| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8022 Chancery |
| under power contained in two Mortgages | : | In the Circuit Court for |
| from Mary V. Cannon, life tenant, and | : | Somerset County, Maryland |
| H. Everett Cannon and Dorothy G. Cannon, | : | |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

The Clerk of the Circuit Court for Somerset County will please docket the above entitled suit and file the original mortgages among the papers therein.

Alexander G. Jones
Princess Anne, Maryland
Telephone 161

FOR MORTGAGE SEE LIBER G.J.B. NO. 204, FOLIO 7
FOR MORTGAGE SEE LIBER G.J.B. NO. 204, FOLIO 365

LIBER 041 PAGE 01

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8022 Chancery |
| under power contained in two Mortgages | : | In the Circuit Court for |
| from Mary V. Cannon, life tenant, and | : | Somerset County, Maryland |
| H. Everett Cannon and Dorothy G. Cannon, | : | |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

.. .. .. .. .. .. ..

State of Maryland, Somerset County, to wit:

I hereby certify that on this 4th day of May, 1964, before me, the undersigned officer, personally appeared Edward J. Price, Agent of the Bank of Somerset, made oath in due form of law as follows: That the principal amounts owing on the above mortgages are the first for $5,000.00, with interest from October 7, 1963, the second for $2,500.00, with interest from September 1, 1963, and also made oath in due form of law that the defendants are not in the military service as hereinafter set forth and that they have not been in such military service referred to being as follows:

1. The military service of the United States of America or of the enlisted reserve corps thereof;
2. Ordered to report for induction under the Selective Training and Service Act of 1940 as amended;
3. The military service of any nation with which the United States of America may be allied in the prosecution of war.

ELSIE M. KOCH NOTARY PUBLIC SOMERSET COUNTY, MD.

Elsie M. Koch
Notary Public

FOR BOND SEE BOND BOOK BLB NO. 8, FOLIO 476.

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8022 Chancery |
| under power contained in two mortgages | : | In the Circuit Court for |
| from Mary V. Cannon, life tenant, and | : | Somerset County, Maryland |
| H. Everett Cannon and Dorothy G. Cannon, | : | |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of May, 1964, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Edward J. Price, Agent of the Bank of Somerset the purchaser of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone.

2. That others interested in said purchase, as principals, are none.

3. That he did not directly or indirectly discourage anyone from bidding for the said property.

4. And that he is the duly authorized agent of the purchaser and authorized to make this affidavit.

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

Eunice Pilchard
Notary Public

Filed pursuant to Rule BR6

EUNICE PILCHARD NOTARY PUBLIC SOMERSET COUNTY, MD.

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8022 Chancery |
| under power contained in two Mortgages | : | In the Circuit Court for |
| from Mary V. Cannon, life tenant, and | : | Somerset County, Maryland |
| H. Everett Cannon and Dorothy G. Cannon, | : | |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

To the Honorable, the Judge of said Court:

The report of sales of Alexander G. Jones, Attorney named in two certain mortgages made and executed by Mary V. Cannon, life tenant, and H. Everett Cannon and Dorothy G. Cannon, his wife, the first dated April 7, 1961 and recorded among the Land Records of Somerset County in Liber G.J.B. No. 204, folio 7, and the second dated June 1, 1961 and recorded among the aforesaid Land Records in Liber G.J.B. No. 204, folio 365, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgages or in the payment of the interest thereon or in some other covenant and condition of said mortgages, whereby the said mortgage debts had become due and demandable, respectfully represents to your Honor, 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 mortgages, 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 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 26th day of May, 1964, at two o'clock 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 the Town of Princess Anne, West Princess Anne Election District, Somerset County, Maryland, lying and binding on the west side of Main Street (sometimes called Somerset Avenue) in said Town and bounded on the south by the property owned or formerly owned by I. Fred Phoebus; bounded on the north by the Parsonage property of the Methodist Church; bounded on the west by Church Street and bounded on the east by Main Street, being the same

and all the land conveyed unto the said H. Everett Cannon and Dorothy G. Cannon, his wife, as tenants by the entireties, by deed dated January 31, 1959 and recorded among the aforesaid Land Records in Liber G.J.B. No. 190, folio 540, in which said deed the said Mary V. Cannon reserved a life estate, and sold the same to the Bank of Somerset, a body corporate of the State of Maryland, at and for the sum of nine thousand four hundred twenty-one dollars and fifty-one cents ($9,421.51), it being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds as follows:

| | | |
|---|---|---|
| Total sales | | $9,421.51 |
| To Clerk of Circuit Court for costs | $38.00 | |
| To Marylander and Herald, advertising and order nisi | 47.50 | |
| To Bond premium | 30.00 | |
| To P. Morris Furniss, fire insurance premium | 73.20 | |
| To Auctioneer | 25.00 | |
| To Attorney's fee | 25.00 | |
| To Marylander and Herald, order of publication | 49.70 | |
| To 1961 State and County taxes | 99.33 | |
| To 1962 State and County taxes | 106.04 | |
| To 1963 State and County taxes | 117.17 | |
| To 1963 Front foot assessment | 31.42 | |
| To 1964 Front foot assessment | 29.64 | |
| To Sewer connection charge | 125.00 | |
| To Princess Anne Water & Sewer Acct., water rent | 39.60 | |
| To 1961 Town of Princess Anne taxes | 37.27 | |
| To 1962 Town of Princess Anne taxes | 35.34 | |
| To 1963 Town of Princess Anne taxes | 39.06 | |
| To Maintenance | 8.00 | |
| To Attorney as commission | 621.08 | |
| To balance to be distributed | 7,844.16 | |
| | $9,421.51 | $9,421.51 |

| | | |
|---|---|---|
| Balance to be distributed | | $7,844.16 |
| To Bank of Somerset, mortgage principal | $5,000.00 | |
| To Bank of Somerset, interest | 219.16 | |
| To Bank of Somerset, mortgage principal | 2,500.00 | |
| To Bank of Somerset, interest | 125.00 | |
| | $7,844.16 | $7,844.16 |

Respectfully submitted,

Attorney

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of May, in the year nineteen hundred and sixty-four, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Attorney named in the aforegoing 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.

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

Eunice Pilchard
Notary Public

**Order Nisi**

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8022 Chancery |
| under power contained in two Mortgages | : | In the Circuit Court for |
| from Mary V. Cannon, life tenant, and | : | Somerset County, Maryland |
| H. Everett Cannon and Dorothy G. Cannon, | : | |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

Ordered this 27th day of May, in the year nineteen hundred and sixty-four, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Alexander G. Jones, Attorney named in the above mortgages, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 29th day of June, 1964, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 27th day of June, 1964.

The report states the amount of sales to be $9,421.51.

Clerk of the Circuit Court

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8022 Chancery |
| under power contained in two mortgages | : | In the Circuit Court for |
| from Mary V. Cannon, life tenant, and | : | Somerset County, Maryland |
| H. Everett Cannon and Dorothy G. Cannon, | : | |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

Ordered by the Circuit Court for Somerset County, in Equity, this 30th day of June, in the year nineteen hundred and sixty-four, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Attorney mentioned in said mortgages, 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.

Judge

PRINCESS ANNE, MD., June 29, 1964

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: May 28, June 4, 11, 18

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

## ORDER NISI

No. 8022 Chancery
In the Circuit Court for
Somerset County, Maryland

Alexander G. Jones, Attorney, Ex Parte under power contained in two Mortgages from Mary V. Cannon, life tenant, and H. Everett Cannon and Dorothy G. Cannon, his wife, to the Bank of Somerset, a body corporate.

Ordered this 27th day of May, in the year nineteen hundred and sixty-four, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Alexander G. Jones, Attorney named in the above mortgages, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 29th day of June, 1964, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 27th day of June, 1964.

The report states the amount of sales to be $9,421.51.

True Copy,
Test: I. Theodore Phoebus,
Clerk

I. THEODORE PHEOBUS
Clerk of the Circuit Court
for Somerset County, Md.

3-4to

Rec'd
JUL 18 1965

#8093
R # 7551-J

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

THOMAS W. WEBSTER &
MARY WEBSTER, his wife,
5634 Clearspring Road
Baltimore, Maryland,

and

ESTELLE E. WEBSTER, widow,
Deal Island, Maryland,

vs.

SELMA MITCHELL &
WILLIAM MITCHELL, her husbad,
740 N. Kenwood Avenue
Baltimore, Maryland; and,

JOHN W. WEBSTER &
CATHERINE WEBSTER, his wife
5505 Planefield Avenue
Baltimore, Maryland; and,

CHARLES WEBSTER &
HELEN WEBSTER, his wife,
236 South Ann Street
Baltimore, Maryland; and,

DANIEL E. GRAHAM &
EVELYN GRAHAM, his wife,
3383 St. Benedict's Road
Baltimore, Maryland; and,

WILSON GRAHAM &
EDNA GRAHAM, his wife,
3603 Bonview Road,
Baltimore, Maryland; and,

MARGARET MARINER &
LINWOOD MARINER, her husband,
Westover, Maryland

NO. 8093 CHANCERY

::::::::

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Complainants, Thomas W. Webster and Mary Webster, his wife, and Estelle E. Webster, widow, by their solicitor, Walter D. Webster, says:

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
106 S. DIVISION ST.
SALISBURY, MD.
PI 2-6409

1. That by Deed dated January 10, 1918, and recorded among the Land Records of Somerset County, Maryland, one Louvenie Walter (same person as Venie Walters) acquired a certain parcel of land in Deal Island Election District, Somerset County, State of Maryland, more particularly described as follows:

> " ALL that lot or parcel of land situate on Deal's Island, Somerset County, State of Maryland, East of the Main County Road leading from Princess Anne to the lower end of Deal's Island, bounded on the North by the land of Hosea C. Webster, on the West by the Camp Ground and the Somerset County School House property; bounded on the South and East by the lands of W. A. Rorer, formerly owned by T. W. Hendry, and being the same land conveyed unto Louvenie Walter by Deed from The Salisbury Building Loan & Banking Association of Wicomico County, Maryland, dated January 10, 1918, and recorded among the Land Records of Somerset County, Maryland, in Liber W.J.S. No. 78, Folio 118."

2. That the portion of said parcel of land owned by the said Louvenie Walter at the time of her death is described as follows:

> " ALL that lot or parcel of land situate, lying and being in Deal Island Election District, Somerset County, State of Maryland, back from the East side of the County Road leading from Deal Island to Wenona and more particularly described as follows: BEGINNING for the same at a cement post which bears South 21 degrees 00 minutes West a distance of 9.0 feet from an existing cement post found on a corner of the School Board property;thence by and with said School Board property South 80 degrees 20 minutes East a distance of 151.75 feet to the George W. Webster land; thence by and with said Webster land South 20 degrees 50 minutes West for a distance of 133.83 feet to the Ralph C. Harrison land; thence by and with said Harrison land North 69 degrees 10 minutes West a distance of 145.5 feet to an iron pipe in a public roadway; thence North 18 degrees 59 minutes East a distance of 104.49 feet to the place of beginning and being more fully shown and designated on a plat made for the Louvenie Walter

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-6409

Heirs by W. Ballard Miles, Registered Surveyor, dated February 6, 1964, and being the remainder of the same land conveyed unto Louvenie Walter by Deed from The Salisbury Building Loan & Banking Association, dated January 10, 1918, and recorded among the Land Records for Somerset County, Maryland in Liber W.J.S. No. 78, Folio 118.

3. That the said Louvenie Walter died on December 13, 1963. The said Louvenie Walter died intestate and there is administration of her estate in the Orphans Court for Somerset County, Maryland in Estate No. 977.

4. That at the time of her death on December 13, 1963, as aforesaid, the said Louvenie Walter owned the land in Parcel 2 above, in fee simple and unemcumbered.

5. That at the time of her death the said Louvenie Walter left surviving her as her only heirs at law the following, all being adults:

A. The children of Margaret Webster, a deceased sister:

Thomas W. Webster (intermarried with Mary Webster)
Estelle E. Webster (widow)
Selma Mitchell (intermarried with William Mitchell)
John W. Webster (intermarried with Catherine Webster)
Charles K. Webster (intermarried with Helen Webster)

B. The children of James Graham, a deceased brother:

Daniel Graham (intermarried with Evelyn Graham)
Wilson Graham (intermarried with Edna Graham)
Margaret Mariner (intermarried with Linwood Mariner)

6. That the real estate described above is not susceptible to partition without material loss and injury to the parties entitled to their respective interests therein and in order to make a division of said interest, it will, therefore, be necessary that the real estate be sold, and the proceeds thereof divided among the parties according to their several interests.

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5409

7. That all the parties hereto are adult residents of the State of Maryland.

WHEREFORE, your Petitioners pray this Honorable Court:

1. That a decree may be passed for a sale and partition of said property.

2. That a distribution of the proceeds of said sale be made among the persons entitled thereto according to their respective interests therein in accordance with the laws of the State of Maryland.

3. And for such other and further relief as their case may require.

AND, as in duty bound, etc.

Walter D. Webster,
Solicitor for Complainants
104A N. Division Street
Salisbury, Maryland
Phone: PI 9-7100

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-2409

# THE STATE OF MARYLAND

**Somerset County, to Wit:**

TO Margaret Mariner & Linwood Mariner, her husband

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of December next, and ending fifteen days thereafter, cause your answer or other defense to be filed to the complaint of Thomas W. Webster, et als versus Selma Mitchell, et als

against you exhibited in the Circuit Court, for Somerset County.

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

Witness the Honorable ~~Walter Hearn Jr.~~ E. McMaster Duer Chief Judge of the First Judicial Circuit of Maryland, the 7th day of September Nineteen Hundred and 64.

Issued the 30th day of October 1964.

**TO THE DEFENDANT(S)**

You are required to file your answer or other defense in the Clerk's Office, Princess Anne, Maryland, within fifteen days after the return day named in the above subpoena. Personal attendance in Corut on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE DECEMBER 22, 1964, THE COMPLAINANTS MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Solicitor(s) for Complainant(s)

Name Walter D. Webster

Address Salisbury, Maryland

Theodore Schaefer
Clerk.

SHERIFF'S RETURN

"Summoned and copy of Bill of Complaint and Subpoena left with the defendants November 9th, 1964".

/s/ Isaac H. Dorsey, Sheriff
Edwin B. Muir, Deputy

LIBER 041 PAGE 14

# THE STATE OF MARYLAND

**Somerset County, to Wit:**

TO Selma Mitchell & William Mitchell, her husband
John W. Webster & Catherine Webster, his wife
Charles Webster & Helen Webster, his wife
Daniel E. Graham & Evelyn Graham, his wife
Wilson Graham & Edna Graham, his wife

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of December next, and ending fifteen days thereafter, cause your answer or other defense to be filed to the complaint of Thomas W. Webster, et als
versus
Selma Mitchell, et als

against you exhibited in the Circuit Court, for Somerset County.

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

Witness the Honorable E. McMaster Duer ~~XXXXXXXXXXXX~~ Chief Judge of the First Judicial Circuit of Maryland, the 7th day of September Nineteen Hundred and Sixty-four.

Issued the 30th day of October 1964.

**TO THE DEFENDANT(S)**

**You are required to file your answer or other defense in the Clerk's Office, Princess Anne, Maryland, within fifteen days after the return day named in the above subpoena. Personal attendance in Corut on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.**

Solicitor(s) for Complainant(s)

Name Walter D. Webster

Address Salisbury, Maryland

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE DECEMBER 22, 1964, THE COMPLAINANTS MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

I. Theodore Shockley
Clerk.

SHERIFF'S RETURN

Summoned Selma Mitchell and William Mitcehll, and a Copy of the Process with a Copy of the Bill of Complaint left with each Defendant on the 6th day of November, 1964, In the presence of Frank C. Kankosky, Jr. Also summoned John W. Webster and Catherine Webster, and a Copy of the Process with a copy of the Bill of Complaint left with each Defendant on the 6th day of November, 1964, In the presence of Warren Haase. Also summoned Charles Webster and Helen Webster, and a Copy of the Process with a Copy of the Bill of Complaint left with each Defendant on the 10th day of November, 1964, in the presence of John E. Dekowski. Also summoned Daniel E. Graham and Evelyn Graham, and a Copy of the Process with a Copy of the Bill of Complaint left with each Defendant on the 11th day of November, 1964, In the presence of Abraham Schreiber. Also summoned Wilson Graham and Edna Graham, and a Copy of the Process with a Copy of the Bill of Complaint left with each Defendant on the 7th day of November, 1964, in the presence of Edward Appel.

Fees $40.00

/s/ Frank Pelz
SHERIFF

THOMAS W. WEBSTER, et al : NO. 8093 CHANCERY

vs. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, et al : SOMERSET COUNTY, MARYLAND

:::::::

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Selma Mitchell and William Mitchell, her husband, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Selma P. Mitchell
Selma Mitchell

William Mitchell
William Mitchell

SERVICE of a copy of the aforegoing answer is hereby admitted this 13th day of November, 1964.

Walter D. Webster
Walter D. Webster
Attorney for Complainant

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
105 S. DIVISION ST.
SALISBURY, MD.
PI 2-5409

LIBER 041 PAGE 16

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS, : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

::::::::

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Daniel E. Graham and Evelyn Graham, his wife, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Daniel E. Graham
Daniel E. Graham

Evelyn A. Graham
Evelyn Graham

SERVICE of a copy of the aforegoing answer is hereby admitted this 17th day of November, 1964.

Walter D. Webster
Walter D. Webster
Attorney for Complainant

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-9409

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

::::::

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Charles Webster and Helen Webster, his wife, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Charles W. Webster
Charles Webster

Helen Webster
Helen Webster

SERVICE of a copy of the aforegoing answer is hereby admitted this 12th day of November, 1964.

Walter D. Webster
Walter D. Webster
Attorney for Complainant

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-9409

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

:::::::

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

John W. Webster and Catherine Webster, his wife, for answer to the Bill of Complaint filed in this cause, says:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

John W. Webster
John W.Webster

Catherine Webster
Catherine Webster

SERVICE of a copy of the aforegoing answer is hereby admitted this 12th day of November, 1964.

Walter D. Webster
Walter D. Webster
Attorney for Complainant

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-2409

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

:::::::

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Wilson Graham and Edna Graham, his wife, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Wilson Graham
Wilson Graham

Edna Graham
Edna Graham

SERVICE of a copy of the aforegoing answer is hereby admitted this 17th day of November, 1964.

Walter D. Webster
Walter D. Webster
Attorney for Complainant

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
105 S. DIVISION ST.
SALISBURY, MD.
PI 2-5400

LIBER 041 PAGE 20

| | | |
|---|---|---|
| THOMAS W. WEBSTER, ET AL | : | NO. 8093 CHANCERY |
| VS. | : | IN THE CIRCUIT COURT FOR |
| SELMA MITCHELL, ET AL | : | SOMERSET COUNTY, MARYLAND |

:::::::

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Margaret Mariner and Linwood Mariner, her husband, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Margaret Mariner
Margaret Mariner

Linwood D. Mariner
Linwood Mariner

SERVICE of a copy of the aforegoing Answer is hereby admitted this 12th day of November, 1964.

Walter D. Webster
Walter D. Webster,
Attorney for Complainant

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5400

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

::::::

PETITION FOR APPOINTMENT OF SPECIAL EXAMINER

The Petition of Walter D. Webster, Solicitor for Complainants Thomas W. Webster and Mary Webster, his wife, and Estelle E. Webster, respectfully represents:

1. That Bill of Complaint for a sale and partition of certain property owned by Louvenie Walter at the time of her death has heretofore been filed in these proceedings.

2. That the Defendants herein have been duly summoned by the Sheriff of Somerset County and the Sheriff of Baltimore County, Maryland.

3. That your Petitioner desires to take the testimony of the Complainant Estelle Webster and W. C. Ford, Jr. but is unable to do so because of the fact that Harry C. Dashiell, the Standing Examiner is physically incapacitated.

WHEREFORE, Your Petitioner prays this Honorable Court to pass an Order appointing and authorizing Virginia V. Miles, Special Examiner for the taking of testimony in these proceedings.

Walter D. Webster,
Solicitor for Complainants

ORDER OF COURT

The aforegoing Petition having been read and considered, it is, thereupon, this 18th day of November, A.D., 1964, ORDERED, AD-

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
106 S. DIVISION ST.
SALISBURY, MD.
PI 2-5400

JUDGED and DECREED by the Circuit Court for Somerset County, Maryland, Sitting in Equity, that Virginia B. Miles be, and she is, hereby appointed Special Examiner for the taking of testimony in these proceedings.

E. McMaster Duer.
Judge

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5409

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

:::::::

PETITION TO ADD PARTY DEFENDANTS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Complainants, Thomas W. Webster and Mary Webster, his wife, and Estelle E. Webster, widow, by Walter D. Webster their solicitor petition pursuant to Maryland Rule 282 that additional parties be made Defendants in this cause and served with process pursuant to the Maryland Rules. The grounds of the Petition are as follows:

1. This is an action praying for a Decree for a sale and partition of certain real property in Deal Island Election District, Somerset County, State of Maryland which one Louvenie Walter (same person as Venie Walters) was seized and possessed of in fee simple at the time of her death on or about December 13, 1963.

2. The following residents of Maryland were omitted by inadvertence as Defendants from the Bill of Complaint:

A. Nettie Wright, widow, daughter of Annie Abbott, deceased sister of the intestate.

B. Maggie Abbott (intermarried with John Abbott)
Norwood Abbott, single
Flora Marie Ozman (intermarried with Clarence Ozman)
Dorothy Church (intermarried with Edward Church)
Leroy Abbott (intermarried with Edna Abbott)
Anna Mae Rothbard (intermarried with Jerry Rothbard),

all descendants of John Wesley Abbott, deceased son of the said Annie Abbott.

The above parties should be included as Defendants because they are heirs at law of Louvenie Walter (same person as Venie Walters.)

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
105 S. DIVISION ST.
SALISBURY, MD.
PI 2-8409

May it please your Honors to grant unto your Complainants the Writ of Subpoena "To Lie", directed to the above resident defendants, Nettie Wright, widow, 1609 Harden Court, Baltimore, Maryland; Maggie Abbott and John Abbott, her husband, Deal Island, Maryland; Norwood Abbott, single, Deal Island, Maryland; Flora Marie Ozman and Clarence Ozman, her husband, 5422 Highridge Street, Baltimore 25, Maryland; Dorothy Church and Edward Church, her husband, 925 Mayadon Street, Baltimore, Maryland; Leroy Abbott and Edna Abbott, his wife, 151 Main Street, Annapolis, Maryland; and Anna Mae Rothbard and Jerry Rothbard, her husband, Apartment 2-B, Strawberry Apartments, 5906 Franklin Avenue, Baltimore, 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.

Walter D. Webster,
Solicitor for Complainants

ORDER OF COURT

The aforegoing Petition having been read and considered, it is, thereupon, this 27 day of January, A.D., 1965, by the Circuit Court for Somerset County, Maryland, In Equity, ORDERED that Nettie Wright, widow; Maggie Abbott and John Abbott, her husband, Norwood Abbott, single; Flora Marie Ozman and Clarence Ozman, her husband; Dorothy Church and Edward Church, her husband; Leroy Abbott and Edna Abbott, his wife; and Anna Mae Rothbard and Jerry Rothbard, her husband, be and they are made Party Defendants. The Clerk shall issue process pursuant to the Maryland Rules.

E. McMaster Duer
Judge

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-9409

**WRIT OF SUBPOENA:**

TO LIE

# The Circuit Court for Somerset County

Princess Anne, Maryland

## The State of Maryland,
## Somerset County, to wit:

TO Maggie Abbott
John Abbott, her husband
Norwood Abbott
Deal Island, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of

Thomas W. Webster, et al
versus
Selma Mitchell, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 28 day of January, 1965.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 16th day of February, 1965. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Walter D. Webster
Name

Salisbury, Maryland
Address

S. Theodore Thomas
Clerk

LIBER 041 PAGE 25

LIBER 041 PAGE 26

**WRIT OF SUBPOENA:** "TO LIE"

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Leroy Abbott
Edna Abbott
151 Main Street
Annoplis, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Thomas W. Webster, et al vs. Selma Mitchell, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 28th day of January, 19 65.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 16th day of February, 19 65. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Walter D. Webster
Name

Salisbury, Maryland
Address

S. Theodore Sheehan
Clerk

**WRIT OF SUBPOENA:** "TO LIE"

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Anna Mae Rothbard
Jerry Rothbard
Apartment 2-B
Strawberry Apartments
Baltimore, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Thomas W. Webster, et al
versus
Selma Mitchell, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 28th day of January, 1965.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 16th day of February, 1965. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Walter D. Webster
Name

Salisbury, Maryland
Address

L. Theodore Shockley
Clerk

LIBER 041 PAGE 27

LIBER 041 PAGE 28

**WRIT OF SUBPOENA:** "TO LIE"

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,

Somerset County, to wit:

TO Nettie Wright
1609 Harden Court
Baltimore, Maryland
and

Flora Marie Ozman
Clarence Ozman
5422 Highridge St.
Baltimore, Maryland
and

Dorothy Church and
Edward Church
925 Maydon Street
Baltimore, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Thomas W. Webster, et als
versus
Selma Mitchell, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 28th day of January, 19 65.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 16th day of February, 19 65. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Walter D. Webster
Name

Salisbury, Maryland
Address

S. Theodore Shockley
Clerk

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS, : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

::::::

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Nettie Wright, widow, for answer to the Bill of Complaint filed in this cause, says:

1. That she admits the matters and facts as alleged in said Bill of Complaint.

2. That she consents to the passage of such decree as may be proper in this cause.

Nettie Wright
Nettie Wright

I HEREBY ADMIT service of a copy of the aforegoing Answer this 5 day of March 1965.

