood Wallace and Ilene Wilson Wallace, his wife	)	No. 6264 Chancery
	)	In the Circuit Court
Vs.	)	For Somerset County
Eunice Mitchell, et al	)	In Equity

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Harry C. Dashiell, Trustee, appointed by a decree passed in the above entitled cause to make sale of the real estate therein mentioned, respectfully represents:

That after giving bond with security for the faithful discharge of the trust as required by said decree, and after giving notice of the time, place, manner and terms of sale by advertisement in the Marylander and Herald, a weekly newspaper printed and published in said Somerset County, once a week for three successive weeks, before the day of sale, and by notice posted at the Court House door in Princess Anne, Maryland, he did pursuant to said notice, attend at the Court House door in Princess Anne, Maryland, on Tuesday, the third day of February, in the year 1948, at the hour of two o'clock P.M. and did then and there proceed to offer said real estate for sale at public auction that is to say:

Your trustee offered all that lot or parcel of land, in Dames Quarter Election District, Somerset County, Maryland, lying and binding on the west side of the State Road, leading through Dames Quarter towards Deal Island, bounded on the north by the land of Woodall Ford and on the south by the land of Edwin Bozman, and containing one acre more or less.

The land above described was owned by the late Martha Webster in her lifetime, and was devised by the Last Will and Testament of the said Webster to her son, Willie D. Webster, and her daughter, Jennie Webster White, the interest of the said Willie D. Webster, being conveyed unto the said Harwood Wallace and wife, by deed dated July 31, 1946, and recorded among the land records of said Somerset County, in Liber B.L.B. No. 136, folio 441, etc.

This property is improved by a two-story frame dwelling.

And your Trustee sold said real estate to the said Harwood Wallace and Ilene Wilson Wallace, his wife, at and for the sum of three hundred dollars ($300.00) and the aforesaid purchasers have complied with the terms of said sale by paying all of the purchase money in cash and all of which is respectfully submitted.

Harry C. Dashiell, Trustee

STATE OF MARYLAND, SOMERSET COUNTY, to wit:

I hereby certify that on this 5th day of February, 1948, before me the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally

appeared, Harry C. Dashiell, Trustee named in the above report of sale, and made oath in due form of law, that the matters and things stated in the aforegoing report of sale, are true as therein stated to the best of his knowledge and belief and that sale therein reported was fairly made.

As witness my hand and notarial seal, the day and year above written.

SEAL OF NOTARY — Eunice Dashiell, Notary Public

Upon which said report the Clerk of the Circuit Court here passed the following order, to wit:

Harwood Wallace and Ilene Wilson Wallace, his wife	)	No. 6264 Chancery
	)	In the Circuit Court
Vs.	)	For Somerset County
Eunice Mitchell, et al	)	In Equity

Ordered that the sale of the real estate mentioned in these proceedings made and reported by Harry C. Dashiell, Trustee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 8th day of March, 1948; providing a copy of this order be inserted in some newspaper printed in said Somerset County, each of three successive weeks before the 6th day of March, 1948.

The report states the amount of sale to be three hundred dollars ($300.00).

Benjamin L. Barnes, Clerk.

And now at this day, to wit, on the twenty-fourth dau of March, in the year nineteen hundred and forty-eight, came again into Court here the said complainants, by their solicitor aforesaid, and on motion of the said complainants, by their solicitor aforesaid, the Court here passed the following order, to wit:

Ordered by the Circuit Court for Somerset County in Equity, this 24th day of March, 1948, that the sale of real estate mentioned in these proceedings made and reported by Harry C. Dashiell, Trustee as aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown; although due notice appears to have been given as required by the Order Nisi passed in said cause.

And since it appears that Harry C. Dashiell, the Regular Auditor of this Court, is the solicitor for the complainant in this cause, it is further ordered that Edna Mae Widdowson be, and she is hereby appointed Special Auditor to state the account in this cause.

Levin C. Bailey

Judge

And thereupon it is ordered by the Court here that the proceedings aforesaid be entered of record according to law, and the same is accordingly done.

Per: Benjamin L. Barnes, Clerk.

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