Walter D. Webster
Walter D. Webster
Solicitor for Complainants

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-8409

| | | |
|---|---|---|
| THOMAS W. WEBSTER, ET AL | : | NO. 8093 CHANCERY |
| VS. | : | IN THE CIRCUIT COURT FOR |
| SELMA MITCHELL, ET AL | : | SOMERSET COUNTY, MARYLAND |

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Norwood Abbott, single, for answer to the Bill of Complaint filed in this cause, says:

1. That he admits the matters and facts as alleged in said Bill of Complaint.

2. That he consents to the passage of such decree as may be proper in this cause.

Norwood Abbott

I HEREBY ADMIT service of a copy of the aforegoing Answer this 8 day of March, 1965.

Walter D. Webster,
Solicitor for Complainants

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-2409

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Maggie Abbott and John Abbott, her husband, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Maggie Abbott
Maggie Abbott

John W. Abbott
John Abbott

I HEREBY ADMIT service of a copy of the aforegoing Answer this 22 day of MARCH, 1965.

Walter D. Webster
Walter D. Webster
Solicitor for Complainants

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 5-5400

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

:::::::

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Anna Mae Rothbard and Jerry Rothbard, her husband, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Anna Mae Rothbard
Anna Mae Rothbard

Jerry Rothbard
Jerry Rothbard

I HEREBY ADMIT service of a copy of the aforegoing Answer this 11th day of March, 1965.

Walter D. Webster
Walter D. Webster,
Solicitor for Complainants

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-2400

| | | |
|---|---|---|
| THOMAS W. WEBSTER, ET AL | : | NO. 8093 CHANCERY |
| VS | : | IN THE CIRCUIT COURT FOR |
| SELMA MITCHELL, ET AL | : | SOMERSET COUNTY, MARYLAND |

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Dorothy Church and Edward Church, her husband, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Dorothy Church
Dorothy Church

Edward X Church
#15
Edward Church
MARK

I HEREBY ADMIT SERVICE OF A copy of the aforegoing Answer this 11th day of March, 1965.

Walter D. Webster
Walter D. Webster,
Solicitor for Complainants

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-2409

| | | |
|---|---|---|
| THOMAS W. WEBSTER, ET AL | : | NO. 8093 CHANCERY |
| VS. | : | IN THE CIRCUIT COURT FOR |
| SELMA MITCHELL, ET AL | : | SOMERSET COUNTY, MARYLAND |

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Flora Marie Ozman and Clarence Ozman, her husband, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Flora Marie Ozman
Flora Marie Ozman

Clarence B. Ozman
Clarence Ozman

I HEREBY ADMIT service of a copy of the aforegoing Answer this 8th day of March, 1965.

Walter D. Webster
Walter D. Webster,
Solicitor for Complainants

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
105 S. DIVISION ST.
SALISBURY, MD.
PI 2-2409

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Leroy Abbott and Edna Abbott, his wife, for answer to the Bill of Complaint filed in this cause, say:

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Leroy Abbott
Leroy Abbott

Edna Abbott
Edna Abbott

I HEREBY ADMIT service of a copy of the aforegoing Answer this 16 day of March, 1965.

Walter D. Webster
Walter D. Webster,
Solicitor for Complainants

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-9409

| | | |
|---|---|---|
| THOMAS W. WEBSTER, ET AL | : | NO. 8093 CHANCERY |
| VS. | : | IN THE CIRCUIT COURT FOR |
| SELMA MITCHELL, ET AL | : | SOMERSET COUNTY, MARYLAND |

::::::::

I, VIRGINIA B. MILES, SPECIAL EXAMINER IN CHANCERY, APPOINTED BY THIS COURT, DO HEREBY CERTIFY THAT AT THE LAW OFFICES OF SIMPKINS AND SIMPKINS, IN PRINCESS ANNE, MARYLAND, ON TUESDAY, AUGUST 31, 1965 AT THE HOUR OF ONE O'CLOCK PM, I DID TAKE THE FOLLOWING DEPOSITIONS; QUESTIONS PROPOUNDED BY WALTER D. WEBSTER, ESQUIRE, ONE OF THE ATTORNEY IN THIS CAUSE:

DEPOSITIONS ATTACHED

Then personally appeared William Clyde Ford, Jr., a witness in the above entitled case, who being first duly sworn according to law, answereth, sweareth and deposeth, in the manner following, that is to say:

EXAMINATION BY WALTER D. WEBSTER, SOLICITOR FOR COMPLAINANTS

Q. 1- Please state your full name, address and occupation.

A. - William Clyde Ford, Jr., Westover, Maryland. My main occupation is Superintendant of Assessments for Somerset County but I do private appraisal work in some Orphan's Court cases.

Q. 2- Are you one of the appraisers in the Estate of Venie Walters?

A. - Yes.

Q. 3- Have you appraised her real property?

A. - Yes.

Q. 4- What real property did she own at the time of her death?

A. - All that I know of and appraised is the one piece of property on Deal Island.

Q. 5- When and from whom did she acquire this property?

A. - The Land Records show that she acquired this property from the Salisbury Building, Loan and Banking Association of Wicomico County, Maryland, on January 10, 1918, and the Deed is recorded among the Land Records for Somerset County in Liber W.J.S. No. 78, Folio 118. The Deed shows her name as Louvenie Walters but I understand she was always known as Venie Walters and these are one and the same person.

Q. 6- Has the property been surveyed since the deed of Mrs. Walters?

A. - I understand that the Administrators of the Estate have had it surveyed by Ballard Miles.

Q. 7- Please describe the property?

A. - It is located toward the rear of the Deal Island School & according to the survey the lot is approximately 100 ' x 150'. The house is very old. It is two story; not in very good repair. It has no modern facilities such as running water, bathroom, central heat, etc. The real estate market is not so good on Deal Island, especially when you get away from the waterfront.

Q. 8- In your opinion what is the market value of this property?

A. - About $750.00 I would say.

Q. 9- Is this property susceptible of partition?

A. - No, *NOT IN MY OPINION.*

Q.10- In your opinion would it be in the best interests of the heirs for the property to be sold and the proceeds divided among them?

A. - Yes.

Virginia B. Biles
Special Examiner

Then personally appeared Estelle Eleanor Webster, a witness in the above entitled case, who being first duly sworn according to law, answereth, sweareth and deposeth, in the manner following, that is to say:

EXAMINATION BY WALTER D. WEBSTER, SOLICITOR FOR COMPLAINANTS

Q. 1- Please state your full name, age, address and occupation.

A. - Estelle Eleanor Webster, Deal Island, Maryland. I am 42 years old and a housewife.

Q. 2- Were you related to Venie Walters?

A. - Yes, I am her niece, she was my mother's sister.

Q. 3- When did Venie Walters die?

A. - December 13, 1963.

Q. 4- Did the decedent leave a will?

A. - After an estate had been opened in the Orphan's Court for Somerset County one was found at the home of one of her sisters but the will was contested and was held not to be any good.

Q. 5- Who are the administrators of the estate in Somerset County?

A. - Me and my brother Thomas W. Webster.

Q. 6- Were you closely acquainted with the deceased during her lifetime?

A. - Yes, I just lived a short distance from her all my life and I saw her most every day.

Q. 7- Was she ever married?

A. - Yes, to Perry Walters but he died first.

Q. 8- Did she ever have any children?

A. - One, Florence Walters, she died when she was young and was never married nor had any children.

Q. 9- Who are the heirs of Venie Walters?

A. - Well, as you have seen she was not survived by any husband or children or descendants of children. She had brothers and sisters who died before she did. She had a sister named Margaret Webster whose only descendants are Thomas W. Webster, Estelle E. Webster, Selma Mitchell, John W. Webster and Charles K. Webster, all children. She had a brother named James Graham whose only descendants are Daniel Graham, Wilson Graham and Margaret Mariner, all children. She also had a sister named Annie Abbott who had two children. One of them Nettie Wright is still living. The other one was a son, John Wesley Abbott who is dead and whose

only descendants are Maggie Abbott, Norwood Abbott, Flora Marie Ozman, Dorothy Church, Leroy Abbott and Anna Mae Rothbard, all his children.

Q.10- Did Mrs. Walters own any real estate?

A. - Yes, a house and lot next to the school property and in back of the cemetery on Deal Island.

Q.11- Please describe this property?

A. - The lot is good sized. The house is run down on the outside but looks good on the inside. It doesn't have any running water or central heat but it does have electric lights. The house is very old; it has five rooms.

Q.12- This property has been appraised at $750.00. In your opinion is that figure in accord with its value?

A. - Yes, indeed. It is an old house and would not appeal to anyone in its present condition.

Q.13- Is this property susceptible of partition among the heirs?

A. - No.

Q.14- Do you think it in the best interests of the heirs that the property be sold and the proceeds distributed among the heirs after payment of the bills?

A. - Yes.

Virginia B. Miles
Special Examiner

*THERE BEING NO FURTHER WITNESSES PRODUCED TO ME, I HEREWITH, AT THE REQUEST OF THE SOLICITORS IN THIS CAUSE, RETURN THIS DEPOSITION TO COURT, CLOSED UNDER MY HAND AND SEAL, AND I CERTIFY THAT ALL OF THE ABOVE TESTIMONY WAS TAKEN IN MY PRESENCE AS SPEEIAL EXAMINER AND THAT ALL THE REQUIREMENTS OF LAW HAVE BEEN COMPLIED WITH; AND I FURTHER CERTIFY THAT THE WITNESSES DID WAIVE THEIR RIGHT TO SIGN THEIR TESTIMONY; AND I FURTHER CERTIFY THAT THE EXAMINER'S COST HAS BEEN PAID.*

*GIVEN UNDER MY HAND AND SEAL THIS 31ST DAY OF AUGUST, 1965.*

Virginia B. Miles (SEAL)
*VIRGINIA B. MILES, SPECIAL EXAMINER*

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

DECREE

The proceedings having been submitted to the Court on the Bill of Complaint, the Defendants having been duly summoned to appear and testimony taken and it appearing from the proceedings that the property mentioned in the Bill is not subject to division in kind without material loss to the owners thereof, it is, this 14th day of ~~November~~ September, A.D., 1965, ORDERED, ADJUDGED and DECREED that the property in the proceedings mentioned be sold and that Walter D. Webster be and he is hereby appointed Trustee to make the sale and that the course and manner of the proceedings be as follows: He shall first file with the Clerk of the Circuit Court for Somerset County, Maryland, a bond to the State of Maryland executed by himself with private or corporate surety to be approved by this Court in the penalty of $ 800.00, conditioned for the faithful performance of the trust reposed in him by this 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, Maryland, as he shall think proper, of the time, place, manner and terms of sale which shall be one-third 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 as soon as may be convenient after such sale the said Trustee shall return to the Court a full and particular report of his proceedings relative to said sale with an affidavit annexed of the

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-2409

trust thereof and the fairness of said sale and on obtaining the Court's ratification of said sale and on the payment of the whole 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 from all claims of the parties hereto, or any creditors of the parties hereto, and those claiming by, from or under them, or either of them and the said Trustee shall bring in this Court the monies arising from said sale to be distributed under the direction of the Court after deducting costs of this sale and commissions to the said Trustee as this Court may think proper to allow, in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

E. McMaster Duer
JUDGE

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 78.

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5409

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

:::::::

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Walter D. Webster, Trustee, appointed by a Decree of this Court, passed in the above entitled cause, dated September 14, 1965, 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 prerequisites as required by law and the said decree, and after giving notice of the time, place and manner of sale by advertisements inserted in the Marylander & Herald, a weekly newspaper published in Somerset County, Maryland, for at least three successive weeks before the date of sale as will appear by reference to the hereto annexed Certificate of Publication of said Notice of Sale, he did, pursuant to said notice, attend at the front door of the Court House in Princess Anne, Somerset County, Maryland, on Friday, October 8, 1965, at or about the hour of 2 o'clock P.M. and then and there proceeded to sell said property at public sale in the following manner, that is to say:

Your Trustee offered at public sale to the highest bidder the property mentioned in said Decree, together with the improvements thereon, being one parcel of land situate in Deal Island Election District, Somerset County, State of Maryland, and described as follows:

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A.N. DIVISION ST.
SALISBURY, MD.
PI 8-7100

"ALL that lot or parcel of land situate, lying and being in Deal Island Election District, Somerset County, State of Maryland, back from the East side of the County Road leading from Deal Island to Wenona and more particularly described as follows: BEGINNING for the same at a cement post which bears South 21 degrees 00 minutes West a distance of 9.0 feet from an existing cement post found on a corner of the School Board Property; thence by and with said School Board Property South 80 degrees 20 minutes East a distance of 151.75 feet to the George W. Webster land; thence by and with said Webster land South 20 degrees 50 minutes West for a distance of 133.83 feet to the Ralph C. Harrison land; thence by and with said Harrison land North 69 degrees 10 minutes West a distance of 145.5 feet to an iron pipe in a public roadway; thence North 18 degrees 59 minutes East a distance of 104.49 feet to the place of beginning and being more fully shown and designated on a plat made for the Louvenie Walter Heirs by W. Ballard Miles, Registered Surveyor, dated February 6, 1964, and being the remainder of the same land conveyed unto Louvenie Walters by deed from The Salisbury Building Loan and Banking Association, dated January 10, 1918, and recorded among the Land Records for Somerset County, Maryland in Liber W.J.S. No. 78, Folio 118.

AND your Trustee sold the above described parcel of land unto the Board of Education for Somerset County for the sum of $900.00, it being at that sum the highest bidder therefor, the terms of sale being: One-third cash on the day of sale. Balance payable within thirty days, or all cash at the option of the purchaser or purchasers, the credit portion to bear interest from date of sale and to be secured to the satisfaction of the said Trustee. Title papers and revenue stamps to be at the expense of the purchaser.

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

AND your Trustee states that the purchaser will comply with the terms of sale and begs leave to report that he will make distribution and pray ratification of the proceeds thus arising from said sale as follows:

TO AMOUNT RECEIVED FROM PURCHASER.....$900.00

DISTRIBUTION

| | | | |
|---|---|---|---|
| I. Theodore Phoebus, Clerk Court costs..... | | 101.25 | |
| Virginia Miles, Examiner's Fee..... | | 10.00 | |
| Norman R. McIntyre, Bond Premium..... | | 10.00 | |
| Edwin Muir, Auctioneer..... | | 25.00 | |
| Maryland & Herald, Advertising | | | |
| Notice of Sale | $45.00 | | |
| Order Nisi | 10.00 | 55.00 | |
| Attorney's Fee..... | | 25.00 | |
| Walter D. Webster, Trustee's Commissions as per Rules of Court..... | | 90.00 | |
| Treasurer, Somerset County-Real Estate Taxes..... | | 29.55 | 345.80 |

Balance for distribution.....$554.20

Balance for distribution in hands of Trustee for disbursement subject to further Order of this Court.

Respectfully submitted,

Walter D. Webster,
Trustee

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 11th day of October, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Walter D. Webster, Trustee, and made oath in due form of law that the matters and things stated by him in the aforegoing Report of sale and distribution of the proceeds arising therefrom are true and correct 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.

Emma E. Nelson
Notary Public

My Commission Expires: 7-1-67

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

ORDER NISI

ORDERED, this 27 day of October, 1965, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Report of Sales and Distribution of the proceeds arising from the sale of the property mentioned in these proceedings, made and reported by Walter D. Webster, Trustee, appointed by a Decree of this Court dated September 14, 1965, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 29th day of November, 1965, provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three (3) successive weeks before the 24th day of November, 1965.

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

Clerk

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

::::::::

AFFIDAVIT BY PURCHASER

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 18th day of October, A.D., 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Horace Webster, agent forthe Board of Education for Somerset County, the purchaser of the property sold in these proceedings, and made oath in due form of law that in making the purchase of said real estate he was not acting as agent for anyone other than the purchaser thereof, and that no one other than the purchaser is interested in the purchase thereof, as principal, and that he did not directly or indirectly discourage anyone from bidding for the said property.

AS WITNESS my hand and Notarial Seal.

Ezra E. Webster
Notary Public

My Commission Expires: 7-1-67

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

LIBER 041 FAGE 49

PRINCESS ANNE, MD. October 19, 1965

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Sept 16, 23, 30, Oct 7, 1965

Clarence L. Lepa

Business Manager MARYLANDER and HERALD

WALTER D. WEBSTER
Attorney at Law

# TRUSTEE'S SALE

Of Valuable

## HOUSE AND LOT

Under and by virtue of a Decree of the Circuit Court for Somerset County, Maryland passed in No. 8093 Chancery Cases on September 14, 1965, the undersigned Trustee will sell at public auction at the front door of the Court House in Princess Anne, Maryland, on

## FRIDAY, OCTOBER 8, 1965

at or about the hour of 2:00 o'clock P.M. (E.S.T.)

the following described land with improvements:

ALL that lot or parcel of land situate, lying and being in Deal Island Election District, Somerset County, State of Maryland, back from the East side of the County Road leading from Deal Island to Wenona and more particularly described as follows: BEGINNING for the same at a cement post which bears South 21 degrees 00 minutes West a distance of 9.0 feet from an existing cement post found on a corner of the School Board property; thence by and with said School Board property South 80 degrees 20 minutes East a distance of 151.-75 feet to the George W. Webster land; thence by and with said Webster land South 20 degrees 50 minutes West for a distance of 133.83 feet to the Ralph C. Harrison land; thence by and with said Harrison land North 69 degrees 10 minutes West a distance of 145.5 feet to an iron pipe in a public roadway; thence North 18 degrees 59 minutes East a distance of 104.49 feet to the place of beginning and being more fully shown and designated on a plat made for the Louvenie Walter Heirs by W. Ballard Miles, Registered Surveyor, dated February 6, 1964, and being the remainder of the same land conveyed unto Louvenie Walters by Deed from The Salisbury Building Loan and Banking Association, dated January 10, 1918, and recorded among the Land Records for Somerset County, Maryland in Liber W.J.S. No. 78, Folio 118.

This property is improved by a two story frame dwelling.

TERMS OF SALE: One-third cash on the day of sale, balance payable within thirty days, or all cash at the option of the purchaser or purchasers, the credit portion to bear interest from date of sale and to be secured to the satisfaction of the said Trustee. Title papers and revenue stamps to be at the expense of the purchaser.

WALTER D. WEBSTER,
Trustee

9-4tc

LIBER 041 PAGE 50

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, Maryland, In Equity, this 30 day of November, 1965, that the sale of the property mentioned in these proceedings and the distribution of the proceeds arising therefrom, as shown therein, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice thereof appears to have been given as required by the terms of the Order Nisi passed and published in this cause, and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for.

E. Norris Duer
Judge

WALTER D. WEBSTER
Attorney at Law

ORDER NISI

ORDERED, this 27th day of October, 1965, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Report of Sales and Distribution of the proceeds arising from the sale of the property mentioned in these proceedings, made and reported by Walter D. Webster, Trustee, appointed by a Decree of this Court dated September 14, 1965, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 29th day of November, 1965, provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three (3) successive weeks before the 24th day of November, 1965.

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

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
True Copy,
Test: I. Theodore Phoebus, Clk.
27-3tc

PRINCESS ANNE, MD., November 23, 1965

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Nov. 4, 11, 18, 1965

Jeanne L. Byrd
Business Manager MARYLANDER and HERALD

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

THOMAS W. WEBSTER, ET AL : NO. 8093 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

SELMA MITCHELL, ET AL : SOMERSET COUNTY, MARYLAND

::::::

PETITION TO PAY SURPLUS FUNDS TO ADMINISTRATOR

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Walter D. Webster, Trustee, respectfully represents:

1. That your Trustee now has in hand for distribution the sum of $554.24, the net proceeds from the sale of the real estate in this matter.

2. That Thomas Winfield Webster and Estelle E. Webster were duly appointed Administrators of the Estate of Venie Walters, deceased, by the Orphans Court for Somerset County, Maryland, in Estate No. 977.

3. That the personal assets in the above estate are insufficient to defray the funeral bill of the deceased and the costs of administering the Estate and any overpayment in the personal estate constitutes a lien on the net proceeds of the real estate herein.

4. That the Defendants herein are the heirs at law of the said Venie Walters, deceased, and will likewise share in any distribution of the personal estate as the same heirs at law of the said intestate.

WHEREFORE, your Trustee prays for authority of this Honorable Court to pay over the funds in hand to the personal representatives in the Estate of Venie Walters.

Walter D. Webster,
Trustee

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

LIBER 041 PAGE 52

ORDER OF COURT

The aforegoing Petition having been read and considered, it is, thereupon, this 3. day of November, A.D., 1965, by the Circuit Court for Somerset County, Maryland, In Equity, ORDERED that Walter D. Webster, Trustee, be and he is, authorized and empowered to pay over the funds in hand to the personal representatives in the Estate of Venie Walters.

E. Merrill Dow
Judge

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

Rec'd
JUL 18 1966

Wade D. Ward, Assignee of
Vendor's Interest under Land
Installment Contract executed by
David Franklin Sneade and Angeline,
Vendees, Ex Parte

In the Circuit Court for

Somerset County, Maryland

No. 810 Chancery

Mr. Clerk:

Please file the attached Contract of Sale and Affidavit, and docket suit in the above entitled casue, and oblige.

Wade D. Ward, Assignee

PURCHASE CONTRACT

THIS AGREEMENT, Made this 21st day of December, in the year nineteen hundred and fifty-three, by Minnie D. Tawes and A. Wellington Tawes, her husband; Ethel Daugherty, a widow; Julian Daugherty and Josephine Daugherty, his wife; Edgar Daugherty and Dorothy Daugherty, his wife; Kathryn Carman and William Carman, her husband, and Inez Daugherty, single, all of Somerset County, Maryland, parties of the first part, and David Franklin Sneade and Angeline Sneade, his wife, parties of the second part, of Somerset County, Maryland, WITNESSETH:-

That the said parties of the first part for and in consideration of the sum of Twenty-five Thousand Dollars ($25.000.00) to be paid by the parties of the second part, as hereinafter set forth, hereby agree to sell, and after the full payment of the said purchase money, and the interest thereon, as hereinafter mentioned, to convey by a good and sufficient deed, free and clear of all encumbrances, ~~to convey by a good and sufficient deed, free and clear of all encumbrances~~, to the parties of the second part, all that lot or parcel of land situate, lying and being in the Town of Crisfield, Somerset County, State of Maryland, and fronting thirty (30) feet on Main Street, and extending one hundred and fifty (150) feet, by and with Second Street, to Broad Street, and being the same and all those lands which were conveyed to the Crisfield Hardware Company of Somerset County, a body corporate, by virtue of two deeds, both dated June 9, 1910, one being from Henry L. D. Stanford and Clarence P. Lankford, Trustees, duly recorded among the land records of Somerset County, Maryland in Liber S.F.D. No. 54, at folio 185, and the other being from Henry L. D. Stanford, Trustee and Assignee, and duly recorded among the aforesaid land records in Liber S.F.D. No. 54, at folio 187, and being the

same and all those lands wherein the hardware concern of the Crisfield Hardware Company of Somerset County, a body corporate, is now conducting its present business; and being the same and all that land and premises and chattels conveyed unto the said parties of the first part by the said Crisfield Hardware Company of Somerset County, Inc., a body corporate, by deed & bill of sale dated December 21st 1953, and duly recorded among the land records of Somerset County, Maryland.

And the said parties of the second part, as purchase money for said real estate hereby covenant and agree to pay to the said parties of the first part the said sum of Twenty-five Thousand Dollars ($25,000.00) with interest at 5% per annum, with monthly payments of One Hundred Dollars ($100.00) each month, beginning on the 1st day of April, 1954, until the whole amount of said purchase money, with interest, shall have been fully paid, but it is hereby expressly agreed that the parties of the second part shall have the right and privilege to pay the whole sum due on said purchase money at any time during the continuance of this agreement.

And it is hereby further agreed that until default be made herein, the said parties of the second part shall have possession and enjoyment of the property herein mentioned and described.

And the parties of the second part hereby covenant and agree in consideration of the premises, and as a part of this agreement, to pay all state and county taxes levied or assessed, or to be levied or assessed, on the aforesaid property and to keep the buildings on said property insured against loss by fire in some reliable fire insurance company for the benefit of the parties of the first part, and to pay the premiums on said insurance.

And it is further agreed that if default be made by the said parties of the second part, in any covenant or condition of this

agreement, then the parties of the first part, if they so elect, may upon notice of ten days in writing to the parties of the second part, declare the sale hereby made recinded and this agreement at an end, in which event it shall be at an end, and the parties hereto shall stand thereafter to each other in the relation of landlord and tenant, and all payments that may have been made on the said purchase money for said property shall be deemed, and are hereby declared, to have been paid as rent for said property.

Witness the signatures of the said parties of the first part and the signatures of the said parties of the second part, the day and year first above written.

Test as to all signatures

Minnie D. Tawes (SEAL)
Minnie D. Tawes

A. Wellington Tawes (SEAL)
A. Wellington Tawes, her husband

Ethel Daugherty (SEAL)
Ethel Daugherty, a widow

Julian Daugherty (SEAL)
Julian Daugherty

Josephine Daugherty (SEAL)
Josephine Daugherty, his wife

Edgar Daugherty (SEAL)
Edgar Daugherty

Dorothy Daugherty. (SEAL)
Dorothy Daugherty, his wife

Kathryn Carman (SEAL)
Kathryn Carman

William Carman (SEAL)
William Carman, her husband

Inez Daugherty (SEAL)
Inez Daugherty, single

parties of the first part

Franklin Sneade (SEAL)
David Franklin Sneade

Angeline Sneade (SEAL)
Angeline Sneade, his wife
parties of the second part

STATE OF MARYLAND
Somerset County, to wit:-

I HEREBY CERTIFY that on this 8th day of Feb, ,195[illegible]

before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Minnie D. Tawes and A. Wellington Tawes, her husband; Julian Daugherty and Josephine Daugherty, his wife; Edgar Daugherty and Dorothy Daugherty, his wife; Kathryn Carman; Inez Daugherty, and Ethel Daugherty, widow, all parties of the first part to the aforegoing Purchase Contract, and David Franklin Sneade and Angeline Sneade, his wife, parties of the second part, and each acknowledged the aforegoing Purchase Contract to be his/her respective act and deed.

Witness my hand and notarial seal.

Beryl Lawling
Notary Public

STATE OF ~~ILLINOIS~~ MARYLAND, County of Somerset

I HEREBY CERTIFY that on this_____day of_____,195__

before me, the subscriber, a Notary Public of the State of Illinois, in and for the County of Somerset, aforesaid, personally appeared Ethel Daugherty, widow, party of the first part to the aforegoing Purchase Contract, and she acknowledged same to be her act and deed, as aforesaid.

Witness my hand and notarial seal.

_____
Notary Public

STATE OF PENNSYLVANIA, City of Philadelphia, to wit:-

I HEREBY CERTIFY that on this 30th day of December, 1953, before me, the subscriber, a Notary Public of the State of Pennsylvania, in and for the City of Philadelphia, aforesaid, personally appeared William Carman, party of the first part, and he

acknowledged the aforegoing Purdhase Contract to be his act and deed, as aforesaid.

Witness my hand and notarial seal.

Frances M Day
Notary Public
My commission expires 7/6/

Wade D. Ward, Assignee of Vendors' interest under Land Installment Contract executed by David Franklin Sneade and Angeline Sneade, Vendees
Ex Parte

In the Circuit Court for

Somerset County, Maryland

No. 8104 Chancery

AFFIDAVIT OF COMPLIANCE WITH ARTICLE 21 Sec. 113

STATE OF MARYLAND, Somerset County, to wit:

I Hereby Certify that on this 11th day of June, 1964 before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Wade D. Ward, Assignee in the above-entitled cause, and he made oath in due form of law that the provisions of Article 21, Section 11, of the Annotated Code of Maryland, have been complied with in this proceedings.

As Witness my hand and Notarial Seal.

Notary Public

Wade D. Ward,
Assignee

| | |
|---|---|
| Wade D. Ward, Assignee of Vendors' interest under Land Installment Contract executed by David Franklin Sneade and Angeline Sneade, his wife, Vendees Ex Parte | In the Circuit Court for Somerset County, Maryland No. 8104 Chancery |

AFFIDAVIT OF CLAIM UNDER CONTRACT OF SALE

Statement of the claim under Contract of Sale of Wade D. Ward, Assignee of Vendors' interest under Land Installment Contract, executed by David Franklin Sneade and Angeline Sneade, his wife, Vendees, dated December 21, 1953, which contract was assigned to the said Wade D. Ward for purposes of collection and foreclosure.

| | |
|---|---|
| Principal amount due under contract | $10,000.00 |
| Taxes, City & State & County | 800.00 |
| Repairs to said building | 8,600.00 |
| Total amount of claim | $19,400.00 |

Wade D. Ward, Assignee

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that on this 30th day of November in the year 1964, before me, the subscriber, a Notary Public in and for Somerset County, aforesaid, personally appeared Wade D. Ward, and he made oath in due form of law that the foregoing is a true statement of the amount of the claim due under the Contract of Sale filed in said cause now remaining unpaid.

As witness my hand and Notarial Seal.

June Wharton
Notary Public

JUNE WHARTON NOTARY PUBLIC SOMERSET CO. MD.

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 08.

Wade D. Ward, Assignee
of Vendors' interest
under Land Installment
Contract executed by
David Franklin Sneade
and Angeline Sneade, his
wife, Vendees
Ex Parte

In the Circuit Court for

Somerset County, Maryland

No. 8104 Chancery

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Wade D. Ward, Assignee of Vendors' interest under Land Installment Contract executed by David Franklin Sneade and Angeline Sneade, his wife, Vendees, dated December 21, 1953, and unrecorded, and which said contract was assigned to the said Wade D. Ward for the purpose of collection and foreclosure, under and by virtue of the power and authority therein contained, default having been made in the payment of the money agreed to be paid in the said contract or in the payment of the interest thereon or in some other covenant and condition of said contract, whereby the said contract 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 as aforesaid reposed in him by said contract, 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 in four successive weeks before the day of sale, he did pursuant to said notice, attend at the premises in Crisfield, Maryland, on the 8th day of December, 1964 at two o'clock p.m., and then and there proceed to sell the property described in said contract, to wit:

All that lot or parcel of land situate in the City of Crisfield, Somerset County, State of Maryland, and fronting thirty (30) feet on Main Street and extending one hundred fifty (150) feet to Broad Street, and being bound on the north by Tenth Street; and being the property known as Crisfield Hardware property, a parcel of which fronts on said Broad Street; and being the same and all that property conveyed to the Crisfield Hardware Company, a body corporate, by deeds duly recorded among the Land Records of Somerset County, Maryland, in Liber S.F.D. No. 54, folio 185 and Liber S.F.D. No. 54, folio 187; and being the same and all that property conveyed from the Crisfield Hardware Company to the above named Vendors.

To which said deeds and all the references therein contained, special reference is here made for a more complete and accurate description of the land, the sale of which is reported herein.

And he then sold the said property to Ethel Daugherty, Minnie D. Tawes, Julian Daugherty, Edgar Daugherty, Kathryn Carman and Inez Daugherty, at and for the sum of Forty Five Hundred Dollars ($4500.00) and the purchasers have complied with the terms of the sale and your Trustee has distributed the proceeds as follows:

| | | | |
|---|---|---|---|
| Total Sale | | | $ 4,500.00 |
| To: | Clerk of Court, costs | $38.00 | |
| | Auctioneer | 15.00 | |
| | Advertisement & Order Nisi | 47.50 | |
| | Appearance Fee | 10.00 | |
| | Attorney's Fee | 25.00 | |

| | |
|---|---|
| Asignee as Commission Contract claim, filed herein | $ 450.00 |
| | 19,400.00 |
| | $19,910.50 |
| Deficiency | 15,410.50 |
| | $ 4,500.00 |

Respectfully submitted,

Wade D. Ward, Assignee

Wade D. Ward, Assignee
of Vendors' interest under
Land Installment Contract
executed by David Franklin
Sneade and Angeline Sneade,
his wife, Vendees
Ex Parte

In the Circuit Court for
Somerset County, Maryland
No. 8104 Chancery

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 12th day of January, 1965, 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 December, 1964.

The report states the amount of sale of $4,500.00.

L. Theodore Gladden
Clerk

WADE D. WARD
ATTORNEY AT LAW
CRISFIELD, MARYLAND

# Vendors' Sale OF COMMERCIAL PROPERTY ON West Side of Main Street In Crisfield

Under and by virtue of the power and authority contained in an unrecorded Agreement of Sale between Minnie D. Tawes and A. Wellington Tawes, her husband, Ethel Daugherty, widow, Julian Daugherty and Josephine Daugherty, his wife, Edgar Daugherty and Dorothy Daugherty, his wife, Kathryn Carman and William Carman, her husband and Inez Daugherty, single, Vendors, and David Franklin Sneade and Angeline Sneade, his wife, Vendees, dated December 21,, 1953, default having occurred thereunder, the undersigned Assignee of the Vendors' interest will sell at public auction on the premises on

## Tues. Dec. 8th, 1964
## At 2:00 P. M.

All that lot or parcel of land situate in the City of Crisfield, Somerset County, State of Maryland, and fronting thirty (30) feet on Main Street and extending one hundred fifty (150) feet to Broad Street, and being bound on the north by Tenth Street; and being the property known as Crisfield Hardware property, a parcel of which fronts on said Broad Street; and being the same and all that property conveyed to the Crisfield Hardware Company, a body corporate, by deeds duly recorded among the Land Records of Somerset County, Maryland in Liber S F D No. 54, folio 185, and Liber S F D No 54, folio 187; and being the same and all that property conveyed from the Crisfield Hardware Company to the above named Vendors.

TERMS OF SALE: Cash

Title papers at the expense of the purchaser.

Wade D. Ward

Assignee

11-13-4t

CRISFIELD, MD., Jan. 8 19 65

THIS is to certify that the annexed Vendors' Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Vendors' Sale for 4 weeks beginning with the issue of November 13 19 64 and ending December 4 19 64.

LIBER 041 PAGE 65

Publisher, THE CRISFIELD TIMES

Wade D. Ward, Assignee of Vendors' Interest under Land Installment Contract executed by David Franklin Sneade and Angeline Sneade, Vendees
Ex Parte

In the Circuit Court for

Somerset County, Maryland

No. 8104 Chancery

ORDER OF COURT

ORDERED by the Circuit Court for Somerset County, Maryland, this 13th day of January, 1965, that the sale of the property mentioned in these proceedings, and the distribution of the proceeds therein made and reported by Wade D. Ward, Assignee of the Contract of Sale filed herein, 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 herein.

E. Monroe Dryden
Judge

Wade D. Ward, Assignee of Vendors' Interest under Land Installment Contract executed by David Franklin Sneade and Angeline Sneade, his wife, Vendees Ex Parte

In the Circuit Court for Somerset County, Maryland No. 8104 Chancery.

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 12th day of January, 1965, 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 December, 1964.

The report states the amount of sale of $4,500 00

E. Theodore Phoebus, Clerk
12-11-St

4'd
JUL 18 1966

CRISFIELD, MD., Jan. 8 1965

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of December 11 1964 and ending December 25 1964.

E. L. Jones
Publisher, THE CRISFIELD TIMES

R # 5138

| | | |
|---|---|---|
| Herbert Rosenbaum, Attorney, Ex Parte | : | No. 5119 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Somerset Shopping Center, Inc. to | : | Somerset County, Maryland |
| First Guarantee Savings and Loan, Inc., | : | |
| a body corporate | : | |

The Clerk of the Circuit Court for Somerset County will please docket the above entitled suit and file the original mortgage among the papers therein.

JONES & JONES

By _____
Attorneys for Attorney
Named in Mortgage

LIBER 041 PAGE 67

| | | |
|---|---|---|
| Herbert Rosenbaum, Attorney, Ex Parte | : | No. 8119 Chancery . |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Somerset Shopping Center, Inc. to | : | Somerset County, Maryland |
| First Guarantee Savings and Loan, Inc., | : | |
| a body corporate | : | |

State of Maryland, Baltimore City, to wit:

I hereby certify that on this 29th day of December, 1964, before me, the undersigned officer, personally appeared Herbert H. Rosenbaum, Agent of First Guarantee Savings and Loan, Inc., and made oath in due form of law as follows: That the principal amount owing on the above mortgage is $15,500.00, with interest from May 27, 1964.

Joann T. Kosek
Notary Public

JOANN T. KOSEK
BALTIMORE, MD.

FOR MORTGAGE SEE LIBER G.J.B. NO. 214, FOLIO 525.

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 15.

| | | |
|---|---|---|
| Herbert Rosenbaum, Attorney, Ex Parte | : | No. 8119 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Somerset Shopping Center, Inc. to | : | Somerset County, Maryland |
| First Guarantee Savings and Loan, Inc., | : | |
| a body corporate | : | |

To the Honorable, the Judge of said Court:

The report of sales of Herbert Rosenbaum, Attorney named in a certain mortgage made and executed by Somerset Shopping Center, Inc., a body corporate, to First Guarantee Savings and Loan, Inc., a body corporate, dated May 27, 1963 and recorded among the Land Records of Somerset County in Liber G.J.B. No. 214, folio 525, 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 and 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, 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 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 26th day of January, 1965, at two o'clock P. M., and then and there proceed to sell the property described in said mortgage, to wit:

All that lot of land situate in West Princess Anne Election District, Somerset County, Maryland, and more particularly described as follows: Beginning for the outlines of the same at a concrete post located at the intersection of the north side of Maryland Route #362 and the westerly side of Walnut Street; said point of beginning being shown and designated on a plat prepared by W. Ballard Miles, dated February 13, 1962 and recorded among the aforesaid Land Records in Plat Book G.J.B. No. 5, folio 62; thence (1) North 1° 5' East by and with the westerly side of Walnut

Street, 482.5 feet; thence (2) North 88° 30' West, 209.28 feet; thence (3) South 1° 30' West 212.50 feet to the land of Elton Moiles, et ux; thence (4) South 88° 30' East by and with said Moiles land, 80.05 feet; thence (5) South 1° 30' West by and with said Moiles land 270 feet to the northerly side of Maryland Route #362; thence (6) South 88° 30' East by and with the northerly side of Route #362, 130.80 feet to the place of beginning, and being designated as Lot #3 on the aforesaid plat, being part of the land conveyed unto the said Somerset Shopping Center, Inc. by Oak Hill Farms, Inc. by Item No. One of a deed dated October 19, 1962 and recorded among the aforesaid Land Records in Liber G.J.B. No. 211, folio 695, and sold the same to First Guarantee Savings and Loan, Inc. at and for the sum of seventy-five hundred dollars ($7500.00), it 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,

Attorney

State of Maryland, Baltimore City, to wit:

I hereby certify, that on this 26th day of January, in the year nineteen hundred and sixty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Herbert Rosenbaum, Attorney named in the aforegoing 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.

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

Notary Public

JOANN T. KOSIOREK NOTARY PUBLIC BALTIMORE, MD.

Order Nisi

| | | |
|---|---|---|
| Herbert Rosenbaum, Attorney, Ex Parte | : | No. 8119 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Somerset Shopping Center, Inc. to | : | Somerset County, Maryland |
| First Guarantee Savings and Loan, Inc., | : | |
| a body corporate | : | |

Ordered this 25th day of January, in the year nineteen hundred and sixty-five, that the sale of the property mentioned in these proceedings, made and reported by Herbert Rosenbaum, Attorney named in the aforegoing report of sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 2nd day of March, 1965, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 26th day of February, 1965.

The report states the amount of sales to be $7500.00.

S. Thurman Thurman
Clerk of the Circuit Court

Final Order

Ordered by the Circuit Court for Somerset County, this 2nd day of March, 1965, that the sale made and reported by Herbert Rosenbaum, Attorney as aforesaid, be, and the same is hereby, finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the order nisi passed in said cause; and the Attorney is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

E. McMaster Dize
Judge

LIBER 041 PAGE 72

PRINCESS ANNE, MD. February 25, 1965

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Jan. 28, Feb. 4, 11, 18, 1965

Clarence L. Byrd

Business Manager MARYLANDER and HERALD

Jones & Jones, Attorneys

# ORDER NISI

No. 8119 Chancery
In the Circuit Court for
Somerset County, Maryland

Herbert Rosenbaum, Attorney, Ex Parte under power contained in Mortgage from Somerset Shopping Center, Inc. to First Guarantee Savings and Loan, Inc., a body corporate

Ordered this 28th day of January, in the year nineteen hundred and sixty-five, that the sale of the property mentioned in these proceedings, made and reported by Herbert Rosenbaum, Attorney named in the aforegoing report of sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 2nd day of March, 1965, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks or or before the 25th day of February, 1965.

The report states the amount of sales to be $7500.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Md.

True copy.
Test: I. Theodore Phoebus, Clk.

| | | |
|---|---|---|
| Herbert Rosenbaum, Attorney, Ex Parte | : | No. 8119 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Somerset Shopping Center, Inc. to | : | Somerset County, Maryland |
| First Guarantee Savings and Loan, Inc., | : | |
| a body corporate | : | |

# A U D I T

To the Honorable, the Judges of the Circuit Court, in Equity:

The report of the Auditor stating the account in the within mentioned cause, respectfully represents:

That your Auditor has charged the Attorney with the whole amount of the sale of the real estate, as reported by the Attorney in his report of sale. The said Attorney has been allowed commissions on said sale and a special attorney's fee as per the Chancery Rules of this Court and his costs and expenses not personal.

The balance of the funds in the hands of the Attorney has been distributed as follows:

| | | | |
|---|---|---|---|
| By the whole amount of sale of the real estate as reported by the Attorney | | | $7,500.00 |
| To: Attorney for his commissions | | $525.00 | |
| Special Attorney's fee | | 25.00 | |
| To: Attorney for his costs and expenses, not personal: | | | |
| Clerk of the Circuit Court for costs | | 38.00 | |
| Marylander and Herald, advertising | | 41.25 | |
| Order nisi | | 10.00 | |
| The Salisbury Times, advertising | | 11.50 | |
| Bond premium | | 62.00 | |
| Auctioneer | | 50.00 | |
| 1964 State and County taxes | | 163.16 | |
| Auditor stating this account | | 10.00 | |
| To: First Guarantee Savings and Loan, Inc. | | 6,564.09 | |
| | | $7,500.00 | $7,500.00 |

| | |
|---|---|
| First Guarantee Savings and Loan, Inc. | |
| Principal due on mortgage | $15,500.00 |
| Interest | 697.50 |
| | $16,197.50 |
| Less credit as above reported | 6,564.09 |
| Deficit - - - - - - - | $9,633.41 |

Respectfully submitted,

Harry C. Dashiell

Harry C. Dashiell, Auditor

| | | |
|---|---|---|
| Herbert Rosenbaum, Attorney, Ex Parte | : | No. 8119 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Somerset Shopping Center, Inc. to | : | Somerset County, Maryland |
| First Guarantee Savings and Loan, Inc. | : | |
| a body corporate | : | |

.....

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this .... .... day of .... .... ...19 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the ...18th.... day of ...March..... 19 65.*

*Theodore Sheehan, Clerk*

No. 8119 Chancery Vs.....

IN THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that no exceptions have been filed to the above proceedings to the final ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date April 18 1965

Theodore Sheehan Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this ..18th.... day of ..April.. 19 65. that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

Theodore Sheehan

Ex'd.
JUL 18 1966

ELLA KRISTENSEN &
LARS KRISTENSEN, her husband,
Ouramajorsgatan No. 14 II
Goteborg, Sweden; and,

JENS P.A. LARSEN &
JYTTE LARSEN, his wife,
Store Glasvej,
No. 5 II
Odense, Denmark; and,

HAAKON LARSEN &
ESTHER LARSEN, his wife,
Birkevej No. 1
Tommervp,
Fyn, Denmark; and,

MARIE JORGENSEN &
HOLGER JORGENSEN, her husband,
Saxoyvej No. 20A
Odense, Denmark; and,

KIRSTEN RASMUSSEN &
HANS RASMUSSEN, her husband,
Naesbyhoved, Broby
PR Naesby,
Fyn, Denmark; and,

ANNA K. LAURSEN &
PAUL LAURSEN, her husband,
Sandhusvej No. 53
Odense, Denmark; and,

CLARA CARLSEN, Single
Sadelmager Forretning
PR Hojrup,
Fyn, Denmark; and,

ESTER SMIDSTRUP &
PETER SMIDSTRUP, her husband,
Lareninde, Vilsbak,
PR Klipleb,
Denmark;

Defendants,

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Fritz C. Hansen, by his solicitor, Walter D. Webster, complaining, says:

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5400

1. That by Deed from Harvey R. Mosteller, widower, dated April 26, 1957, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 181, Folio 439, one Christian George Hanson (same person as Christian George Hansen) acquired a certain parcel of real estate in Deal Island Election District, Somerset County, State of Maryland, more particularly described as follows:

> "ALL that lot or parcel of land situate in Deal Island Election District, Somerset County, Maryland, and described in 1929 as all that lot of land in Deals Island District, Somerset County, Maryland, near the main County Road leading through said Election District, bounded on the South by a private road leading from said County Road to the Sound Side, bounded on the West by land of John W. Horner, bounded on the North by another private road leading from said County Road to the Sound Side, bounded on the East by the land of Noah W. Webster, and containing two-thirds of an acre of land, more or less..."

2. That the said Christian George Hanson departed this life intestate on May 17, 1964. There is administration on his estate in the Orphans Court for Somerset County, Maryland in Estate No.1003.

3. That at the time of his death on May 17, 1964, as aforesaid, the said Christian George Hanson owned the property described in Paragraph 1 above, in fee simple and unencumbered.

4. That at the time of his death, the said Christian George Hanson left surviving him as his only heirs at law:

A. The children of Henry J. Hansen, a deceased brother:

John Hansen(intermarried with Bernice Hansen)
Albert Hansen(intermarried with Mary Hansen)
Amalia Milat(intermarried with Wilfred Milat)
Alice Kelly (widow)
Ida Hansen (widow)

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5400

B. The children of Marie Jorgensen, a deceased sister:

Mary Christensen(intermarried with Harald Christensen)
Amalia Hansen(intermarried with Ejner Hansen)
Ejner Jorgensen(intermarried with Thea Jorgensen)
Edward Jorgensen(intermarried with Rigmor Jorgensen)
Marius Jorgensen (single)
Ellen Neilsen(intermarried with Karl Neilsen)
Wilhem Jorgensen(intermarried with Anna Jorgensen)
Jorgen Jorgensen(intermarried with Elin Jorgensen)

C. The children of Sofus Hansen, a deceased brother:

Fritz Hansen(intermarried with Ellen Hansen)
Frederick Hansen(intermarried with Dagny Hansen)
Mads C. Hansen (single)
Amalie Rasmussen(intermarried with Ingman Rasmussen)
Frida Schnoor(single)

D. The widow and children of Marius Hansen, a deceased brother:

Kirstine Hansen(widow)
Kristian G. Hansen(intermarried with Ester Hansen)
Alfred H. Hansen(intermarried with Edel Hansen)
Arne Hansen(intermarried with Elinor Hansen)
Borge E.C. Hansen(single)
Hartvig C. Hansen(intermarried with Astrid Hansen)

E. The husband and children of Gudrun Ottesen, a deceased daughter of Marius Hansen (Deceased) above:

Ewald Ottesen(widower)
Leif Ottesen(single)
Alice Ottesen(single)
Ilse Hualdros(intermarried with Leif Hualdros)

F. The children of Aksel Hansen, a deceased brother:

Henry Hansen(intermarried with Edith Hansen)
Elmer Hansen(intermarried with Ellen Hansen)
Kirstine Rasmussen(intermarried with Peder Rasmussen)
Aage Hansen(intermarried with Ellen Hansen)
Verner Hansen(intermarried with Inger Hansen)
Aksel B.K. Hansen(intermarried with Ida Hansen)
Gundhild H. Olsen(intermarried with Jens Olsen)
Egon S. Hansen(intermarried with Ellen Hansen)
Ella Jensen(intermarried with Henry Jensen)
Inger E. Andersen(intermarried with Charles Andersen)
Henny M. E. Pedersen(intermarried with Paul Pedersen)

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-8400

G. The son of Anna Larsen, a deceased sister:

Marius Larsen(widower)

H. The widow and children of Sigurd Larsen, deceased son of Anna Larsen (G) above:

Inger Johansen(widow)
Ella Kristensen(intermarried with Lars Kristensen)
Jens P.A. Larsen(intermarried with Jytte Larsen)
Haakon Larsen(intermarried with Esther Larsen)

I. The widow and children of Jorgen Larsen, a deceased son of Anna Larsen (G) above:

Marie Jorgensen(intermarried with Holger Jorgensen)
Kirsten Rasmussen(intermarried with Hans Rasmussen)
Anna K. Laursen(intermarried with Paul Laursen)

J. The children of Carlina Jorgensen, a deceased sister:

Clara Carlsen(single)
Ester Smidstrup(intermarried with Peter Smidstrup)

K. Fritz Christian Hansen, brother, (single)

5. That the Defendants are all non-residents of the State of Maryland and are adults except as otherwise noted.

6. That the real estate described above is not susceptible to partition without material loss and injury to the parties entitled to their respective interests therein and in order to make a division of said interest, it will, therefore, be necessary that the real estate be sold, and the proceeds thereof divided among the parties according to their several interests.

WHEREFORE, your Petitioner prays this Honorable Court:

(1) That a decree may be passed for a sale and partition of said property.

(2) That a distribution of the proceeds of said sale be made among the persons entitled thereto according to their respective interests therein in accordance with the laws of the State of Maryland.

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5409

(3) And for such other and further relief as their cases may require.

AND, as in duty bound, etc.

Walter D. Webster,
Solicitor for Complainant
104A N. Division Street
Salisbury, Maryland
Phone: PI 9-7100

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-9400

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

FRITZ C. HANSON, single,
Deal Island, Maryland

vs.

JOHN HANSEN &
BERNICE HANSEN, his wife,
179 Kenoza Street,
Haverhill, Massachusetts; and,

ALBERT HANSEN &
MARY HANSEN, his wife,
39 Mamoil Avenue
Bradford, Massachusetts; and,

AMALIA MILAT &
WILFRED MILAT, her husband,
31 Fifth Avenue
Haverhill, Massachusetts; and,

NO. 8094 CHANCERY

ALICE KELLY, widow,
233 Franklin Street
Haverhill, Massachusetts; and,

IDA HANSEN, widow,
23 Seventeenth Avenue,
Haverhill, Massachusetts; and,

MARY CHRISTENSEN &
HARALD CHRISTENSEN, her husband,
P. Sabrosgade No. 20,
Copenhagen S.V.,
Denmark; and,

AMALIA HANSEN &
EJNER HANSEN, her husband,
Bolbrogade No. 6,
Bolbrogaarden,
Odense, Denmark; and,

EJNER JORGENSEN &
THEA JORGENSEN, his wife
Skallebjer G,
Haarby, Denmark; and,

EDWARD JORGENSEN &
RIGMOR JORGENSEN, his wife,
Assensvy No. 10,
Haarby, Denmark; and,

MARIUS JORGENSEN, incompetent, single,
State Hospital
Middelfart
Fyn, Denmark; and,

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5409

ELLEN NEILSEN &
KARL NEILSEN, her husband,
Norregade No. 10,
Haarby, Fyn
Denmark; and,

WILHEM JORGENSEN &
ANNA JORGENSEN, his wife,
Genner Strand,
PR Genner,
Sonderjylland, Denmark; and,

JORGEN JORGENSEN &
ELIN JORGENSEN, his wife,
Langgade No. 89,
Gedser, Denmark; and,

FRITZ HANSEN &
ELLEN HANSEN, his wife,
Hesle, PR Turup
Fyn, Denmark; and,

FREDERICK HANSEN &
DAGNY HANSEN, his wife,
Kiusmose,
PR Knarreborg,
Fyn, Denmark; and,

MADS C. HANSEN, single,
Ringstedgade No. 9
Roskilde, Denmark; and,

AMALIE RASMUSSEN &
INGMAN RASMUSSEN, her husband,
Paarup,
PR Ferritslev,
Fyn, Denmark; and,

FRIDA SCHNOOR, Incompetent, Single,
State Hospital,
Middelfart,
Fyn, Denmark; and,

KIRSTINE HANSEN, Widow,
Steinsgade 13,
Odense,
Fyn, Denmark; and,

KRISTIAN G. HANSEN &
ESTER HANSEN, his wife,
Karen Brahesvej 6I,
Odense, Denmark; and,

ALFRED H. HANSEN &
EDEL HANSEN, his wife,
Rugvang (farm)
Kerte, PR Arup,
Fyn, Denmark; and,

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-9400

ARNE HANSEN &
ELINOR HANSEN, his wife,
Borchsminde, PR Braskov,
Jylland, Denmark; and,

BORGE E. C. HANSEN, single,
Livjagergade 45 III
Copenhagen, Denmark; and,

HARTVIG C. HANSEN &
ASTRID HANSEN, his wife,
Olsemaglevej 6,
PR Koge,
Denmark; and,

EWALD OTTESEN, Widower,
P.L. 2124
Torsgatan No. 15,
Anderstorp, Sweden; and,

LEIF OTTESEN, Minor, Single,
P.L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

ALICE OTTESEN, Minor, Single,
P.L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

ILSE HUALDROS, Minor, &
LEIF HUALDROS, her husband,
P.L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

HENRY HANSEN &
EDITH HANSEN, his wife,
Ellinge,
PR Ferritslev,
Fyn, Denmark; and,

ELMER HANSEN &
ELLEN HANSEN, his wife,
Vesteraaby,
Fyn, Denmark; and,

KIRSTINE RASMUSSEN &
PEDER RASMUSSEN, her husband,
Norremarken,
Ryslinge St.
Fyn, Denmark; and,

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5400

AAGE HANSEN &
ELLEN HANSEN, his wife,
Ostergade No. 11,
Ejby St.
Fyn, Denmark; and,

VERNER HANSEN &
INGER HANSEN, his wife,
Hansen Shell Station,
Molholmbakken, Vevle,
Jylland, Denmark; and,

AKSEL B. K. HANSEN &
IDA HANSEN, his wife,
Obdrupgaard,
PR Trustrup St.
Jylland, Denmark; and,

GUNDHILD H, OLSEN &
JENS OLSEN her husband,
Skoggaten No. 17,
Moss, Norway; and,

EGON S. HANSEN &
ELLEN HANSEN, his wife,
Rissalle No. 15,
Nykobing Mors,
Jylland, Denmark; and,

ELLA JENSEN &
HENRY JENSEN, her husband,
Kaermindevev No. 6,
Lille Varlose,
Svalland, Denmark; and,

INGER E. ANDERSEN &
CHARLES ANDERSEN, her husband,
Aasted, PR Durup St.
Jylland, Denmark; and,

HENNY M. E. PEDERSEN &
PAUL PEDERSEN, her husband,
Egevej No. 17,
Kertiminde,
Fyn, Denmark; and,

MARIUS LARSEN, Widower,
Copenhagen, Denmark; and,

INGER JOHANSEN, Widow
Store Glasvej
No. 5 III
Odense, Denmark; and,

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-2409

ELLA KRISTENSEN &
LARS KRISTENSEN, her husband,
Ouramajorsgatan No. 14 II,
Goteborg, Sweden; and,

JENS P.A. LARSEN &
JYTTE LARSEN, his wife,
Store Glasvej,
No. 5 II
Odense, Denmark; and,

HAAKON LARSEN &
ESTHER LARSEN, his wife,
Birkevej No. 1
Tommervp,
Fyn, Denmark; and,

MARIE JORGENSEN &
HOLGER JORGENSEN, her husband,
Saxoyvej No. 20A
Odense, Denmark; and,

KIRSTEN RASMUSSEN &
HANS RASMUSSEN, her husband,
Naesbyhoved, Broby
PR Naesby,
Fyn, Denmark; and,

ANNA K. LAURSEN &
PAUL LAURSEN, her husband,
Sandhusvej No. 53
Odense, Denmark; and,

CLARA CARLSEN, Single
Sadelmager Forretning
PR Hojrup,
Fyn, Denmark; and,

ESTER SMIDSTRUP &
PETER SMIDSTRUP, her husband,
Lareninde, Vilsbak,
PR Klipleb,
Denmark,

Defendants,

ORDER OF PUBLICATION

The object of this suit is to procure a decree for the sale of certain property for purposes of partition in Deal Island Election District, Somerset County, Maryland, which Christian George

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
100 S. DIVISION ST.
SALISBURY, MD.
PI 2-8400

Hanson owned in fee simple at the time of his death.

The Bill states that the said Christian George Hanson died intestate being survived by Fritz Christian Hansen, John Hansen, Albert Hansen, Amalia Milat, Alice Kelly, Ida Hansen, Mary Christensen, Amalia Hansen, Ejner Jorgensen, Edward Jorgensen, Marius Jorgensen, Ellen Neilsen, Wilhem Jorgensen, Jorgen Jorgensen, Fritz Hansen, Frederick Hansen, Mads C. Hansen, Amalie Rasmussen, Frida Schnoor, Kirstine Hansen, Kristian G. Hansen, Alfred H. Hansen, Arne Hansen, Borge E. C. Hansen, Hartvig C. Hansen, Ewald Ottesen, Leif Ottesen, Alice Ottesen, Ilse Hualdros, Henry Hansen, Elmer Hansen, Kristine Rasmussen, Aage Hansen, Verner Hansen, Aksel B. K. Hansen, Gundhild H. Olsen, Egon S. Hansen, Ella Jensen, Inger E. Andersen, Henny M. E. Pedersen, Marius Larsen, Inger Johansen, Ella Kristensen, Jens P. A. Larsen, Haakon Larsen, Marie Jorgensen, Kirsten Rasmussen, Anna K. Laursen, Clara Carlsen, Ester Smidstrup, his next of kin who are the present owners of said property.

The Defendants are all adult non-residents of the State of Maryland except as otherwise noted.

IT, IS, THEREUPON, THIS 30th day of October, A.D., 1964, ORDERED, by the Circuit Court for Somerset County, Maryland, 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 30th day of November, A.D., 1964, give notice to the said absent defendants, who are all non-residents of the State of Maryland, and adults except as otherwise noted, of the object and substance of

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-8409

this Bill, and warning them to appear in this Court in person or by solicitor, on or before the 5/6 day of December, A.D., 1964, to show cause, if any they have, why a decree ought not be passed as prayed.

S. Theodore Sheehan
Clerk

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-8409

$ N 5 c 9d
R # 7555

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

FRITZ C. HANSEN, single,
Deal Island, Maryland

vs.

JOHN HANSEN &
BERNICE HANSEN, his wife,
179 Kenoza Street,
Haverhill, Massachusetts; and,

ALBERT HANSEN &
MARY HANSEN, his wife,
39 Mamoil Avenue,
Bradford, Massachusetts; and,

AMALIA MILAT &
WILFRED MILAT, her husband,
31 Fifth Avenue,
Haverhill, Massachusetts; and,

ALICE KELLY, widow,
233 Franklin Street,
Haverhill, Massachusetts; and,

IDA HANSEN, widow,
23 Seventeenth Avenue,
Haverhill, Massachusetts; and,

NO. 8094 CHANCERY

MARY CHRISTENSEN &
HARALD CHRISTENSEN, her husband,
P. Sabrosgade No. 20,
Copenhagen S.V.,
Denmark; and,

AMALIA HANSEN &
EJNER HANSEN, her husband,
Bolbrogade No. 6,
Bolbrogaarden,
Odense,
Denmark; and,

EJNER JORGENSEN &
THEA JORGENSEN, his wife,
Skallebjer G,
Haarby, Denmark; and,

EDWARD JORGENSEN &
RIGMOR JORGENSEN, his wife,
Assensvy No. 10,
Haarby, Denmark; and,

MARIUS JORGENSEN, incompetent, single,
State Hospital
Midd Elfart
Fyn, Denmark; and,

LIBER 041 PAGE 87

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5400

ELLEN NEILSEN &
KARL NEILSEN, her husband,
Norregade No. 10,
Haarby, Fyn,
Denmark; and,

WILHEM JORGENSEN &
ANNA JORGENSEN, his wife,
Genner Strand,
PR Genner,
Sonderjylland, Denmark; and,

JORGEN JORGENSEN &
ELIN, JORGENSEN, his wife,
Langgade No. 89,
Gedser, Denmark; and,

FRITZ HANSEN &
ELLEN HANSEN, his wife,
PR Turup, Hesle
Fyn, Denmark; and,

FREDERICK HANSEN &
DAGNY HANSEN, his wife,
Kiusmose,
PR Knarreborg,
Fyn, Denmark; and,

MADS C. HANSEN, single,
Ringstedgade No. 9,
Roskilde, Denmark; and,

AMALIE RASMUSSEN &
INGMAN RASMUSSEN, her husband,
Paarup,
PR Ferritslev,
Fyn, Denmark; and,

FRIDA SCHNOOR, Incompetent, Single,
State Hospital,
Middelfart,
Fyn, Denmark; and,

KIRSTINE HANSEN, Widow,
Steinsgade 13,
Odense,
Fyn, Denmark; and,

KRISTIAN G. HANSEN &
ESTER HANSEN, his wife,
Karen Brahesvej 6I,
Odense, Denmark; and,

ALFRED H. HANSEN &
EDEL HANSEN, his wife,
Rugvang (farm)
Kerte, PR Arup,
Fyn, Denmark; and,

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PH 2-5408

ARNE HANSEN &
ELINOR HANSEN, his wife,
Borchsminde, PR Braskov,
Jylland, Denmark; and,

BORGE E. C. HANSEN, single,
Livjagergade 45 III,
Copenhagen, Denmark; and,

HARTVIG C. HANSEN &
ASTRID HANSEN, his wife,
Olsemaglevej 6,
PR Koge
Denmark; and,

EWALD OTTESEN, Widower,
P.L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

LEIF OTTESEN, Minor, Single,
P.L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

ALICE OTTESEN, Minor, Single,
P.L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

ILSE HUALDROS, Minor, &
LEIF HUALDROS, her husband,
P.L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

HENRY HANSEN &
EDITH HANSEN, his wife,
Ellinge,
PR Ferritslev,
Fyn, Denmark; and,

ELMER HANSEN &
ELLEN HANSEN, his wife,
Vesteraaby,
Fyn, Denmark; and,

KIRSTINE RASMUSSEN &
PEDER RASMUSSEN, her husband,
Norremarken,
Ryslinge Street
Fyn, Denmark; and,

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-8400

AAGE HANSEN &
ELLEN HANSEN, his wife,
Ostergade No. 11,
Ejby St.
Fyn, Denmark; and,

VERNER HANSEN &
INGER HANSEN, his wife,
Hansen Shell Station,
Molholmbakken, Vevle,
Jylland, Denmark; and,

AKSEL B. K. HANSEN &
IDA HANSEN, his wife,
Obdrupgaard,
PR Trustrup St.
Jylland, Denmark; and,

GUNDHILD H. OLSEN &
JENS OLSEN, her husband,
Skoggaten No. 17,
Moss, Norway; and,

EGON S. HANSEN &
ELLEN HANSEN, his wife,
Rissalle No. 15,
Nykobing Mors,
Jylland, Denmark; and,

ELLA JENSEN &
HENRY JENSEN, her husband,
Kaermindevev No. 6,
Lille Varlose,
Svalland, Denmark; and,

INGER E. ANDERSEN &
CHARLES ANDERSEN, her husband,
Aasted, PR Durup St.
Jylland, Denmark; and,

HENNY M. E. PEDERSEN &
PAUL PEDERSEN, her husband,
Egevej No. 17,
Kerteminde,
Fyn, Denmark; and,

MARIUS LARSEN, Widower,
Copenhagen, Denmark; and,

INGER JOHANSEN, Widow
Store Glasvej
No. 5 III
Odense, Denmark; and,

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-9409

FRITZ C. HANSON, : NO. 8094 CHANCERY

vs. : IN THE CIRCUIT COURT FOR

JOHN HANSEN, ET AL : SOMERSET COUNTY, MARYLAND

:::::::

AFFIDAVIT OF MAILING COPY OF
ORDER OF PUBLICATION

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of December, A.D., 1964, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Walter D. Webster, Solicitor for Fritz C. Hanson, Complainant in the above entitled case, and made oath in due form of law that on the 27th day of November, A.D., 1964, he sent by United States Registered Mail, postage prepaid, a copy of the Order of Publication issued in the above cause, to John Hansen & Bernice Hansen, his wife; Albert Hansen and Mary Hansen, his wife; Amalia Milat and Wilfred Milat, her husband; Alice Kelly, widow; Ida Hansen, widow; Mary Christensen and Harald Christensen, her husband; Amalia Hansen and Ejner Hansen, her husband; Ejner Jorgensen and Rigmor Jorgensen, his wife; Marius Jorgensen, single incompetent, c/o Superintendent State Hospital; Ellen Neilsen and Karl Neilsen, her husband; Wilhem Jorgensen and Anna Jorgensen, his wife; Jorgen Jorgensen and Elin Jorgensen, his wife; Fritz Hansen and Ellen Hansen, his wife; Frederick Hansen and Dagny Hansen, his wife; Mads C. Hansen, single; Amalie Rasmussen and Ingman Rasmussen, her husband; Frida Schnoor, single incompetent, c/o Superintendent State Hospital; Kirstine Hansen, widow; Kristian G. Hansen and Ester Hansen, his wife; Alfred H. Hansen and Edel Hansen, his wife; Arne Hansen and Elinor Hansen, his wife; Borge E. C. Hansen, single; Hartvig C. Hansen

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5400

and Astrid Hansen, his wife; Ewald Ottesen, widower; Ewald Ottesen, as father and guardian of Leif Ottesen, minor, Alice Ottesen, minor, and Ilse Hualdros, minor, and Leif Hualdros, her husband; Henry Hansen and Edith Hansen, his wife; Elmer Hansen and Ellen Hansen, his wife; Kirstine Rasmussen and Peder Rasmussen, her husband; Aage Hansen and Ellen Hansen, his wife; Verner Hansen and Inger Hansen, his wife; Aksel B. K. Hansen and Ida Hansen, his wife; Gundhild H. Olsen and Jens Olsen, her husband; Egon S. Hansen and Ellen Hansen, his wife; Ella Jensen and Henry Jensen, her husband; Inger E. Andersen and Charles Andersen, her husband; Henny M. E. Pedersen and Paul Pedersen, her husband; Marius Larsen, widower; Inger Johansen, widow; Ella Kristensen and Lars Kristensen, her husband; Jens P. A. Larsen and Jytte Larsen, his wife; Haakon Larsen and Esther Larsen, his wife; Marie Jorgensen and Holger Jorgensen, her husband; Kirsten Rasmussen and Hans Rasmussen, her husband; Anna K.Laursen and Paul Laursen, her husband; Clara Carlsen, single; and Ester Smidstrup and Peter Smidstrup, her husband, all being Defendants in the above entitled cause, at their last known addresses, and that receipts for mailing furnished him by the postal authorities are attached hereto.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: 5-1-65

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108 S. DIVISION ST.
SALISBURY, MD.
PI 2-5409

REGISTERED NO. .....
Value $ NV ..... Spec. del'y fee $ .....
Fee $ 60 ..... Ret. receipt fee $ 24 .....
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ..... ☐ Airmail
POSTMARK NOV 27 1964 SALISBURY MD. REG. DIV.
Postmaster, By .....
From Walter D Webster
Mr Elmer Hansen
Mrs Ellen Hansen
To Mrs Amalie Hansen
Mrs Elmer Hansen
Fyn
Denmark
POD Form 3806—Oct. 1960 e48—10—70493-8

REGISTERED NO. .....
Value $ NV ..... Spec. del'y fee $ .....
Fee $ 60 ..... Ret. receipt fee $ 24 .....
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ..... ☐ Airmail
POSTMARK NOV 27 1964 SALISBURY MD. REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Jørgen Andersen
Mr Peter Andersen
Gylland Denmark
POD Form 3806—Oct. 1960 e48—10—70493-8

REGISTERED NO. .....
Value $ NV ..... Spec. del'y fee $ .....
Fee $ 60 ..... Ret. receipt fee $ 24 .....
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ..... ☐ Airmail
POSTMARK NOV 27 1964 SALISBURY MD. REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Ole Kristensen
Mr Peter Kristensen
Gulering Sweden
POD Form 3806—Oct. 1960 e48—10—70493-8

REGISTERED NO. .....
Value $ NV ..... Spec. del'y fee $ .....
Fee $ 60 ..... Ret. receipt fee $ 24 .....
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ..... ☐ Airmail
POSTMARK NOV 27 1964 SALISBURY MD. REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Ole Jensen
Mr Henry Jensen
Svallund
Denmark
POD Form 3806—Oct. 1960 e48—10—70493-8

REGISTERED NO. .....
Value $ NV ..... Spec. del'y fee $ .....
Fee $ 60 ..... Ret. receipt fee $ 24 .....
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ..... ☐ Airmail
POSTMARK NOV 27 1964 SALISBURY MD. REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Anger Johansen
Vollense
Denmark
POD Form 3806—Oct. 1960 e48—10—70493-8

REGISTERED NO. .....
Value $ NV ..... Spec. del'y fee $ .....
Fee $ 60 ..... Ret. receipt fee $ 24 .....
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ..... ☐ Airmail
POSTMARK NOV 27 1964 SALISBURY MD. REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Egon S Hansen
Mrs Ellen Hansen
Gylland Denmark
POD Form 3806—Oct. 1960 e48—10—70493-8

REGISTERED NO. .....
Value $ NV ..... Spec. del'y fee $ .....
Fee $ 60 ..... Ret. receipt fee $ 24 .....
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ..... ☐ Airmail
POSTMARK NOV 27 1964 SALISBURY MD. REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Marius Jensen
Copenhagen
Denmark
POD Form 3806—Oct. 1960 e48—10

REGISTERED NO. .....
Value $ NV ..... Spec. del'y fee $ .....
Fee $ 60 ..... Ret. receipt fee $ 24 .....
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ..... ☐ Airmail
POSTMARK NOV 27 1964 SALISBURY MD. REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr S. Gunhild Olsen
Mr Jens Olsen
Moss Norway
POD Form 3806—Oct. 1960 e48—10—70493-8

LIBER 041 PAGE 94

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $..... Rest. del'y fee $.....
Postage $ 15 ☐ Airmail
POSTMARK NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter L Webster
To Mr Absel B K Hansen
Mrs Ingla Hansen
Gyldenland Denmark
POD Form 3806—Oct. 1960 648—16—70493-5

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $..... Rest. del'y fee $.....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter L Webster
To Mrs Mary Christensen
Mr Harald Christensen
Copenhagen Denmark
POD Form 3806—Oct. 1960 648—16—70493-5

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $..... Rest. del'y fee $.....
Postage $ 15 ☐ Airmail
POSTMARK NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter L Webster
To Mr Arne Hansen
Mrs Elinor Hansen
Gyldenland Denmark
POD Form 3806—Oct. 1960 648—16—70493-5

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $..... Rest. del'y fee $.....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter L Webster
To Ester Smidstrup
Peter Smidstrup
Klitlet Denmark
POD Form 3806—Oct. 1960 648—16—70493-5

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $..... Rest. del'y fee $.....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter L Webster
To Mr Borge E C Hansen
Copenhagen
Denmark
POD Form 3806—Oct. 1960 648—16—70493-5

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $..... Rest. del'y fee $.....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter L Webster
To Clara Carlsen
F-4
Denmark
POD Form 3806—Oct. 1960 648—16—70493-5

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $..... Rest. del'y fee $.....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964
Postmaster, By .....
From Walter L Webster
To Ewald Ottesen
Amberstorp
Sweden
POD Form 3806—Oct. 1960 648—16—70493-5

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $..... Rest. del'y fee $.....
Postage $ 15 ☐ Airmail
POSTMARK
Postmaster, By .....
From Walter L Webster
To Superintendent
State Hospital
Fyn Denmark
POD Form 3806—Oct. 1960 648—16—70493-5

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Henry M E Pedersen
Mr Paul Pedersen
F Y D Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Kerner Hansen
Mrs Inger Hansen
Sydlandsvej Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Alfred J Hansen
Mrs Edel Hansen
F Y N Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Aage Hansen
Mrs Ellen Hansen
F Y N Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Kurt Hansen
F Y N
Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Kurt Rasmussen
Mrs Peder Rasmussen
~~To~~ From F Y N Denmark
Walter D Webster
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Frads C Hansen
Roskilde
Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter D Webster
To Mr Henry Hansen
Mrs Edel Hansen
F Y N Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

LIBER 041 PAGE 95

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
Postmaster, By .....
From Walter Webster
To Haakon Larsen
Esther Larsen
F Y N Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
Postmaster, By .....
From Walter L Webster
To Mr Gillis Nielsen
Mr Karl Nielsen
F Y N Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
Postmaster, By .....
From Walter L Webster
To Jens P J Larsen
Sigrid Larsen
Ordense Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
Postmaster, By .....
From Walter L Webster
To Mr Edward Jorgensen
Mrs Regnion Jorgensen
Vaarby Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 30 ☐ Airmail
Postmaster, By .....
From Walter Webster
Engel Ottesen Father of
To Leif Ottesen, Alice Ottesen &
Ella [redacted] Hundevad & Leif
Hundevad and sister of Emma
POD Form 3806—Oct. 1960 e48—16—70493-8

POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
Postmaster, By .....
From Walter L Webster
To Mr Gray Jorgensen
Mrs Thea Jorgensen
Vaarby Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 12
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 08 ☐ Airmail
Postmaster, By .....
From Walter Webster
Mrs Bernice Hunter
To Mr John Hunter
179 Kenyon Ave
Haverhill Mass
POD Form 3806—Oct. 1960 e48—16

POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
Postmaster, By .....
From ~~[illegible]~~
Walter L Webster
To Mrs Amalie Rasmussen
Mr Ingvar Rasmussen
F Y N Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK
Postmaster, By .....
From Walter Webster
To Superintendent
State Hospital
Fyn Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter S Webster
To Mr Frederick Hansen
Mrs Dagny Hansen
Fyn Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK NOV 27 1964
Postmaster, By .....
From Walter S Webster
Paul Jensen
To Anna K Jensen
Odense
Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter S Webster
To Mr Fritz Jensen
Mrs Ellen Jensen
Fyn Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964
Postmaster, By .....
From Walter S Webster
To Kristen Rasmussen
Hans Rasmussen
Fyn Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter S Webster
To Mr Jørgen Jørgensen
Mrs Elle Jørgensen
Sydfyn Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964
Postmaster, By .....
From Walter Webster
To Margit Jørgensen
Holger Jørgensen
Odense Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ .....
Fee $ 60 Ret. receipt fee $ 24
Surcharge $ ..... Rest. del'y fee $ .....
Postage $ 15 ☐ Airmail
POSTMARK SALISBURY, MD. NOV 27 1964 REG. DIV.
Postmaster, By .....
From Walter S Webster
To Mr Walter Jørgensen
Mrs Anna Jørgensen
Sydfyn Amt Denmark
POD Form 3806—Oct. 1960 e48—16—70493-8

LIBER C41 PAGE 97

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 10
Surcharge $ 08 Rest. del'y fee $.....
Postage $ 05 ☐ Airmail
Postmaster, By Jm
From Walter D Webster
To Mr Albert Hansen
Mrs Mary Hansen
Bradford Mass
POD Form 3806—Oct. 1960 e48—16—70493-5

SALISBURY, MD. POSTMARK NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 10
Surcharge $.....
Postage $ 08 ☐ Airmail
Postmaster, By Jm
From Walter D Webster
To Geraldine Mulat
Mr Wilfred Mulat
Haverhill Mass
POD Form 3806—Oct. 1960 e48—16—70493-5

SALISBURY, MD. POSTMARK NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ 24
Fee $ 60 Ret. receipt fee $
Surcharge $.....
Postage $ 30 ☑ Airmail
Postmaster, By Jm
From Walter D Webster
To Hartwig C Hansen
PR Rogge
Denmark
POD Form 3806—Oct. 1960 e48—16—70493-5

SALISBURY, MD. POSTMARK DEC 3 1964 REG.

5/9/2-57

REGISTERED NO. .....
Value $ NV Spec. del'y fee $ 24
Fee $ 60 Ret. receipt fee $
Surcharge $.....
Postage $ 30 ☐ Airmail
Postmaster, By Jm
From Walter D Webster
To Mr Christian Hansen
Mr Esmer Hansen
Odense
Denmark
POD Form 3806—Oct. 1960 e48—16—70493-5

SALISBURY, MD. POSTMARK DEC 3 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 10
Surcharge $ 08 Rest. del'y fee $.....
Postage $ 08 ☐ Airmail
Postmaster, By Jm
From Walter Webster
To Mrs Alice Kelly
233 Franklin St
Haverhill Mass
POD Form 3806—Oct. 1960 e48—16—70493-5

SALISBURY, MD. POSTMARK NOV 27 1964 REG. DIV.

REGISTERED NO. .....
Value $ NV Spec. del'y fee $.....
Fee $ 60 Ret. receipt fee $ 10
Surcharge $.....
Postage $ 08 ☐ Airmail
Postmaster, By Jm
From Walter Webster
To Mrs Ada Hopper
23 Seventeenth Ave
Haverhill Mass
POD Form 3806—Oct. 1960 e48—1c

SALISBURY, MD. POSTMARK NOV 27 1964 REG.

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d'*
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)
Postmark of the office of destination
*Timbre du bureau destinataire*

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(*Nom ou raison sociale*)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau de destination.*

To be completed at destination
*A compléter à destination*

☆ GPO 1188—539104

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d'*
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)
Postmark of the office of destination
*Timbre du bureau destinataire*

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(*Nom ou raison sociale*)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau de destination.*

To be completed at destination
*A compléter à destination*

☆ GPO 1188—539104

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d'*
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)
Postmark of the office of destination
*Timbre du bureau destinataire*

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(*Nom ou raison sociale*)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau de destination.*

To be completed at destination
*A compléter à destination*

☆ GPO 1188—539104

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d'*
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)
Postmark of the office of destination
*Timbre du bureau destinataire*

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(*Nom ou raison sociale*)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau de destination.*

To be completed at destination
*A compléter à destination*

☆ GPO 1188—539104

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d'*
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)
Postmark of the office of destination
*Timbre du bureau destinataire*

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(*Nom ou raison sociale*)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau de destination.*

To be completed at destination
*A compléter à destination*

☆ GPO 1188—539104

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d'*
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)
Postmark of the office of destination
*Timbre du bureau destinataire*

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(*Nom ou raison sociale*)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau de destination.*

To be completed at destination
*A compléter à destination*

☆ GPO 1188—539104

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d'*
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)
Postmark of the office of destination
*Timbre du bureau destinataire*

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(*Nom ou raison sociale*)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau de destination.*

To be completed at destination
*A compléter à destination*

☆ GPO 1188—539104

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d'*
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)
Postmark of the office of destination
*Timbre du bureau destinataire*

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(*Nom ou raison sociale*)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau de destination.*

To be completed at destination
*A compléter à destination*

☆ GPO 1188—539104

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d'*
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)
Postmark of the office of destination
*Timbre du bureau destinataire*

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(*Nom ou raison sociale*)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau de destination.*

To be completed at destination
*A compléter à destination*

☆ GPO 1188—539104

LIBER 631 PAGE 99

LIBER 041 PAGE 100

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article. (*)
*Envoi recommandé*
☐ Parcel insured for $
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste d*
on 19 under No.
*le* *sous le No.*
(Name or firm) (Nom ou raison sociale)
Address of the addressee
*Adresse du destinataire*
(Street and number) (Rue et numéro)
(Place of destination) (Country of destination)
(*Lieu de destination*) (*Pays de destination*)
Footmark of the office of destination
*Timbre du bureau destinataire*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
on 19
Signature of the addressee
*Signature du destinataire*
Signature of the agent of the office of destination.
*Signature de l'agent du bureau destinataire.*

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article, ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste à*
Mailed at the post office of
*Déposé au bureau de poste à*
19 under No.
sous le No.

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(Nom ou raison sociale)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

To be completed at destination
*A compléter à destination*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
19
Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

☆ 6P0.1180—530184

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article, ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste à*
Mailed at the post office of
*Déposé au bureau de poste à*
19 under No.
sous le No.

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(Nom ou raison sociale)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

To be completed at destination
*A compléter à destination*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
19
Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

☆ 6P0.1180—530184

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article, ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste à*
Mailed at the post office of
*Déposé au bureau de poste à*
19 under No.
sous le No.

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(Nom ou raison sociale)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

To be completed at destination
*A compléter à destination*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
19
Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

☆ 6P0.1180—530184

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article, ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste à*
Mailed at the post office of
*Déposé au bureau de poste à*
19 under No.
sous le No.

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(Nom ou raison sociale)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

To be completed at destination
*A compléter à destination*

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*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
19
Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

☆ 6P0.1180—530184

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article, ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste à*
Mailed at the post office of
*Déposé au bureau de poste à*
19 under No.
sous le No.

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(Nom ou raison sociale)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

To be completed at destination
*A compléter à destination*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
19
Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

☆ 6P0.1180—530184

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article, ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste à*
Mailed at the post office of
*Déposé au bureau de poste à*
19 under No.
sous le No.

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(Nom ou raison sociale)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

To be completed at destination
*A compléter à destination*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
19
Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

☆ 6P0.1180—530184

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

☐ Registered article, ☐
*Envoi recommandé*
☐ Parcel insured for
*Colis avec valeur déclarée de $*
Mailed at the post office of
*Déposé au bureau de poste à*
Mailed at the post office of
*Déposé au bureau de poste à*
19 under No.
sous le No.

Address of the addressee
*Adresse du destinataire*
(Name or firm)
(Nom ou raison sociale)
(Street and number)
(*Rue et numéro*)
(Place of destination)
(*Lieu de destination*)
(Country of destination)
(*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

To be completed at destination
*A compléter à destination*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*
19
Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

☆ 6P0.1180—530184

LIBER 643 PAGE 131

(To be filled out by the office of origin)
(A remplir par le bureau d'origine)

Registered article, ☐
Envoi recommandé

Parcel insured for
Colis avec valeur déclarée de $

Mailed at the post office of
Déposé au bureau de poste d'

on 19
le

(Name or firm)
(Nom ou raison sociale)

under No.
sous le No.

(Street and number)
(Rue et numéro)

(Place of destination)
(Lieu de destination)

(Country of destination)
(Pays de destination)

Address of the addressee
Adresse du destinataire

Postmark of the office of origin
Timbre du bureau d'origine

Postmark of the office of destination
Timbre du bureau destinataire

The undersigned declares that the article mentioned above was duly delivered
Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré

on 19
le

Signature of the addressee
Signature du destinataire

Signature of the agent of the office of destination
Signature de l'agent du bureau destinataire

To be completed at destination
A compléter à destination

Cross out what does not apply. Refer or give no current pos.
Biffer ce qui ne convient pas. Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.
Indicate in the parenthesis the nature of the article (letter, post card, print, etc.), if called for.
This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if these regulations so provide, by the agent of the office of destination, and returned by the first mail directly to the sender. Ce reçu doit être signé par le destinataire ou par une personne autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau destinataire, et renvoyé par le premier courrier directement à l'expéditeur.

☆ GPO:1966—539184

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LIBER 041 PAGE 103

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

POD Form 3811 Sep. 1963

INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

REGISTERED NO. 1116

NAME OF SENDER

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

INSURED NO.

CITY, STATE, AND ZIP CODE

Salisbury, Md. 21801

RETURN TO

DELIVERING OFFICE

C65-16-71549-6-F

---

Registered article, ☐
*Envoi recommandé*

Parcel insured for
*Colis avec valeur déclarée de $*

Mailed at the post office of
*Déposé au bureau de poste d*

Harby 2/12 19 64 under No.
*sous le No.*

Edvard Jørgensen
(Name or firm) (Nom ou raison sociale)

Strømsø 10
(Street and number) (Rue et numéro)

Harby
(Place of destination) (Lieu de destination)

(Country of destination) (Pays de destination)

(To be filled out by the office of origin)
*(A remplir par le bureau d'origine)*

Postmark of the office of destination
*Timbre du bureau destinataire*

HARBY 2.64 18.00

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*

Signature[1] of the addressee:
*Signature du destinataire:*

Edv. Jørgensen

Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire:*

To be completed at destination
*A compléter à destination*

[1] Cross out what does not apply. *Biffer ce qui ne convient pas.*
[2] Indicate in the parenthesis the nature of the article (letter, post card, print, etc.), if called for.
*Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.*
[3] This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if those regulations so provide, by the agent of the office of destination, and returned by the first mail directly to the sender. *Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau destinataire, et renvoyé par le premier courrier directement à l'expéditeur.*

☆ GPO:1960—539184

---

Registered article, ☐
*Envoi recommandé*

Parcel insured for
*Colis avec valeur déclarée de $*

Mailed at the post office of
*Déposé au bureau de poste d*

Harby 2/12 19 64 under No.
*sous le No.*

Ellen Nielsen
(Name or firm) (Nom ou raison sociale)

Fyn 30
(Street and number) (Rue et numéro)

Harby
(Place of destination) (Lieu de destination)

(Country of destination) (Pays de destination)

(To be filled out by the office of origin)
*(A remplir par le bureau d'origine)*

Postmark of the office of destination
*Timbre du bureau destinataire*

HARBY 2.64 18.00

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*

Signature[1] of the addressee:
*Signature du destinataire:*

Ellen Nielsen

Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire:*

To be completed at destination
*A compléter à destination*

[1] Cross out what does not apply. *Biffer ce qui ne convient pas.*
[2] Indicate in the parenthesis the nature of the article (letter, post card, print, etc.), if called for.
*Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.*
[3] This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if those regulations so provide, by the agent of the office of destination, and returned by the first mail directly to the sender. *Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau destinataire, et renvoyé par le premier courrier directement à l'expéditeur.*

☆ GPO:1960—539184

---

Registered article, ☐
*Envoi recommandé*

Parcel insured for
*Colis avec valeur déclarée de $*

Mailed at the post office of
*Déposé au bureau de poste d*

Harby 2/12 19 64 under No.
*sous le No.*

Edvard Jørgensen
(Name or firm) (Nom ou raison sociale)

Strøm

LIBER 041 PAGE 104

(To be filled out by the office of origin)
(A remplir par le bureau d'origine)

[1] Registered article. [2]
Envoi recommandé

[1] Parcel insured for
Colis avec valeur déclarée de $

Mailed at the post office of
Déposé au bureau de poste à

on le — under No. sous le No.

Address of the addressee / Adresse du destinataire

(Name or firm) (Nom ou raison sociale)

(Street and number) (Rue et numéro)

(Place of destination) (Lieu de destination) — (Country of destination) (Pays de destination)

Postmark of the office of destination / Timbre du bureau destinataire

To be completed at destination / A compléter à destination

The undersigned declares that the article mentioned above was duly delivered
Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré

on le 19

[3] Signature of the addressee: / Signature du destinataire:

Signature of the agent of the office of destination. Signature de l'agent du bureau destinataire:

[1] Cross out what does not apply. Biffer ce qui ne convient pas.
[2] Indicate in the parenthesis the nature of the article (letter, post card, print, etc.), if called for.
Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.
[3] This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if those regulations so provide, by the agent of the office of destination, and returned by the first mail directly to the sender. Ce avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau destinataire, et renvoyé par le premier courrier directement à l'expéditeur.

☆ GPO: 1962—O-687888

(To be filled out by the office of origin)
(A remplir par le bureau d'origine)

[1] Registered article. [2]
Envoi recommandé

[1] Parcel insured for
Colis avec valeur déclarée de $

Mailed at the post office of
Déposé au bureau de poste à

on le 19 

LIBER 041 PAGE 705

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

Registered article, ①
*Envoi recommandé*
Parcel insured for
*Colis avec valeur déclarée de* $
Mailed at the post office of
*Déposé au bureau de poste d*

Address of the addressee
*Adresse du destinataire*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*

(Place of destination) (Country of destination)
(*Lieu de destination*) (*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

To be completed at destination
*A compléter à destination*

Cross out what does not apply. *Biffer ce qui ne convient pas.*
① Indicate in the parenthesis the nature of the article (letter, post card, print, etc.). If called for. *Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.*
② This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if these regulations so provide, by the agent of the office of destination, and returned by the first mail directly to the sender. *Ce reçu doit être signé par le destinataire ou par une personne autorisée en vertu des règlements du pays de destination, ou, si ces règlements le prévoient, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à l'expéditeur.*

☆ 6PO-1180—53194

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

Registered article, ①
*Envoi recommandé*
Parcel insured for
*Colis avec valeur déclarée de* $
Mailed at the post office of
*Déposé au bureau de poste d*

Address of the addressee
*Adresse du destinataire*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*

(Place of destination) (Country of destination)
(*Lieu de destination*) (*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

To be completed at destination
*A compléter à destination*

Cross out what does not apply. *Biffer ce qui ne convient pas.*
① Indicate in the parenthesis the nature of the article (letter, post card, print, etc.). If called for. *Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.*
② This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if these regulations so provide, by the agent of the office of destination, and returned by the first mail directly to the sender. *Ce reçu doit être signé par le destinataire ou par une personne autorisée en vertu des règlements du pays de destination, ou, si ces règlements le prévoient, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à l'expéditeur.*

☆ 6PO-1180—53194

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

Registered article, ①
*Envoi recommandé*
Parcel insured for
*Colis avec valeur déclarée de* $
Mailed at the post office of
*Déposé au bureau de poste d*

Address of the addressee
*Adresse du destinataire*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*

(Place of destination) (Country of destination)
(*Lieu de destination*) (*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

To be completed at destination
*A compléter à destination*

Cross out what does not apply. *Biffer ce qui ne convient pas.*
① Indicate in the parenthesis the nature of the article (letter, post card, print, etc.). If called for. *Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.*
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☆ 6PO-1180—53194

(To be filled out by the office of origin)
(*A remplir par le bureau d'origine*)

Registered article, ①
*Envoi recommandé*
Parcel insured for
*Colis avec valeur déclarée de* $
Mailed at the post office of
*Déposé au bureau de poste d*

Address of the addressee
*Adresse du destinataire*

The undersigned declares that the article mentioned above was duly delivered
*Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré*

(Place of destination) (Country of destination)
(*Lieu de destination*) (*Pays de destination*)

Postmark of the office of destination
*Timbre du bureau destinataire*

Signature of the addressee
*Signature du destinataire*

Signature of the agent of the office of destination. *Signature de l'agent du bureau destinataire*

To be completed at destination
*A compléter à destination*

Cross out what does not apply. *Biffer ce qui ne convient pas.*
① Indicate in the parenthesis the nature of the article (letter, post card, print, etc.). If called for. *Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.*
② This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if these regulations so provide, by the agent of the office of destination, and returned by the first mail directly to the sender. *Ce reçu doit être signé par le destinataire ou par une personne autorisée en vertu des règlements du pays de destination, ou, si ces règlements le prévoient, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à l'expéditeur.*

☆ 6PO-1180—53194

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee
☐ Show address where delivered
Additional charges required for these services

Received the numbered article described on other side.

SIGNATURE OF NAME OF ADDRESSEE (must always be filled in)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

CSS—16—71949—8—F GPO

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee
☐ Show address where delivered
Additional charges required for these services

Received the numbered article described on other side.

SIGNATURE OF NAME OF ADDRESSEE (must always be filled in)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

CSS—16—71949—8—F GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

ABILY COUNTS
EMPLOY
THE HANDICAPPED

INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article Return Receipt Requested.

RETURN TO

REGISTERED NO. 1119 NAME OF SENDER

CERTIFIED NO. STREET AND NO. OR P. O. BOX P.O. Box 307

INSURED NO. CITY, STATE, AND ZIP CODE Salisbury, Md. 21801

POD Form 3811 Sep. 1963

CSS—16—71949—8—F

LIBER 041 PAGE 106

(To be filled out by the office of origin) (A remplir par le bureau d'origine)

[1] Registered article. ([2] Envoi recommandé

[1] Parcel insured for Colis avec valeur déclarée de $

Mailed at the post office of Déposé au bureau de poste à

on le 19 under No. sous le No. 6

Address of the addressee Adresse du destinataire

(Name or firm) (Nom ou raison sociale)

(Street and number) (Rue et numéro)

(Place of destination) (Lieu de destination) (Country of destination) (Pays de destination)

To be completed at destination A compléter à destination

The undersigned declares that the article mentioned above was duly delivered Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré

on le 12/12 19 64

Signature [3] of the addressee: Signature du destinataire:

Signature of the agent of the office of destination. Signature de l'agent du bureau destinataire:

Postmark of the office of destination Timbre du bureau destinataire

[1] Cross out what does not apply. Biffer ce qui ne convient pas.

[2] Indicate in the parenthesis the nature of the article (letter, post card, print, etc.), if called for. Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.

[3] This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if those regulations so provide, by the agent of the office of destination, and returned by the first mail directly to the sender. Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau destinataire, et renvoyé par le premier courrier directement à l'expéditeur.

☆ GPO: 1962—O-657888

(To be filled out by the office of origin) (A remplir par le bureau d'origine)

[1] Registered article. ([2] Envoi recommandé

[1] Parcel insured for Colis avec valeur déclarée de $

Mailed at the post office of Déposé au bureau de poste à

on le 19 under No. sous le No. 1176

Address of the addressee Adresse du destinataire

(Name or firm) (Nom ou raison sociale)

(Street and number) (Rue et numéro)

(Place of destination) (Lieu de destination) (Country of destination) (Pays de destination)

To be completed at destination A compléter à destination

The undersigned declares that the article mentioned above was duly delivered Le soussigné déclare que l'envoi mentionné ci-dessus a été dûment livré

on le 7-12 1964

Signature [3] of the addressee: Signature du destinataire:

Signature of the agent of the office of destination. Signature de l'agent du bureau destinataire:

Postmark of the office of destination Timbre du bureau destinataire

7.12.64.13.05

[1] Cross out what does not apply. Biffer ce qui ne convient pas.

[2] Indicate in the parenthesis the nature of the article (letter, post card, print, etc.), if called for. Indiquer dans la parenthèse la nature de l'envoi (lettre, carte postale, imprimé, etc.) s'il y a lieu.

[3] This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if those regulations so provide, by the agent of the office of destination, and returned by the first mail directly to the sender. Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau destinataire, et renvoyé par le premier courrier directement à l'expéditeur.

☆ GPO: 1962—O-657888

# ORDER OF PUBLICATION

No. 8094 Chancery
In The Circuit Court for
Somerset County, Maryland

FRITZ C. HANSON, single,
Deal Island, Maryland

vs.

JOHN HANSEN & BERNICE HANSEN, his wife,
179 Kenoza Street,
Haverhill, Massachusetts; and

ALBERT HANSEN & MARY HENSEN, his wife,
39 Mamoil Avenue
Bradford, Massachusetts; and

AMALIA MILAT & WILFRED MILAT, her husband,
31 Fifth Avenue
Haverhill, Massachusetts; and,

ALICE KELLY, widow,
233 Franklin Street
Haverhill, Massachusetts; and,

IDA HANSEN, widow,
23 Seventeenth Avenue,
Haverhill, Massachusetts; and,

MARY CHRISTENSEN & HARALD CHRISTENSEN, her husband,
P. Sabrosgade No. 20,
Copenhagen S. V.,
Denmark; and,

AMALIA HANSEN & EJNER HANSEN, her husband,
Bolbrogade No. 6,
Bolbrogaarden,
Odense, Denmark; and,

EJNER JORGENSEN & THEA JORGENSEN, his wife,
Skallebjer G.,
Haarby, Denmark; and,

EDWARD JORGENSEN & RIGMOR JORGENSEN, his wife,
Assensvy No. 10,
Haarby, Denmark; and,

MARIUS JORGENSEN, Incompentent, single,
State Hospital,
Middelfart,
Fyn, Denmark; and,

ELLEN NEILSEN & KARL NEILSEN, her husband,
Norregade No. 10,
Haarby, Fyn,
Denmark; and,

WILHEM JORGENSEN & ANNA JORGENSEN, his wife,
Genner Strand,
PR Genner,
Sonderjylland, Denmark; and,

JORGEN JORGENSEN & ELIN JORGENSEN, his wife,
Langgade No. 89,
Gedser, Denmark; and,

FRITZ HANSEN & ELLEN HANSEN, his wife,
Hesle, PR Turup
Fyn, Denmark; and,

FREDERICK HANSEN & DAGNY HANSEN, his wife,
Kiusmose,
PR Knarreborg,
Fyn, Denmark; and,

MADS C. HANSEN, single,
Ringstedgade No. 9,
Roskilde, Denmark; and,

AMALIE RASMUSSEN & INGMAN RASMUSSEN, her husband,
Paarup,
PR Ferritslev,
Fyn, Denmark; and,

FRIDA SCHNOOR, Incompetent, single,
State Hospital,
Middelfart,
Fyn, Denmark; and,

KIRSTINE HANSEN, widow,
Steinsgade 13,
Odense,
Fyn, Denmark; and,

KRISTIAN G. HANSEN & ESTER HANSEN, his wife,
Karen Brahesvej 6I,
Odense, Denmark; and,

ALFRED H. HANSEN & EDEL HANSEN, his wife,
Rugvang (farm)
Kerte, PR Arup,
Fyn, Denmark; and,

ARNE HANSEN & ELINOR HANSEN, his wife,
Borchsminde, PR Braskov,
Jylland, Denmark; and,

BORGE E. C. HANSEN, single,
Livjagergade 45 III
Copenhagen, Denmark; and,

HARTVIG C. HANSEN & ASTRID HANSEN, his wife,
Olsemaglevej 6,
PR Koge,
Denmark; and,

EWALD OTTESEN, Widower,
P. L. 2124
Torsgatan No. 15,
Anderstorp, Sweden; and,

LEIF OTTESEN, Minor, single,
P. L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

ALICE OTTESEN, Minor, single,
P.L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

ILSE HUALDROS, Minor, & LEIF HUALDROS, her husband,
P. L. 2124,
Torsgatan No. 15,
Anderstorp, Sweden; and,

HENRY HANSEN & EDITH HANSEN, his wife,
Ellinge,
PR Ferritslev,
Fyn, Denmark; and,

ELMER HANSEN & ELLEN HANSEN, his wife,
Vesteraaby,
Fyn, Denmark; and,

KIRSTINE RASMUSSEN & PEDER RASMUSSEN, her husband,
Norremarken,
Ryslinge St.
Fyn, Denmark; and,

AAGE HANSEN & ELLEN HANSEN, his wife,
Ostergade No. 11,
Ejby St.
Fyn, Denmark; and,

VERNER HANSEN & INGER HANSEN, his wife,
Hansen Shell Station,
Molholmbakken, Vevle,
Jylland, Denmark; and,

AKSEL B. K. HANSEN & IDA HANSEN, his wife,
Obdrupgaard,
PR Trustrup St.
Jylland, Denmark; and,

GUNDHILD H. OLSEN & JENS OLSEN, her husband,
Skoggaten No. 17,
Moss, Norway; and,

EGON S. HANSEN & ELLEN HANSEN, his wife,
Rissalle No. 15,
Nykobing Mors,
Jylland, Denmark; and,

ELLA JENSEN & HENRY JENSEN, her husband,
Knermindevev No. 6,
Lille Varlose,
Svalland, Denmark; and,

INGER E. ANDERSEN & CHARLES ANDERSEN, her husband,
Aasted, PR Durup St.
Jylland, Denmark; and,

HENRY M. E. PEDERSEN & PAUL PEDERSEN, her husband,
Egevej No. 17,
Kertiminde,
Fyn, Denmark; and,

MARIUS LARSEN, Widower,
Copenhagen, Denmark; and,
INGER JOHANSEN, Widow
Store Glasvej
No. 5 III
Odense, Denmark; and,

ELLA KRISTENSEN & LARS KRISTENSEN, her husband,
Ouramajorsgatan No. 14 II,
Gotenorg, Sweden; and,

JENS P. A. LARSEN & JYTTE LARSEN, his wife,
Store Glasvej,
No. 5 II
Odense, Denmark; and.

HAAKON LARSEN & ESTHER LARSEN, his wife,
Birkevej No. 1
Tommervp,
Fyn, Denmark; and,

MARIE JORGENSEN & HOLGER JORGENSEN, her husband,
Saxoyvej No. 20A
Odense, Denmark; and,

KIRSTEN RASMUSSEN & HANS RASMUSSEN, her husband,
Naesbyhoved, Broby
PR Naesby,
Fyn, Denmark; and,

ANNA K. LAURSEN & PAUL LAURSEN, her husband,
Sandhusvej No. 53
Odense, Denmark: and

CLARA CARLSEN, Single
Sadelmager Forretning
PR Hojrup,
Fyn, Denmark; and,

ESTER SMIDSTRUP & PETER SMIDSTRUP, her husband,
Lareninde, Vilsbak,
PR Klipleb,
Denmark,

Defendants,

The object of this suit is to procure a decree for the sale of certain property for purposes of partition in Deal Island Election Distirct, Somerset County, Maryland, which Christian George Hanson owned in fee simple at the time of his death.

The Bill states that the said Christian George Hanson died intestate being survived by Fritz Christian Hansen, John Hansen, Albert Hansen, Amalia Milat, Alice Kelly, Ida Hansen, Mary Christensen, Amalia Hansen Ejner Jorgensen, Edward Jorgensen, Marius Jorgensen, Ellen Neilsen, Wilhem Jorgensen, Jorgen Jorgensen, Fritz Hansen, Frederick Hanson, Mads C. Hansen, Amalie Rasmussen, Frida Schnoor, Kirstine Hansen, Kristian G. Hansen, Alfred H. Hansen, Arne Hansen, Borge E. C. Hensen, Hartvig C. Hansen, Ewald Ottesen, Leif Ottesen, Alice Ottesen, Ilse Hualdros, Henry Hansen, Elmer Hansen, Kristine Rasmussen, Aage Hansen, Verner Hansen, Aksel B. K. Hansen, Gundhild H. Olsen, Egon S. Hansen, Ella Jensen, Inger E. Andersen, Henry M. E. Pedersen, Marius Larsen, Inger Johansen, Ella Kristensen, Jens P. A. Larsen, Haakon Larsen, Marie Jorgensen, Kirsten Rasmussen, Anna K. Laursen, Clara Carlsen, Ester Smidstrup, his next of kin who are the present owners of said property.

The Defendants are all alult non-residents of the State of Maryland except as otherwise noted.

IT, IS, THEREUPON, THIS 30th day of October, A.D., 1964, ORDERED, by the Circuit Court for Somerset County, Maryland, 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 30th day of November, A.D., 1964, give notice to the said absent defendants, who are all non-residents of the State of Maryland, ad adults except as otherwise noted, 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 31st day of December, A.D., 1964, to show cause, if any they have, why a decree ought not be passed as prayed.

I. THEODORE PHOEBUS
Clerk of the Circuit Court for
Somerset County, Maryland

True Copy,
Test: I. Theodore Phoebus, Clk.
26-4to

LIBER 041 PAGE 108

| | | |
|---|---|---|
| FRITZ C. HANSON | : | NO. 8094 CHANCERY |
| VS | : | IN THE CIRCUIT COURT FOR |
| JOHN HANSEN, ET AL | : | SOMERSET COUNTY, MARYLAND |

::::::::

AMENDED AFFIDAVIT OF COMPLIANCE-RULE 105f

I, WALTER D. WEBSTER, Solicitor for Fritz C. Hanson, make oath that I mailed to the following Defendants at their last known address, by registered mail, return receipt requested, the attached notice: John Hansen & Bernice Hansen, his wife; Albert Hansen & Mary Hansen, his wife; Amalia Milat & Wilfred Milat, her husband; Alice Kelly, widow; Mary Christensen & Harald Christensen, her husband; Amalia Hansen & Ejner Hansen, her husband; Ejner Jorgensen & Thea Jorgensen, his wife; Edward Jorgensen & Rigmor Jorgensen, his wife; Marius Jorgensen, Incompetent, c/o Superintendent State Hospital; Ellen Neilsen & Carl Neilsen, her husband; Wilhem Jorgensen & Anna Jorgensen, his wife; Jorgen Jorgensen & Elin Jorgensen, his wife; Fritz Hansen & Ellen Hansen, his wife; Frederick Hansen & Dagny Hansen, his wife; Mads C. Hansen, single; Amalie Rasmussen & Ingman Rasmussen, her husband; Frida Schnoor, Incompetent, c/o Superintendent State Hospital; Alfred H. Hansen and Edel Hansen, his wife; Borge E.C. Hansen, single; Hartvig C. Hansen & Astrid Hansen, his wife; Ewald Ottesen, father and next friend of Leif Ottesen, minor, Alice Ottesen, minor, and Ilse Hualdros, minor, and Leif Hualdros, her husband; Henry Hansen & Edith Hansen, his wife; Elmer Hansen & Ellen Hansen, his wife; Kirstine Rasmussen & Peder Rasmussen, her husband; Aage Hansen & Ellen Hansen, his wife, Verner Hansen & Inger Hansen, his wife; Aksel B.K. Hansen & Ida Hansen, his wife; Gunhild H. Olsen & Jens Olsen, her husband; Egon Hansen & Ellen Hansen, his wife; Ella Jensen & Henry Jensen, her husband Inger E. Andersen & Charles Andersen, her husband; Henny M.E. Peder-

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 8-7100

sen & Paul Pedersen, her husband; Ella Kristensen & Lars Kristensen, her husband; Jens P. A. Larsen & Jytte Larsen, his wife; Haakon Larsen & Ester Larsen, his wife; Kirsten Rasmussen & Hans Rasmussen, her husband; Anna K. Laursen & Paul Laursen, her husband; Clara Carlsen, single; and Ester Smidstrup & Peter Smidstrup, her husband. Also attached is return receipt showing that the said Defendants duly received the same.

AS WITNESS my hand and seal.

Walter D. Webster

SUBSCRIBED & SWORN TO, this 7th day of July, 1965.

Grace E. Webster
Notary Public

My Commission Expires: 7-1-67

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 2-7100

| | | |
|---|---|---|
| FRITZ C. HANSON | : | NO. 8094 CHANCERY |
| VS. | : | IN THE CIRCUIT COURT FOR |
| JOHN HANSEN, ET AL | : | SOMERSET COUNTY, MARYLAND |

:::::::

AFFIDAVIT OF NOTIFICATION OF PUBLICATION

I, WALTER D. WEBSTER, Solicitor for Fritz C. Hanson, Complainant, make oath that I mailed to Kristian G. Hansen & Ester Hansen, his wife; Arne Hansen & Elinor Hansen, his wife, and Marius Larsen, widower, Defendants, at their last known address, by registered mail, return receipt requested a copy of the Order of Publication in this case.

The Post Office Department has not, at any time, returned any of the mail addressed to said Defendants and neither has any return receipt been received showing that the said Defendants duly received a copy of the Order of Publication. However, your Affiant is certain that said Defendants have been duly notified of the proceedings pending against them because he has in his possession Powers of Attorneys from each of said Defendants authorizing and empowering the Consul General of Denmark at New York City, New York, to act on their behalf in all matters relating to the Estate of Christian George Hanson, deceased.

AS WITNESS my hand and seal.

Walter D. Webster (SEAL)

SUBSCRIBED & SWORN TO, this 4th day of [illegible], 1965.

Notary Public

My Commission Expires: 7-1-67

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

FRITZ C. HANSON, single :NO. 8094 CHANCERY

vs. :IN THE CIRCUIT COURT FOR

JOHN HANSEN, et al :SOMERSET COUNTY, MARYLAND

::::::::

PETITION TO ADD PARTY DEFENDANTS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Complainant, Fritz C. Hanson, by his solicitor, Walter D. Webster, petitions pursuant to Maryland Rule 282 that additional parties be made Defendants in this cause and served with process pursuant to the Maryland Rules. The grounds of the Petition are as follows:'

1. This is an action praying for a Decree for a sale and partition of certain real property in Deal Island Election District, Somerset County, State of Maryland, which one Christian George Hanson was seized and possessed of in fee simple at the time of his death on or about May 17, 1964.

2. The following adult non-residents of the State of Maryland were omitted by inadvertence as Defendants from the Bill of Complaint:

Janice Lavoie (intermarried with Joseph L.N. Lavoie)
Fredrick Joseph Hansen(intermarried with Barbara Hansen)
Robert George Hansen(intermarried with Elizabeth Ann Hansen)
James Melvin Hansen (intermarried with Ann Marie Hansen.)

all children of Fredrick Hansen, deceased son of Henry J. Hansen, who is a deceased brother of Christian George Hanson.

The above parties should be included as Defendants because they are heirs at law of Christian George Hanson.

May it please your Honors to grant unto your Complainant the Order of Publication "To Lie", directed to the above adult

WALTER D. WEBSTER
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non-resident Defendants, Janice Lavoie and Joseph L. N. Lavoie, her husband, 23 Seventeenth Avenue, Haverhill, Massachusetts; Fredrick Joseph Hansen and Barbara Hansen, his wife, 23 Seventeenth Avenue, Haverhill, Massachusetts; Robert George Hansen and Elizabeth Ann Hansen, his wife, 1 Gloria Road, Georgetown, Massachusetts; James Melvin Hansen and Ann Marie Hansen, his wife, 18 Minor Avenue, Haverhill, Massachusetts, 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.

Walter D. Webster,
Solicitor for Complainant

ORDER OF COURT

THE AFOREGOING PETITION having been read and considered, it is, thereupon, this 14 day of ~~June~~ July, A.D., 1965, by the Circuit Court for Somerset County, Maryland, In Equity, ORDERED that Janice Lavoie and Joseph L.N. Lavoie, her husband; Fredrick Joseph Hansen and Barbara Hansen, his wife, Robert George Hansen and Elizabeth Ann Hansen, his wife; and James Melvin Hansen and Ann Marie Hansen, his wife, be and they are made Party Defendants. The Clerk shall issue process pursuant to the Maryland Rules.

E. McMaster Duer
Judge

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
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IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

FRITZ C. HANSON, Single
Deal Island, Maryland

vs.

JOHN HANSEN &
BERNICE HANSEN, his wife,
179 Kenoza Street
Haverhill, Massachusetts; and,

ALBERT HANSEN &
MARY HANSEN, his wife,
39 Mamoil Avenue
Bradford, Massachusetts; and

AMALIA MILAT &
WILFRED MILAT, her husband,
31 Fifth Avenue,
Haverhill, Massachusetts; and,

ALICE KELLY, Widow,
233 Franklin Street,
Haverhill, Massachusetts; and,

JANICE LAVOIE &
JOSEPH L.N. LAVOIE, her husband,
23 Seventeenth Avenue
Haverhill, Massachusetts; and,

FREDRICK JOSEPH HANSEN &
BARBARA HANSEN, his wife,
23 Seventeenth Avenue
Haverhill, Massachusetts; and,

ROBERT GEORGE HANSEN &
ELIZABETH ANN HANSEN, his wife,
1 Gloria Road
Georgetown, Massachusetts; and,

JAMES MELVIN HANSEN &
ANN MARIE HANSEN
18 Minot Avenue
Haverhill, Massachusetts; and,

MARY CHRISTENSEN &
HARALD CHRISTENSEN, her husband,
P. Sabrosgade No. 20,
Copenhagen S.V.,Denmark; and,

AMALIA HANSEN &
EJNER HANSEN, her husband,
Bolbrogade No. 6, Bolbrogaarden,
Odense, Denmark; and,

EJNER JORGENSEN &
THEA JORGENSEN, his wife,
Skallebjar G.,
Haarby, Denmark; and,

NO. 8094 CHANCERY

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
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EDWARD JORGENSEN & :
RIGMOR JORGENSEN, his wife,
Assensvy No. 10 :
Haarby, Denmark; and,
:
MARIUS JORGENSEN, Incompetent, single,
State Hospital, Middlefart, :
Fyn, Denmark; and,
:
ELLEN NEILSEN &
CARL NEILSEN, her husband, :
Norregard No. 10,
Haarby, Fyn, Denmark; and, :

WILHEM JORGENSEN & :
ANNA JORGENSEN his wife,
Genner Strand, PR Genner, :
Sonderjylland, Denmark; and,
:
JORGEN JORGENSEN &
ELIN JORGENSEN, his wife, :
Langgade No. 89,
Gedser, Denmark; and, :

FRITZ HANSEN & :
ELLEN HANSEN, his wife,
Hesle, PR Turup, :
Fyn, Denmark; and,
:
FREDERICK HANSEN &
DAGNY HANSEN, his wife, :
Kiusmose, PR Knarreborg,
Fyn, Denmark; and, :

MADS C. HANSEN, Single :
Ringstedgade No. 9
Roskilde, Denmark; and, :

AMALIE RASMUSSEN & :
INGMAN RASMUSSEN, her husband,
Paarup, PR Ferritslev, :
Fyn, Denmark; and,
:
FRIDA SCHNOOR, Incompetent, single,
State Hospital :
Middelfart, Fyn, Denmark; and,
:
KRISTIAN G. HANSEN &
ESTER HANSEN, his wife, :
Karen Brahesvej 61
Odense, Denmark; and, :

ALFRED H. HANSEN & :
EDEL HANSEN, his wife
Rugvang (farm) :
Kerte, PR Arup,
Fyn, Denmark; and, :

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ARNE HANSEN & :
ELINOR HANSEN, his wife,
Borchsminde, PR Braskov, :
Jylland, Denmark; and,
:
BORGE E.C. HANSEN, single
Livjagergade 45 III :
Copenhagen, Denmark; and,
:
HARTVIG C. HANSEN &
ASTRID HANSEN, his wife, :
Olsemaglevej 6, PR Koge,
Denmark; and, :

LEIF OTTESEN, Minor, single, :
P.L. 2124, Torsgatan No. 15
Anderstorp, Swenden; and, :

ALICE OTTESEN, Minor, Single, :
P.L. 2124, Torsgatan No. 15
Anderstorp, Swenden; and, :

ILSE HUALDROS, Minor & :
LEIF HUALDROS, her husband,
P.L. 2124, Torsgatan No. 15 :
Anderstorp, Swenden; and,
:
HENRY HANSEN &
EDITH HANSEN, his wife, :
Ellinge, PR Ferritslev,
Fyn, Denmark; and, :

ELMER HANSEN & :
ELLEN HANSEN, his wife,
Vesteraaby, :
Fyn, Denmark; and,
:
KIRSTINE RASMUSSEN &
PEDER RASMUSSEN, her husband, :
Norremarken, Ryslinge St.
Fyn, Denmark; and, :

AAGE HANSEN & :
ELLEN HANSEN, his wife,
Ostergade No. 11, Ejby St. :
Fyn, Denmark; and,
:
VERNER HANSEN &
INGER HANSEN, his wife, :
Hansen Shell Station,
Molholmbakken, Vevle, :
Jylland, Denmark; and,
:
AKSEL B.K. HANSEN &
IDA HANSEN, his wife; :
Obdrupgaard, PR Trustrup St.
Jylland, Denmark; and, :

:

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ATTORNEY AND COUNSELLOR
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GUNHILD H. OLSEN & :
JENS OLSEN, her husband,
Skoggaten No. 17 :
Moss, Norway; and,
:
EGON HANSEN &
ELLEN HANSEN, his wife, :
Rissalle No. 15, Nykobing Nors,
Jylland, Denmark; and, :

ELLA JENSEN & :
HENRY JENSEN, her husband,
Kaermindavev No. 6, Lille Varlose :
Svalland, Denmark; and,
:
INGER E. ANDERSEN &
CHARLES ANDERSON, her husband, :
Aasted, PR Durup St.
Jylland, Denmark; and, :

HENNY M.E. PEDERSEN & :
PAUL PEDERSEN, her husband,
Egevej No. 17, Kertiminde,
Fyn, Denmark; and, :

MARIUS LARSEN, widower, :
Copenhagen, Denmark; and,
:
ELLA KRISTENSEN &
LARS KRISTENSEN, her husband, :
Ouramajorsgatan No. 14 II
Gotenorg, Sweden; and, :

JENS P.A. LARSEN & :
JYTTE LARSEN, his wife,
Store Glaevej, No. 5 II :
Odense, Denmark; and,
:
HAAKON LARSEN &
ESTER LARSEN, his wife, :
Birkevej No. 1, Tommervp,
Fyn, Denmark; and, :

KIRSTEN RASMUSSEN & :
HANS RASMUSSEN, her husband,
Naesbyhoved, Broby, PR Naesby, :
Fyn, Denmark; and,
:
ANNA K. LAURSEN &
PAUL LAURSEN, her husband :
Sandhusvej No. 53
Odense, Denmark; and, :

CLARA CARLSEN, single :
Sadelmager Ferretning, PR Hojrup,
Fyn, Denmark; and, :

ESTER SMIDSTRUP & :
PETER SMIDSTRUP, her husband
Lareninde, Vilsbak, PR Klipleb, :
Denmark,
DEFENDANTS :

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
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PI 9-7100

## ORDER OF PUBLICATION

The object of this suit is to procure a decree for the sale of certain property for purposes of partition in Deal Island Election District, Somerset County, Maryland, which Christian George Hanson owned in fee simple at the time of his death.

The Bill states that the said Christian George Hanson died intestate being survived by Fritz Christian Hansen, John Hansen, Albert Hansen, Amalia Milat, Alice Kelly, Janice Lavoie, Fredrick Joseph Hansen, Robert George Hansen, James Melvin Hansen, Mary Christensen, Amalia Hansen, Ejner Jorgensen, Edward Jorgensen, Marius Jorgensen, Ellen Neilsen, Wilhem Jorgensen, Jorgen Jorgensen, Fritz Hansen, Frederick Hansen, Mads C. Hansen, Amalie Rasmussen, Frida Schnoor, Kristain G. Hansen, Alfred H. Hansen, Arne Hansen, Borge E.C. Hansen, Hartvig C. Hansen, Leif Ottesen, Alice Ottesen, Ilse Hualdros, Henry Hansen, Elmer Hansen, Kristine Rasmussen, Aage Hansen, Verner Hansen, Aksel B. K. Hansen, Gunhild H. Olsen, Egon S. Hansen, Ella Jensen, Inger E. Anderson, Henny M. E. Pedersen, Marius Larsen, Ella Kristensen, Jens P.A. Larsen, Haakon Larsen, Kirsten Rasmussen, Anna K. Laursen, Clara Carlsen, Ester Smidstrup, his next of kin who are the present owners of said property.

The Defendants are all adult non-residents of the State of Maryland except as otherwise noted.

IT IS, THEREUPON, this day of ,A.D., 1965, by the Circuit Court for Somerset County, Maryland, 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 day of , A.D., 1965, give notice to the said absent defendants, who are

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
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all non-residents of the State of Maryland, and adults except as otherwise noted, 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 day of ,A.D., 1965, to show cause, if any they have, why a decree ought not be passed as prayed.

Clerk

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
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PI 9-7100

| | | |
|---|---|---|
| FRITZ C. HANSON, Single | : | NO. 8094 CHANCERY |
| vs. | : | IN THE CIRCUIT COURT FOR |
| JOHN HANSEN, et al | : | SOMERSET COUNTY, MARYLAND |

:::::::

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Janice Lavoie and Joseph L. N. Lavoie, her husband, Fredrick Joseph Hansen and Barbara Hansen, his wife, Robert George Hansen and Elizabeth Ann Hansen, his wife, and James Melvin Hansen and Ann Marie Hansen, his wife, for answer to the Bill of Complaint filed in this cause, say;

1. That they admit the matters and facts as alleged in said Bill of Complaint.

2. That they consent to the passage of such decree as may be proper in this cause.

Janice Lavoie
Joseph L. N. Lavoie
Fredrick Joseph Hansen
Barbara Hansen
Robert George Hansen
Elizabeth Ann Hansen
James Melvin Hansen
Ann Marie Hansen

I HEREBY ADMIT SERVICE of a copy of the aforegoing Answer this 8 day of ~~June~~ July, A.D., 1965.

Walter D. Webster,
Solicitor for Complainant

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
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FRITZ C. HANSON : NO. 8094 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

JOHN HANSEN, ET AL : SOMERSET COUNTY, MARYLAND

::::::::

PETITION FOR DECREE PRO CONFESSO

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Fritz C. Hanson, by Walter D. Webster, his Solicitor, respectfully shows:

1. That your Petitioner has heretofore filed in this cause Bill of Complaint for the partition and sale of certain real estate.

2. That although Defendants John Hansen & Bernice Hansen, his wife; Albert Hansen & Mary Hansen, his wife; Amalie Milat & Wilfred Milat, her husband; Alice Kelly, widow; Mary Christensen & Harald Christensen, her husband; Amalia Hansen & Ejner Hansen, her husband; Ejner Jorgensen & Thea Jorgensen, his wife;Edward Jorgensen & Rigmor Jorgensen, his wife; Ellen Neilsen & Carl Neilsen, her husband; Wilhem Jorgensen & Anna Jorgensen, his wife; Jorgen Jorgensen & Elin Jorgensen, his wife; Fritz Hansen & Ellen Hansen, his wife; Fredrick Hansen & Dagny Hansen, his wife; Mads C. Hansen, single; Amalie Rasmussen & Ingman Rasmussen, her husband; Kristian G. Hansen & Ester Hansen, his wife; Alfred H. Hansen & Edel Hansen, his wife; Arne Hansen & Elinor Hansen, his wife; Borge E. C. Hansen, single; Hartvig C. Hansen & Astrid Hansen, his wife; Henry Hansen & Edith Hansen, his wife; Elmer Hansen & Ellen Hansen, his wife; Kirstine Rasmussen & Peder Rasmussen, her husband; Aage Hansen & Ellen Hansen, his wife; Verner Hansen & Inger Hansen, his wife; Aksel B.K. Hansen & Ida Hansen, his wife;Gunhild H. Olsen & Jens Olsen, her husband; Egon Hansen & Ellen Hansen, his wife; Ella Jensen & Henry Jensen, her husband; Inger E. Andersen & Charles Andersen, her husband; Henny M. E. Pedersen & Paul Pedersen, her

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husband; Marius Larsen, widower; Ella Kristensen & Lars Kristensen, her husband; Jens P. A. Larsen & Jytte Larsen, his wife; Haakon Larsen & Ester Larsen, his wife; Kirsten Rasmussen & Hans Rasmussen, her husband; Anna K. Laursen & Paul Laursen, her husband; Clara Carlsen, single; and Ester Smidstrup & Peter Smidstrup, her husband, have been duly notified by Order of Publication, and although the time allowed said Defendants to file an answer to said Bill of Complaint has expired, no answer has been filed and no appearance has been made or entered by said Defendants or on their behalf.

WHEREFORE, Your Petitioner prays this Honorable Court that the allegations of his said Bill of Complaint be taken pro confesso against the aforesaid Defendants.

Solicitor for Complainant

ORDER OF COURT

THE AFOREGOING PETITION having been read and considered and it appearing that the Defendants John Hansen & Bernice Hansen, his wife; Albert Hansen & Mary Hansen, his wife; Amalie Milat & Wilfred Milat, her husband; Alice Kelly, widow; Mary Christensen & Harald Christensen, her husband; Amalia Hansen & Ejner Hansen, her husband; Ejner Jorgensen & Thea Jorgensen, his wife; Edward Jorgensen & Rigmor Jorgensen, his wife; Ellen Neilsen & Carl Neilsen, her husband; Wilhem Jorgensen & Anna Jorgensen, his wife; Jorgen Jorgensen & Elin Jorgensen, his wife; Fritz Hansen & Ellen Hansen, his wife; Fredrick Hansen & Dagny Hansen, his wife; Mads C. Hansen, single; Amalie Rasmussen & Ingman Rasmussen, her husband; Kristian G. Hansen & Ester Hansen, his wife; Alfred H. Hansen & Edel Hansen, his wife; Arne Hansen & Elinor Hansen, his wife; Borge E. C. Hansen, single; Hartvig C. Hansen & Astrid Hansen, his wife; Henry Hansen & Edith Hansen, his wife; Elmer Hansen & Ellen Hansen, his wife; Kirstine Rasmussen & Peder Rasmussen, her husband; Aage Hansen &

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Ellen Hansen, his wife; Verner Hansen & Inger Hansen, his wife; Aksel B.K. Hansen & Ida Hansen, his wife; Gunhild H. Olsen & Jens Olsen, her husband; Egon Hansen & Ellen Hansen, his wife; Ella Jensen & Henry Jensen, her husband; Inger E. Andersen & Charles Andersen, her husband; Henny M. E. Pedersen & Paul Pedersen, her husband; Marius Larsen, widower; Ella Kristensen & Lars Kristensen; her husband; Jens P. A. Larsen & Jytte Larsen, his wife; Haakon Larsen & Ester Larsen, his wife; Kirsten Rasmussen & Hans Rasmussen, her husband; Anna K. Laursen & Paul Laursen, her husband; Clara Carlsen, single; and Ester Smidstrup & Peter Smidstrup, her husband, have been duly notified, and that although the time limited by law for their appearance and answer have expired, no such appearance or answer has been filed or made on their behalf, it is, thereupon, this 14 day of July A.D., 1965, ORDERED that the Bill of Complaint filed in this cause be, and the same is, hereby taken pro confesso against the aforesaid Defendants.

E. McMaster Duncan
JUDGE

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
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FRITZ C. HANSEN : NO. 8094 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

JOHN HANSEN, ET AL : SOMERSET COUNTY, MARYLAND

::::::::

PETITION FOR GUARDIAN AD LITEM

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Fritz C. Hansen, Complainant in the above entitled case, by Walter D. Webster, his solicitor, moves pursuant to Maryland Rule 205 e 2, for appointment of a guardian ad litem to represent Marius Jorgensen and Frida Schnoor, Incompetents, and Leif Ottesen, Alice Ottesen and Ilse Hualdros and Leif Hualdros, her husband, minors. The grounds of the motion are as follows:

1. Marius Jorgensen and Frida Schnoor, Incompetents, and Leif Ottesen, Alice Ottesen and Ilse Hualdros and Leif Hualdros, her husband, Minors, have been duly notified by Order of Publication.

2. Marius Jorgensen and Frida Schnoor, Incompetents, and Leif Ottesen, Alice Ottesen and Ilse Hualdros and Leif Hualdros, her husband, Minors, have no legal guardian within the jurisdiction of this Court nor does the Complainant have any knowledge that a guardian or committee has been appointed elsewhere for said incompetents and minors.

3. Movant suggests as guardian ad litem Ruth W. Ellis who has no interest whatever in this suit adverse to that of the said incompetents and minors.

AND, as in duty bound, etc.

Walter D. Webster,
Solicitor for Complainant

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ORDER OF COURT

ORDERED this 14th day of July A.D., 1965, by the Circuit Court for Somerset County, Maryland, In Equity, that Ruth W. Ellis be and she is, hereby appointed guardian ad litem for Marius Jorgensen and Frida Schnoor, Incompetents, and Leif Ottesen Alice Attesen and Ilse Hualdros and Leif Hualdros, her husband, Minors, defendants in the above entitled case.

E. McMaster Duer
Judge

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
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FRITZ C. HANSEN

VS.

JOHN HANSEN, ET AL

:NO. 8094 CHANCERY

:IN THE CIRCUIT COURT FOR

:SOMERSET COUNTY, MARYLAND

:::::::

ANSWER OF GUARDIAN AD LITEM

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Ruth W. Ellis, guardian ad litem of Marius Jorgensen and Frida Schnoor, incompetents, and Leif Ottesen, Alice Ottesen and Ilse Hualdros and Leif Hualdros, her husband, minors, on behalf of said incompetents and minors, in answer to the Bill of Complaint, says:

1. She is without knowledge as to the allegations of said Bill of Complaint.

2. She submits the rights of said incompetents and minors to the protection of the Court.

Ruth W. Ellis

Ruth W. Ellis,
Guardian Ad Litem

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FRITZ C. HANSON : NO. 8094 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

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:::::::

MOTION TO DISMISS BILL OF COMPLAINT AS TO CERTAIN DEFENDANTS

PURSUANT TO RULE 283 OF THE MARYLAND RULES OF PROCEDURE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Movant, Fritz C. Hanson, by his solicitor, Walter D. Webster, respectfully says:

1) That the Bill of Complaint filed in this cause named as Defendants:

Kirstine Hanse, widow
Ewald Ottesen, widower
Inger Johansen, widow
Marie Jorgensen & Holger Jorgensen, her husband

2) That after filing said Bill of Complaint your Movant dis-dovered by careful and thorough investigation that said Defendants, with the exception of Holger Jorgensen who intermarried with Marie Jorgensen, are all surviving spouses of deceased descendants of Christian George Hanson, deceased owner of the property in these proceedings and under the Laws of the State of Maryland are not heirs at law of the said Christian George Hanson, all of which will be shown by the testimony to be filed.

3) That by virtue of Rule 306 (Service of Pleadings and Other Papers - General) (b) of the Maryland Rules of Procedure, ser-vice of this pleading is not required to be made on said Defendants inasmuch as they have failed to appear or file any pleading in res-ponse to the Bill of Complaint.

WHEREFORE, Movant requests this Honorable Court yo pass an Order dismissing the Bill of Complaint as to the aforesaid Defendants

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and directing the Clerk of this Court that it is not necessary for service of a copy of this Motion to be served on said Defendants.

Walter D. Webster,
Solicitor for Complainant-Movant

ORDER OF COURT

The aforegoing Motion having been read and considered, it is, thereupon, this 14th day of July, A.D., 1965, by the Circuit Court for Somerset County, Maryland, ORDERED that the Bill of Complaint in this cause be and it is hereby dismissed as to the Defendants, Kirstine Hansen, widow, Ewald Ottesen, widower, Inger Johansen, widow, and Marie Jorgensen and Holger Jorgensen, her husband, and that it is not necessary for the Clerk of this Court to require service of a copy of this Motion on said Defendants due to the fact that they have failed to appear or file any pleading in response to the Bill of Complaint.

E. McMaster Duer
Judge

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| | | |
|---|---|---|
| FRITZ C. HANSON | : | NO. 8094 CHANCERY |
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| JOHN HANSEN, ET AL | : | SOMERSET COUNTY, MARYLAND |

:::::::

STIPULATION OF DISMISSAL

It is stipulated by and between the Complainant, Fritz C. Hanson, and Ida Hansen, one of the Defendants in this case, that the above entitled action be dismissed with prejudice as to the said Ida Hansen.

ATTEST:

Steven W. Eastman
As to Ida Hansen

Ida Hansen
Ida Hansen

Walter D. Webster
Solicitor for Plaintiff

LEAVE granted to Dismiss as to Ida Hansen.

E. McMaster Duer
Judge

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
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FRITZ C. HANSON : NO. 8094 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

JOHN HANSEN, ET AL : SOMERSET COUNTY, MARYLAND

:::::::

PETITION FOR APPOINTMENT OF SPECIAL EXAMINER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Walter D. Webster, Solicitor for Fritz C. Hanson, respectfully represents:

1. That Bill of Complaint for a sale and partition of certain property owned by Christian George Hanson at the time of his death has heretofore been filed in these proceedings.

2. That the Defendants herein have been duly notified by Order of Publication.

3. That your Petitioner desires to take the testimony of the Complainant Fritz C. Hanson and W. C. Ford, Jr. and Walter D. Webster, but is unable to do so because of the fact that Harry C. Dashiell, the Standing Examiner is physically incapacitated.

WHEREFORE, Your Petitioner prays this Honorable Court to pass an Order appoint and authorizing Virginia B. Miles Special Examiner for the taking of testimony in these proceedings.

Walter D. Webster,
Solicitor for Complainant

ORDER OF COURT

THE AFOREGOING PETITION having been read and considered, it is, thereupon, this 14 day of July A.D., 1965, ORDERED, ADJUDGED and DECREED by the Circuit Court for Somerset County, Maryland, Sitting in Equity, that Virginia B. Miles, be and she is hereby appointed Special Examiner for the taking of testimony in these proceedings.

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E. McMaster Duer
JUDGE

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
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| | | |
|---|---|---|
| FRITZ C. HANSON | : | NO. 8094 CHANCERY |
| VS | : | IN THE CIRCUIT COURT FOR |
| JOHN HANSEN, ET AL | : | SOMERSET COUNTY, MARYLAND |

*I, Virginia B. Miles, Special Examiner in Chancery, appointed by this Court, do hereby certify that at the Law Offices of Simpkins and Simpkins, in Princess Anne, Maryland, on Tuesday, August 31, 1965 at the hour of one thirty o'clock, P.M., I did take the following depositions, questions propounded by Walter D. Webster, Solicitor for the Complainant.*

*Depositions Attached*

Then personally appeared Fritz Christian Hanson, a witness in the above entitled case, who being first duly sworn according to law, answereth, sweareth and deposeth, in the manner following, that is to say:

EXAMINATION BY WALTER D. WEBSTER, SOLICITOR FOR COMPLAINANT

Q. 1- Please state your name, address and occupation.

A. - Fritz Christian Hanson, Deal Island, Maryland. I am 79 years old and retired.

Q. 2- Did you file a Bill of Complaint for the sale of certain real estate formerly belonging to Christian George Hanson?

A. - Yes.

Q. 3- Were you related to Christian George Hanson?

A. - Yes, he was my brother.

Q. 4- When did he die?

A. - May 17, 1964.

Q. 5- Has there been administration on his estate?

A. - Yes.

Q. 6- Who is the administrator?

A. - I am.

Q. 7- Were you in close association with Christian George Hanson during his lifetime?

A. - Yes.

Q. 8- What real estate did he own at the time of his death?

A. - The only parcel of real estate he owned at the time of his death was the house and lot at Deal Island, Maryland, where he lived.

Q. 9- Please describe the property?

A. - It is a six room house. It has a bathroom but no central heat. The house is old but it is in good condition. The land is on the West side of the main County Road leading from Deal Island to Wenona. I would say the land is about one acre in size.

Q.10- In your opinion what is the value of the property?

A. - It is really hard to say what property is worth on Deal Island because there are not many sales and purchases. The appraisers have estimated it to be worth $6500.00 and as best as I can determine after checking around that is pretty close to its actual value.

Q.11- Did your brother leave a will?

A. - No. We lived together most of the time for the ten years before his death and I checked all his papers very carefully when he died. I was unable to find any will and I don't have any knowledge that he ever made one.

Q.12- Was your brother ever married?

A. - No. I am sure of that.

Q.13- Do you know who his heirs are?

A. - Yes. I feel pretty certain. There were originally nine children of my parents which meant my brother Christian George Hanson had eight brothers and sisters. Besides him there were Henry J. Hansen, Marie Jorgensen, Sofus Hansen, Marius Hansen, Aksel Hansen, Anna Larsen, Carlina Jorgensen and myself. All the other brothers and sisters except myself died before my brother Christian George Hanson.

They were all survived by children. Myself and the children of Henry Hansen are the only ones in this country. The rest of them are in the Scandanavian countries.

Mr. Webster I think you are better qualified to furnish a list of all the heirs. Although I am acquainted with practically all their names, you have investigated this matter thoroughly and I believe you are better qualified to do this than myself.

Q.14- Mr. Hanson, I notice your relatives spell their names in two different fashions, what is the explantion for this?

A. - When my brother was in the army they got to spelling his name Hanson and being that I was in this country I spelled mine the same way. I believe all the others use Hansen.

Q.15- Is the property susceptible of partition?

A. - I don't think so.

Q.16- Do you think it in the best interests of the heirs that this property be sold and the proceeds be divided among them?

A. - Yes.

Virginia B. Miles
Special Examiner

Then personally appeared Walter D. Webster, Solicitor for the Complainant in the above entitled case, who being first duly sworn according to law, Answereth, Sweareth and Deposeth, in the manner following, that is to say:

WALTER D. WEBSTER SUBMITTED THE FOLLOWING STATEMENT FOR THE RECORD IN THIS CASE:

My name is Walter D. Webster, 803 Federal Street, Salisbury, Maryland. I am a member of the Maryland Bar with offices in Salisbury, Maryland. I have been acting as Solicitor for Fritz Christain Hanson, the Complainant in this case.

Since the death of Christian George Hanson and the appointment of an Administrator for his estate in the Orphans Court for Somerset County, Maryland, I have made a dilligent effort to accurately ascertain the names and addresses of the heirs of the deceased.

I discussed this matter thoroughly at the outset with Fritz Christian Hanson, the only surviving brother or sister of the deceased, and also with John Hansen, a native of the State of Massachusetts and a nephew of the deceased.

After gathering all available information from the above two parties I traveled to the Country of Denmark, which was the birthplace of the deceased. Upon my arrival there I immediately contacted Hartvig Hansen, another nephew of the deceased. By private automobile we traveled several hundred miles getting in touch with several of the descendants of each deceased brother or sister of intestate. This search was continued for several days until I was confident that I had compiled a complete and accurate list of all the heirs of Christian George Hanson.

Sometime after my arrival back in this Country I was contacted by the Danish Consul in New York City and later by their attorney. Subsequently the Danish Consul through The Ministry of Foreign Affairs and The Commissioner of Police in Copenhagen, Denmark, made a thorough investigation regarding the identity of the heirs. The lists were correlated and after some discussion it was agreed that our findings were identical.

I am convinced that the following represents an accurate listing of the heirs of Christian George Hanson.

John Hansen, Albert Hansen, Amalia Milat, Alice Kelly, all children of Henry Hansen, a deceased brother. Janice Lavoie, Fredrick Joseph Hansen, Robert George Hansen, James MelvinHansen, all children of Fredrick Hansen, deceased son of the said Henry Hansen.

Mary Christensen, Amalia Hansen, Ejner Jorgensen, Edward Jorgensen, Marius Jorgensen, Ellen Neilsen, Wilhem Jorgensen, and Jorgen Jorgensen, all children of Marie Jorgensen, a deceased sister.

Fritz Hansen, Frederick Hansen, Mads C. Hansen, Amalie Rasmussen and Frida Schnoor, all children of Sofus Hansen, a deceased brother.

Kristian G. Hansen, Alfred H. Hansen, Arne Hansen, Borge E.C. Hansen, and Hartvig C. Hansen, all children of Marius Hansen, a deceased brother. Leif Ottesen, Alice Ottesen and Ilse Hualdros, all children of a deceased daughter of the late Marius Hansen, Gundrum Ottesen.

Henry Hansen, Elmer Hansen, Kirstine Rasmussen, Aage Hansen, Verner Hansen, Adksel B. K. Hansen, Gunhild H. Olsen, Egon S. Hansen, Ella Jensen, Inger E. Andersen and Henny M. E. Pedersen, all children of Aksel Hansen, a deceased brother.

Marius Larsen, child of Anna Larsen, a deceased sister. Ella Kirstensen, Jens P. A. Larsen and Haakon Larsen, children of Sigurd Larsen, a deceased son of the said Anna Larsen. Kirsten Rasmussen, and Anna K. Laursen, children of Jorgen Larsen, a deceased son of the said Anna Larsen.

Clara Carlsen and Ester Smidstrup, children of Carlina Jørgensen, a deceased sister.

Fritz Christian Hanson, brother of the deceased and the Complainant in this case.

Virginia B. Miller
Examiner

Then personally appeared William Clyde Ford, Jr., a witness in the above entitled case, who being first duly sworn according to law, answereth, sweareth and deposeth, in the manner following, that is to say:

EXAMINATION BY WALTER D. WEBSTER, SOLICITOR FOR COMPLAINANT

Q. 1- Please state your full name, address and occupation.

A. - William Clyde Ford, Jr., Westover, Maryland. My main occupation is Superintendant of Assessments for Somerset County but I do private appraisal work in some Orphan's Court cases.

Q. 2- Were you engaged as one of the appraisers in the Estate of Christian George Hanson?

A. - Yes.

Q. 3- Did you appraise the real property he owned at the time of his death?

A. - Yes.

Q. 4- What real property did you find he owned at that time?

A. - All that I know of and appraised was the one piece of property on Deal Island.

Q. 5- When and from whom did you find that he acquired this property?

A. - It was bought by deed from Harvey R. Mosteller, widower, dated April 26, 1957, and the deed is recorded among the Land Records of Somerset County, Maryland in Liber B.L.B. No. 181, Folio 439.

Q. 6- Please describe this property.

A. - The land is on the West side of the County Road leading from Deal Island to Wenona and is across the road from the Deal Island Methodist Church Cemetary. I believe it is all cleared land and does not contain any swampy spots. The deed calls for 2/3 rd's of an acre and the property could even be an acre or slightly more.

The house is one of the older dwellings on the island and has the features of older homes. It fronts on a narrow dirt road which leads to the water. It has no central heat. The only kitchen is off from the main part of the house in a small building that the older people often refer to as a summer kitchen. Mr. Hanson added a bathroom apparently when he was living there. It appears that he maintained the house and grounds in good condition.

Q. 7- Have you formed an opinion as to the value of this property?

A. - Yes. It is somewhat difficult because there is no active real estate market on Deal Island, property moves very slowly. I placed a value of $6500.00 on it and that is

about the best I could do. What it actually brings will depend upon the interests of the people attracted to it.

Q. 8- Is this property susceptible of partition among the heirs of Christian George Hanson?

A. - Definitely not.

Q. 9- In your opinion would it be in the best interests of the heirs that this property be sold and the net proceeds divided among them?

A. - Yes.

Virginia B. Miles
Examiner

THERE BEING NO FURTHER WITNESSES PRODUCED TO ME, I HEREWITH, AT THE REQUEST OF THE COMPLAINANT'S SOLICITOR, RETURN THIS DEPOSITION TO COURT, CLOSED UNDER MY HAND AND SEAL, AND I CERTIFY THAT ALL OF THE ABOVE TESTIMONY WAS TAKEN IN MY PRESENCE AS SPECIAL EXAMINER AND THAT ALL THE REQUIREMENTS OF LAW HAVE BEEN COMPLIED WITH; AND I FURTHER CERTIFY THAT THE WITNESSES DID WAIVE THEIR RIGHT TO SIGN THEIR TESTIMONY; AND I FURTHER CERTIFY THAT THE EXAMINER'S COST HAS BEEN PAID.

GIVEN UNDER MY HAND AND SEAL, THIS 31ST DAY OF AUGUST, 1965.

Virginia B. Miles (SEAL)
VIRGINIA B. MILES,
SPECIAL EXAMINER IN CHANCERY

FRITZ C. HANSON : NO. 8094 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

JOHN HANSEN, ET AL : SOMERSET COUNTY, MARYLAND

:::::::

DECREE

The proceedings having been submitted to the Court on the Bill of Complaint, the Defendants having been duly summoned to appear and testimony taken and it appearing from the proceedings that the property mentioned in the Bill is not subject to division in kind without material loss to the owners thereof, it is, this 14th day of September, A.D., 1965, ORDERED, ADJUDGED and DECREED that the property in the proceedings mentioned be sold and that Walter D. Webster be and he is hereby appointed Trustee to make the sale and that the course and manner of the proceedings be as follows: He shall first file with the Clerk of the Circuit Court for Somerset County, Maryland, a bond to the State of Maryland executed by himself with private or corporate surety to be approved by this Court in the penalty of $ 6500 00, conditioned for the faithful performance of the trust reposed in him by this Decree or Order in the premises. He shall then proceed to make thesaid sale, having given at least three weeks notice by advertisment 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 shall be one-third 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 as soon as may be convenient after such sale the said Trustee shall return to the Court a full and particular report of his proceedings relative to said sale with an affidavit annexed of the trust thereof

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

and the fairness of said sale and on obtaining the Court's ratification of said sale and on the payment of the whole 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 from all claims of the parties hereto, or any creditors of the parties hereto, and those claiming by, from or under them, or either of them, and the said Trustee shall bring in this Court the monies arising from said sale to be distributed under the direction of the Court after deducting costs of this sale and commissions to the said Trustee as this Court may think proper to allow, in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

E. McMaster Duer.
JUDGE

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 77.

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 2-7100

FRITZ C. HANSON : NO. 8094 CHANCERY

VS. : IN THE CIRCUIT COURT FOR

JOHN HANSEN, ET AL : SOMERSET COUNTY, MARYLAND

:::::::

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Walter D. Webster, Trustee, appointed by a Decree of this Court, passed in the above entitled cause, dated September 14, 1965, 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 prerequisites as required by law and the said Decree, and after giving notice of the time, place and manner of sale by advertisements inserted in the Marylander & Herald, a weekly newspaper published in Somerset County, Maryland, for at least three successive weeks before the date of sale as will appear by reference to the hereto annexed Certificate of Publication of said Notice of Sale, he did, pursuant to said notice, attend at the front door of the Court House in Princess Anne, Somerset County, Maryland, on Friday, October 8, 1965, at or about the hour of 2 o'clock P.M. and then and there proceeded to sell said property at public sale in the following manner, that is to say:

Your Trustee offered at public sale to the highest bidder the property mentioned in said Decree, together with the improvements thereon, being one parcel of land situate in Deal Island Election District, Somerset County, State of Maryland, and described as follows:

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PH 5-7100

"ALL that lot or parcel of land situate in Deal Island Election District, Somerset County, Maryland, and described in 1929 as all that lot of land in Deal Island District, Somerset County, Maryland, near the main County Road leading through said Election District, bounded on the South by a private road leading from said County Road to the Sound Side, bounded on the West by the land of John W. Horner, bounded on the North by another private road leading from said County Road to the Sound Side, bounded on the East by the land of Noah W. Webster, and containing two-third's of an acre of land, more or less; being the same land conveyed unto Christian George Hanson by deed from Harvey R. Mosteller, widower, dated April 26, 1957, and recorded among the Land Records for Somerset County, Maryland in Liber B.L.B, No. 181, Folio 439."

AND your Trustee sold the above described parcel of land unto Ralph C. Harrison for the sum of $2800.00, he being at that sum the highest bidder therefor, the terms of sale being: One-third cash on the day of sale. Balance payable within thirty days, or all cash at the option of the purchaser or purchasers, the credit portion to bear interest from date of sale and to be secured to the satisfaction of the said Trustee. Title papers and revenue stamps to be at the expense of the purchaser.

AND your Trustee states that the purchaser will comply with the terms of sale and begs leave to report that he will make distribution and pray ratification of the proceeds thus arising from said sale as follows:

TO AMOUNT RECEIVED FROM PURCHASER.....$2800.00

DISTRIBUTION

I. Theodore Phoebus, Clerk, Court Costs.....$ 56.75

Virginia Miles, Examiner's Fee.....$ 10.00

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

Norman R. McIntyre, Bond Premium.....$50.00

Edwin Muir, Auctioneer..... 25.00

Marylander & Herald, Advertising

| | | |
|---|---|---|
| Order of Publication | $168.75 | |
| Notice of Sale | 41.25 | |
| Order Nisi | 10.00 | .....220.00 |

Marylander & Herald, Printing..... 5.15

Attorney's Fee..... 25.00

Walter D. Webster, Trustee's Commissions as per Rules of Court.....280.00

A & R Agency, Advertising..... 30.00

The New York Times, Advertising..... 52.14

Salisbury Times, Advertising..... 9.25 $763.29

Balance for distribution.....$ 2036.71

Balance for distribution in hands of Trustee for disbursement subject to further Order of this Court.

Respectfully submitted,

Walter D. Webster, Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 25 day of October, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Walter D. Webster, Trustee and made oath in due form of law that the matters and things stated by him in the aforegoing Report of Sale and distribution of the proceeds arising therefrom are true and correct 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,

Notary Public

My Commission expires: 7-1-67

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 5-7100

**ORDER NISI**

ORDERED, this 27th day of October, 1965, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Report of Sale and Distribution of the proceeds arising from the sale of the property mentioned in these proceedings, made and reported by Walter D. Webster, Trustee, appointed by a Decree of this Court dated September 14, 1965, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 29th day of November, 1965, provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three (3) successive weeks before the 29th day of November, 1965.

The report states the amount of sale to be $2800.00.

Clerk

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
108-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

AFFIDAVIT BY PURCHASER

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 25 day of October, A.D., 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Ralph C. Harrison, the purchaser of the property sold in these proceedings, and made oath in due form of law that in making the purchase of said real estate he was not acting as agent for anyone other than himself, and that no one other than himself is interested in the purchase thereof, as principal, and that he did not directly or indirectly discourage anyone from bidding for the said property.

AS WITNESS my hand and Notarial Seal.

Grace E. Webster
Notary Public

My Commission Expires: 7-1-67

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 8-7100

LIBER 041 PAGE 144

WALTER D. WEBSTER
Attorney at Law

# TRUSTEE'S SALE

Of Valuable

## HOUSE AND LOT

Under and by virtue of a Decree of the Circuit Court for Somerset County, Maryland, passed in No. 8094 Chancery Cases on September 14, 1965, the undersigned Trustee will sell at public auction at the front door of the Court House in Princess Anne, Maryland, on

**FRIDAY,**

**OCTOBER 8, 1965**

at or about the hour of 2:00 o'clock P.M. (E.S.T.)

the following described land with improvements:

ALL that lot or parcel of land situate in Deal Island Election District, Somerset County, Maryland, and described in 1929 as all that lot of land in Deal Island District, Somerset County, Maryland, near the main County Road leading through said Election District, bounded on the South by a private road leading from said County Road to the Sound Side, bounded on the West by land of John W. Horner, bounded on the North by another private road leading from said County Road to the Sound Side, bounded on the East by the land of Noah W. Webster, and containing two-third's of an acre of land, more or less; being the same land conveyed unto Christian George Hanson by deed from Harvey R. Mosteller, widower, dated April 26, 1957, and recorded among the Land Records for Somerset County, Maryland, in Liber B.L.B. No. 181, Folio 439.

This property is improved by a two story frame dwelling with modern bath and in good state of repair.

TERMS OF SALE: One-third cash on day of sale, balance payable within thirty days, or all cash at the option of the purchaser or purchasers, the credit protion to bear interest from date of sale and to be secured to the satisfaction of the said Trustee. Title papers and revenue stamps to be at the expense of the purchaser.

WALTER D. WEBSTER,
Trustee

20-4tc

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PRINCESS ANNE, MD. October 19, 1965

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted: Sept 16, 23, 30, Oct 7 1965

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

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PRINCESS ANNE, MD. November 23, 1965

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Nov 4, 11, 18 1965

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

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WALTER D. WEBSTER
Attorney at Law

# ORDER NISI

ORDERED, this 27th day of October, 1965, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Report of Sale and Distribution of the proceeds arising from the sale of the property mentioned in these proceedings, made and reported by Walter D. Webster, Trustee, appointed by a Decree of this Court dated September 14, 1965, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 29th day of November, 1965, provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three (3) successive weeks before the 24th day of November, 1965.

The report states the amount of sale to be $2800.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
True Copy,
Test: I. Theodore Phoebus, Clk.

27-3tc

## FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, Maryland, In Equity, this 30 day of November, 1965, that the sale of the property mentioned in these proceedings and the distribution of the proceeds arising therefrom as shown therein, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice thereof appears to have been given as required by the terms of the Order Nisi passed and published in this cause, and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for.

E. McMaster Duer
JUDGE



WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

FRITZ C. HANSON : NO. 8094 CHANCERY

LIBER 041 PAGE 146

VS. : IN THE CIRCUIT COURT FOR

JOHN HANSEN, ET AL : SOMERSET COUNTY, MARYLAND

::::::::

PETITION TO PAY SURPLUS FUNDS TO ADMINISTRATOR

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Walter D. Webster, Trustee, respectfully represents:

1. That your Trustee now has in hand for distribution the sum of $2036.71, the net proceeds from the sale of the real estate in this matter.

2. That Fritz Christian Hanson was duly appointed Administrator of the Estate of Christian George Hanson, deceased, by the Orphans Court for Somerset County, Maryland, in Estate No. 1003.

3. That, although the above Administrator is unable to close thepersonal estate for some time due to the necessity of obtaining approval of a Federal Estate Tax Return, your Trustee deemed it advisable to sell the real estate herein in order to avoid excessive costs in preserving and maintaining same.

4. That due to the impossibility of closing the personal estate at this time your Trustee is unable to make distribution of the net proceeds of the sale herein to the heirs at law of the intestate and otherwise conveying a merchantable title to the purchaser of the property.

5. That the Defendants herein are the heirs at law of the said Christian George Hanson, deceased, and will likewise share in any distribution of the personal estate as the same heirs at law of the said intestate.

WHEREFORE, Your Trustee prays for authority of this Honor-

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 8-7100

able Court to pay over the funds in hand to the personal representative in the Estate of Christian George Hanson.

Walter D. Webster, Trustee

ORDER OF COURT

The aforegoing Petition having been read and considered, it is, thereupon, this 30 day of November ,A.D., 1965, by the Circuit Court for Somerset County, Maryland, In Equity, ORDERED that Walter D. Webster, Trustee, be and he is, authorized and empowered to pay over the funds in hand to the personal representative in the Estate of Christian George Hanson.

E. McMaster Dryden
JUDGE

LIBER 041 PAGE 147

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PH 8-7100

Rec'd
JAN 13 1967

F.M. 9299

LIBER 041 PAGE 148

The Marine Bank of Crisfield
Crisfield, Maryland,

Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne
Burton Avenue
Crisfield, Maryland,

Defendants

In Equity No. 8143

In the Circuit Court for

Somerset County, Maryland

ORDER TO DOCKET SUIT

The Clerk of the Circuit Court for Somerset County will please docket the above entitled case, file therein the original mortgage made by Joseph Harry Coulbourne and Shelva Tyler Coulbourne to The Marine Bank of Crisfield, dated March 8, 1962, in the sum of $7,500.00, recorded on March 14, 1962, in Liber 208 page 324.

Lionel Bennett
Attorney named in the above
Mortgage
940 Main Street
Crisfield, Maryland
Phone: Crisfield 968-1166

FOR ORIGINAL MORTGAGE SEE LIBER GJB NO. 208, FOLIO 324.

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,

Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,

Defendants

In Equity No. 8113

In the Circuit Court for

Somerset County, Maryland

STATEMENT OF MORTGAGE DEBT

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 7th day of April, 1965, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Charles B. Pinto, Vice President of The Marine Bank of Crisfield, Crisfield, Maryland, who made oath in due form of law that the amount due on the mortgage dated March 8, 1962, made by Joseph Harry Coulbourne and Shelva Tyler Coulbourne, his wife, to The Marine Bank of Crisfield, is $6,608.71, with interest from November 1, 1964, at the rate of 5¼% per annum.

As witness my hand and Notarial Seal.

Chas Co B Pinto
Charles B. Pinto

Eileen Evans
Eileen Evans
Notary Public

EILEEN EVANS
NOTARY PUBLIC
CRISFIELD, MARYLAND

FOR BOND SEE BOND BOOK ITP NO. 9, FOLIO 32

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,
Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,
Defendants

In Equity No. 8143
In the Circuit Court for
Somerset County, Maryland

PETITION TO SUBSTITUTE PURCHASER

The petition of Lionel Bennett, trustee, for the purpose of foreclosure herein, and The Marine Bank of Crisfield, the purchaser at the sale held herein, respectfully represents and shows to this Court as follows:

That at the sale held by the trustee herein on May 8, 1965, The Marine Bank of Crisfield was the successful bidder and purchaser of the premises for the sum of $6,500.00, as more fully appears by the trustee's report of sale filed herein.

That petitioners, pursuant to Maryland Rule W 74 g 3, desire to substitute W. J. Driver, as Administrator of Veterans Affairs, an officer of the United States of America, his successors or assigns, whose address is Veterans Administration, Washington, D. C., 20420, as the purchaser herein, and authorize the trustee to convey the premises to him after final ratification of the sale.

Lionel Bennett
Lionel Bennett

THE MARINE BANK OF CRISFIELD

By: Charles B. Pinto
Charles B. Pinto
Vice President and Cashier

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,

Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,

Defendants

In Equity No. 8143

In the Circuit Court for

Somerset County, Maryland

ORDER TO SUBSTITUTE PURCHASER

On the foregoing petition of Lionel Bennett, trustee, and The Marine Bank of Crisfield, it is this 19th day of May, 1965, by the Circuit Court for Somerset County, Maryland, in Equity,

ORDERED that W. J. Driver, as Administrator of Veterans Affairs, an officer of the United States of America, his successors or assigns, whose address is Veterans Administration, Washington, D. C., 20420, be and he is hereby substituted as the purchaser herein, and it is further

ORDERED that the trustee herein be and he is hereby authorized to convey the premises to him after final ratification of sale.

E. McMaster Duer

E. McMaster Duer
Judge



LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,
Plaintiff
vs
Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,
Defendants

In Equity No. 8143
In the Circuit Court for
Somerset County, Maryland

PETITION AND ORDER APPOINTING AUDITOR

The petition of Lionel Bennett respectfully shows to this Court as follows:

That he is the attorney named in the mortgage made by the above defendants, under which he sold certain real property, as more fully appears by his report of sale filed herein.

That the auditor for this Court is not available, and petitioner prays for the appointment of a special auditor to whom such report of sale may be referred to state an account, pursuant to Rule BR6 b 5.

And your petitioner will ever pray.

Lionel Bennett
Lionel Bennett

ORDER

Upon the foregoing petition, it is this 7th day of June, 1965, by the Circuit Court for Somerset County, in Equity, ordered that Lula Mae Dize be, and she is hereby appointed a special auditor to whom the report of sale herein shall be referred to state an account.

E. McMaster Duer
E. McMaster Duer,
Judge

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,
Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,
Defendants

In Equity No. 8143
In the Circuit Court for
Somerset County, Maryland

## REPORT OF SALE

To the Honorable, the Judges of said Court:

The report of Lionel Bennett, attorney named in a certain mortgage made and executed by Joseph Harry Coulbourne and Shelva Tyler Coulbourne, his wife, to The Marine Bank of Crisfield, dated March 8, 1962, and recorded among the land records of Somerset County in Liber 208 page 324, 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 in said mortgage, whereas said mortgage debt has become due and demandable, respectfully represents to your Honors, that after giving bond with security approved by the Clerk of the 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 thirty days notice of the time, manner, terms and place of sale by advertisement in The Crisfield Times, a weekly newspaper published in said Somerset County once in a week for four successive weeks before the day of the sale, he did, pursuant to said notice, attend the Post Office in Crisfield, Maryland, on May 8, 1965, at 2:00 p.m., and then and there proceeded to sell the property described in said mortgage, to wit:

All that lot of land in Lawson's Election District, Somerset County, Maryland, on the north side of Burton Avenue, shown and designated as Lot No. 11 on a plat entitled "Descriptive Plat of Sub-Division No. 1, Surveyed for the Heirs of Sarah E. McGrath", made by W. Ballard Miles, recorded in Plat Book No. 1 BLB 13.

LIONEL BENNETT
CRISFIELD, MARYLAND

And sold the same to The Marine Bank of Crisfield, Crisfield, Maryland, it being then and there the highest bidder therefor, at and for the sum of $6,500.00, and the purchaser has complied with the terms of sale.

Respectfully submitted,

Lionel Bennett
Lionel Bennett
Attorney

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 10th day of May, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lionel Bennett, attorney named in the foregoing report of sale, and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge and belief, and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal.

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

Lula Mae Dize
Lula Mae Dize
Notary Public

LIONEL BENNETT
CRISFIELD, MARYLAND

Lionel Bennett, Solicitor

## Mortgagee's Sale Of Valuable Real Estate

By virtue of the power and authority contained in a mortgage from Joseph Harry Coulbourne and Shelva Tyler Coulbourne, his wife, to the Marine Bank of Crisfield, a body corporate existing under the laws of the State of Maryland, dated March 8, 1962, recorded among the land records of Somerset County in Liber 208 page 324, default having occurred under the conditions of said mortgage, I will sell at public auction in front of the Post Office at Crisfield, Maryland, on

**Sat., May 1, 1965**

at 2:00 p m

All that lot of land in Lawson's Election District, Somerset County, Maryland, on the north side of Burton Avenue, shown and designated as Lot No. 11 on a plat entitled "Descriptive Plat of Sub-Division No. 1, surveyed for the Heirs of Sarah E. McGrath", made by W. Ballard Miles, recorded in Plat Book No. 1 BLB 13

This property is improved by a comfortable dwelling.

Terms of Sale: Cash as prescribed by said mortgage. Title papers at the expense of the purchaser

**Lionel Bennett, Attorney named in the above mortgage**

4-9-4t

CRISFIELD, MD., May 7 19 65

THIS is to certify that the annexed Mortgagee's Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Mortgagee's Sale for 4 weeks beginning with the issue of April 9 19 65 and ending April 30 19 65.

E. L. Smith

LIBER 041 PAGE 155 Publisher, THE CRISFIELD TIMES

The Marine Bank of Crisfield,
Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,
Defendants

In Equity No. 8143

In the Circuit Court for
Somerset County, Maryland

## AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 10th day of May, 1965, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Charles B. Pinto, Vice President and Cashier of The Marine Bank of Crisfield, who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, it was not acting as agent for any one.

2. That no other person is interested as principal.

3. That it has not directly or indirectly discouraged any one from bidding for the said property.

Witness my hand and Notarial Seal.

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

Lula Mae Dize
Lula Mae Dize
Notary Public

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,

Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,

Defendants

In Equity No. 8143

In the Circuit Court for

Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary thereof be shown on or before the 21st day of June, 1965, 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 7th day of June, 1965.

The report states the amount of sale to be $6,500.00.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

FINAL ORDER

Ordered by this Court this 22nd day of June, 1965, that the sale made and reported by the attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Duer

E. McMaster Duer, Judge

LIBER 041 PAGE 158

The Marine Bank of Crisfield,
Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,
Defendants

In Equity No. 8143 in the Circuit Court for Somerset County, Maryland.

## Order Nisi

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary thereof be shown on or before the 21st day of June, 1965, 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 7th day of June, 1965.

The report states the amount of sale to be $6,500.00.

I. Theodore Phoebus, Clerk
5-21-3t

CRISFIELD, MD., June 7 19 65

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of May 21 19 65 and ending June 4 19 65.

E. L. Smith

Publisher, THE CRISFIELD TIMES

The Marine Bank of Crisfield,

Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,

Defendants

In Equity No. 8143

In the Circuit Court for

Somerset County, Maryland

## AUDIT

To the Honorable, the Judges of said Court:

The report of the special auditor stating the account in the within mentioned case respectfully represents:

That your special auditor has charged the attorney with the whole amount of the sale of the real property, as reported by the attorney in his report of sale. The said attorney has been allowed commissions on said sale and a special attorney's fee, as per the Chancery Rules of this Court, and his costs and expenses, not personal.

The balance of the funds in the hands of the attorney has been distributed to the mortgagee on account of the mortgage debt and interest, for the payment of which the real estate was sold in this cause, and your special auditor has added simply a statement of the mortgage debt and interest.

Respectfully submitted:

Lula Mae Dize

Lula Mae Dize
Special Auditor

Dated: June 23, 1965

LIBER 041 PAGE 159

LIONEL BENNETT
CRISFIELD, MARYLAND

| | | | | |
|---|---|---|---|---|
| June 23, 1965 - | By the whole amount of the sale of the real property as reported by the Attorney in his report of sale. | | | $6,500.00 |
| | To the Attorney for his commissions, as per the Chancery Rules of this Court | 475.00 | | |
| | To special attorney's fee, as per said Rules | 25.00 | $500.00 | |
| June 23, 1965 - | To the Attorney for his costs and expenses, not personal: | | | |
| | To Solicitor | 10.00 | | |
| | To Clerk's Costs | 28.00 | | |
| | To advertising sale and order nisi | 36.25 | | |
| | To premium on atty's bond | 30.00 | | |
| | To auctioneer | 35.00 | | |
| | To 1964 State & County taxes | 72.42 | | |
| | To City of Crisfield, water charges | 20.00 | | |
| | To recording deed | 14.00 | | |
| | To U.S. Documentary Stamps on deed | 7.15 | | |
| | To special auditor stating this account | 15.00 | 267.82 | |
| | | | $767.82 | |

The balance of the funds in the hands of the Attorney distributed as follows:

| | |
|---|---|
| To The Marine Bank of Crisfield, the balance of the funds in the hands of the Attorney on account of a mortgage debt and interest for which the real estate was sold | $5,732.18 |
| | $6,500.00 |

Statement of mortgage debt:

| | |
|---|---|
| Balance of principal due | $6,608.71 |
| Interest from November 1, 1964 to May 8, 1965 | 180.22 |
| | $6,788.93 |

I hereby certify that on June 24, 1965, I gave notice by postal card, as required by Rule 595 f 2, to Joseph Harry Coulbourne and Shelva Tyler Coulbourne, and The Marine Bank of Crisfield.

Lula Mae Dize

Lula Mae Dize
Special Auditor

Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 24th day of June, 1965 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown on exceptions filed, on or before the 9th day of July 1965

J. Theodore Lecompte Clerk

No 8143 Chancery Vs.....

THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that no exceptions have been filed in the above proceedings to the final ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date July 12 1965

J. Theodore Lecompte Clerk.

No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this 12th day of July 1965 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Lecompte

Rd JAN 13 1967

The Marine Bank of Crisfield,
Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,
Defendants

In Equity No. 8143

In the Circuit Court for
Somerset County, Maryland

## OATH OF SPECIAL AUDITOR

STATE OF MARYLAND, Somerset County:

On this 23rd day of June, 1965, before me, a Judge of the Circuit Court for Somerset County, Maryland, who appointed her a special auditor herein, personally appeared Lula Mae Dize, and she made oath in due form of law that she would well and faithfully execute the duties of her office without favor, affection, partiality, or prejudice.

Lula Mae Dize
Lula Mae Dize

E. McMaster Duer
E. McMaster Duer
Judge

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,

Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,

Defendants

In Equity No. 8143

In the Circuit Court for

Somerset County, Maryland

## ASSIGNMENT OF RIGHT TO DEFICIENCY DECREE

The Marine Bank of Crisfield hereby assigns its right to a deficiency decree against Joseph Harry Coulbourne and Shelva Tyler Coulbourne, the mortgagors herein, to W. J. Driver, as administrator of Veterans Affairs, an officer of the United States of America, his successors or assigns, whose address is Veterans Administration, Washington, D. C., 20420.

In witness whereof The Marine Bank of Crisfield has caused these presents to be executed by its duly authorized officer and its corporate seal to be affixed this 16th day of July, 1965.

ATTEST:

Edith Gandy
Edith Gandy
Secretary

THE MARINE BANK OF CRISFIELD

By: Charles B. Pinto
Charles B. Pinto
Vice President

The Marine Bank of Crisfield,

Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,

Defendants

In Equity No. 8143

In the Circuit Court for

Somerset County, Maryland

PETITION FOR DEFICIENCY JUDGMENT

The petition of W. J. Driver, as Administrator of Veterans Affairs, an officer of the United States of America, by Lionel Bennett, his attorney, shows to this Court as follows:

That this is a proceeding to foreclose a mortgage pursuant to a power of sale, as will appear more fully from the proceedings had herein.

That as appears from the report of the special auditor herein dated June 23, 1965, the net proceeds of sale, after deducting the costs and expenses allowed by the Court, were insufficient to pay the mortgage debt and accrued interest, as found by the Court upon the report of the special auditor, to the extent of $1,056.75.

That on July 16, 1965, The Marine Bank of Crisfield, mortgagee herein, assigned its rights to a deficiency decree to petitioner by assignment filed July 21, 1965.

Wherefore, petitioner prays for a decree in personam for the amount of such deficiency in the sum of $1,056.75 against Joseph Harry Coulbourne and Shelva Tyler Coulbourne, mortgagors herein.

Lionel Bennett
Attorney for Petitioner

## ORDER TO SHOW CAUSE

Ordered, by the Court this 17th day of September, 1965, that Joseph Harry Coulbourne and Shelva Tyler Coulbourne, his wife, mortgagors herein, show cause on or before the 6th day of October 1965, why the relief prayed in the foregoing petition should not be granted, provided a copy of the petition and of this order be served upon the said mortgagors on or before the 24th day of September 1965.

E. McMaster Duer

E. McMaster Duer
Judge

SHERIFF'S RETURN:

Petition for Deficiency Judgment and Order of Court to show Cause served upon and copy left with the Respondents 9/17/65. Isaac H. Dorsey, Sheriff

The Marine Bank of Crisfield,
Plaintiff

vs

Joseph Harry Coulbourne and
Shelva Tyler Coulbourne,
Defendants

In Equity No. 8143
In the Circuit Court for
Somerset County, Maryland

ORDER

The motion of W. J. Driver, as Administrator of Veterans Affairs, an officer of the United States of America, for a decree in personam for the amount of the deficiency as prayed for herein, is hereby granted, and judgment is entered against Joseph Harry Coulbourne and Shelva Tyler Coulbourne this 7th day of October, 1965, for $1,056.75 damages, with costs of suit.

E. McMaster Duer.
E. McMaster Duer
Judge

Ent'd.
JAN 13 1967

Alma E. Owens,
Lyda Owens Hoffman, and
Owen Lee Tyler, all of
Crisfield, Maryland,

Plaintiffs

vs

Augusta Owens,
Edwin Owens, and
Sarah Owens Lawson, all of
Crisfield, Maryland,

Melva Owens Slipper
Bear Creek Drive
Baltimore, Maryland, and

Earle Owens
Lawrence Harbor,
New Jersey,

Defendants

In Equity No. 8144

In the Circuit Court for

Somerset County, Maryland

BILL OF COMPLAINT

Plaintiffs Alma E. Owens, Lyda Owens Hoffman, and Owen Lee Tyler, by their attorney, Lionel Bennett, allege:

1. That plaintiffs and defendants are seized in common of certain premises conveyed to James E. Owens by a certain deed dated May 5, 1922, and recorded among the land records of Somerset County, Maryland, in Liber WJS 85 page 566, and described therein as follows:

All that lot of land in Asbury District, Somerset County, Maryland, on the east side of the county road leading from George Mason's store to Jenkins Creek Bridge, adjoining the lands of Travis Ward, Julius Mosher, and others, containing 1/2 acre, more or less.

2. That the said James E. Owens departed this life intestate leaving surviving him the following heirs at law:

Warren Owens, his son
Lyda Owens, his daughter
Avalon Owens Tyler, his daughter
Etta Owens, his daughter
Alma E. Owens, his daughter
Nell Owens, his daughter

LIONEL BENNETT
CRISFIELD, MARYLAND

041 167

3. That Warren Owens departed this life intestate leaving surviving him the following heirs at law:

Augusta Owens, his widow

Melva Owens Slipper, his daughter

Edwin Owens, his son

Earle Owens, his son

Sarah Owens Lawson, his daughter

4. That Avalon Owens Tyler departed this life leaving as her only heir at law the plaintiff Owen Lee Tyler.

5. That Etta Owens and Nell Owens departed this life leaving no heirs, except the parties hereto.

6. That said real estate is not susceptible to division without material loss or injury to the parties entitled to interest therein as stated, and that in order to make a division of said interests it will be necessary that the said real estate be sold and the proceeds thereof divided among the parties according to their several interests; that such a sale would be advantageous to the parties concerned.

Wherefore plaintiffs pray:

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 the parties according to their respective rights and interests.

3. That plaintiffs may have such other and further relief as the case may require.

Alma E. Owens

Alma E. Owens

Lionel Bennett

Lionel Bennett
Attorney for Plaintiffs
940 Main Street
Crisfield, Maryland
Phone 968-1166

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 9th day of April, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in

and for Somerset County aforesaid, personally appeared Alma E. Owens, one of the plaintiffs herein, and made oath in due form of law that the matters and facts set forth in the foregoing bill of complaint are true to the best of her knowledge and belief, and that the defendants are not in the military service of the United States of America, as defined by the Soldiers and Sailors Relief Act of 1940, and as defined by Chapter 710 of the Acts of the General Assembly of Maryland, 1941 Session.

Witness my hand and Notarial Seal.

LULA MAE DIZE
NOTARY PUBLIC
SOMERSET COUNTY, MD.

Lula Mae Dize

Lula Mae Dize
Notary Public

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LIONEL BENNETT
CRISFIELD, MARYLAND

Alma E. Owens,
Lyda Owens Hoffman, and
Owen Lee Tyler, all of
Crisfield, Maryland,

Plaintiffs

vs

Augusta Owens,
Edwin Owens,
Sarah Owens Lawson, all of
Crisfield, Maryland,

Melva Owens Slipper
Bear Creek Drive
Baltimore, Maryland, and

Earle Owens
Lawrence Harbor,
New Jersey,

Defendants

In Equity No. 8144

In the Circuit Court for

Somerset County, Maryland

ORDER OF PUBLICATION

This is to give notice that on the 9th day of April, 1965, a bill of complaint was filed in the Circuit Court for Somerset County by the plaintiffs against the defendant, Earle Owens, whose last known address was Lawrence Harbor, New Jersey. The bill of complaint alleges in substance that the plaintiffs and defendants are seized in common of certain premises conveyed to James E. Owens by a certain deed dated May 5, 1922, and recorded among the land records of Somerset County, Maryland, in Liber WJS 85 page 566, and described therein as all that lot of land in Asbury District, Somerset County, Maryland, on the east side of the county road leading from George Mason's Store to Jenkins Creek Bridge, adjoining the lands of Travis Ward, Julius Mosher, and others, containing 1/2 acre, more or less.

That the said James E. Owens departed this life intestate leaving surviving him the following heirs at law: Warren Owens, his son, Lyda Owens Tyler, his daughter, Etta Owens, his daughter, Alma E. Owens, his daughter, and Nell Owens, his daughter.

LIONEL BENNETT
CRISFIELD, MARYLAND

That Warren Owens departed this life intestate leaving surviving him the following heirs at law: Augusta Owens, his widow, Melva Owens Slipper, his daughter, Edwin Owens, his son, Earle Owens, his son, and Sarah Owens Lawson, his daughter.

That Avalon Owens Tyler departed this life leaving as her only heir at law the plaintiff Owen Lee Tyler.

That Etta Owens and Nell Owens departed this life leaving no heirs, except the parties hereto.

That said real estate is not susceptible to division without material loss or injury to the parties entitled to interest therein as stated, and that in order to make a division of said interests it will be necessary that the said real estate be sold and the proceeds thereof divided among the parties according to their several interests; that such a sale would be advantageous to the parties concerned.

The relief prayed in the bill of complaint is substantially as follows:

That a decree may be passed for the sale of said real estate; that the proceeds of said sale may be distributed between the parties according to their respective rights and interests, and that plaintiffs may have such other and further relief as the case may require.

Whereupon, it is ordered by the Circuit Court for Somerset County this 9th day of April, 1965, that the complainants cause a copy of this order to be inserted in a newspaper published in Somerset County, once a week in each of four successive weeks, before the 11th day of May, 1965, giving notice to the said non-resident defendant of the object and substance of the bill of complaint, and warning him to show cause, if any there may be, on or before the 15th day of June, 1965, why a decree should not be passed as prayed.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

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LIONEL BENNETT
CRISFIELD, MARYLAND

LIBER 041 PAGE 172

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Augusta Owens
Edwin Owens
Sarah Owens Lawson

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Alma E. Owens, et al
vs.
Augusta Owens, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 9th day of April, 1965.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 18th day of May, 1965. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Lionel Bennett
Name

Crisfield, Maryland
Address

A. Theodore Shockley
Clerk

Sheriff's Return:
"Summoned and copy of Subpoena, Bill of Complaint and Affidavit left with each Respondent this 12 day of April, 1965. Isaac H. Dorsey, Sheriff".

| | | |
|---|---|---|
| Alma E. Owens,<br>Lyda Owens Hoffman, and<br>Owen Lee Tyler, all of<br>Crisfield, Maryland<br><br>Plaintiffs | :<br>:<br>:<br>:

And the said defendants consent to the passage of such decree as may be right and proper under the circumstances and said defendants further request that their attorneys, Edgar A. Jones and Alexander G. Jones, be appointed co-trustees in this proceeding for the protection of the interest of said defendants.

And as in duty bound,

JONES & JONES

By

Attorneys for Defendants,
Augusta Owens,
Edwin Owens,
Sarah Owens Lawson and
Melba Owens Slipper
Princess Anne, Maryland
Telephone 2747

I hereby certify, that on this 21st day of April, 1965, a copy of the aforegoing Answer was mailed by regular United States mail, postage prepaid, to Lionel Bennett, 940 Main Street, Crisfield, Maryland, Attorney for Plaintiffs.

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO **Melva Owens Slipper**

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of **Alma E. Owens, et al vs. Augusta Owens, et al**

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 9th day of April, 19 65.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 18th day of May, 19 65. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

**Lionel Bennett**
Name

**Crisfield, Maryland**
Address

I. Theodore Shockley
Clerk

Sheriff Report:
"Copy Subpoena, Bill of Complaint ad on Melva Owens Slipper on this 29th day of April, 1965. Fee $4.00 Edward G. Mueller".

LIBER 041 PAGE 176

STATE OF NEW JERSEY, }
COUNTY OF MIDDLESEX } ss:

JAMES DONATO, Deputy SHERIFF

of said County of Middlesex, being duly sworn according to law on his oath, saith, that on the 3rd day of May A. D., 1965, he served the

Order of Publication, personally on Earle Owens,

STATE OF NEW JERSEY }
County of Middlesex } ss.

I, FRANK SCHATZMAN, Clerk of the County of Middlesex, and also Clerk of the Court in and for said County, do hereby certify that said Court is a Court of Record, having by law a seal; that Peter W. Gens

whose name is subscribed to the annexed certificate or proof of acknowledgement of the annexed instrument was at the time of taking the same a

NOTARY PUBLIC OF NEW JERSEY

acting in and for said county, duly commissioned and sworn, and qualified to act as such; that as such

NOTARY PUBLIC OF NEW JERSEY

he was duly authorized by the laws of the State of New Jersey to take and certify depositions; to administer oaths and affirmations; to take affidavits and certify the acknowledgement and proof of deeds and other written instruments for lands, tenements and hereditaments to be read in evidence or recorded in this state; and further, that I am well acquainted with the handwriting of such

NOTARY PUBLIC OF NEW JERSEY

and verify that the signature to such proof or acknowledgement is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at the City of New Brunswick in the County of Middlesex this 19 day of May 196

Frank Schatzman CLERK.

Alma E. Owens, et al.,

Plaintiffs

vs

Augusta Owens, et al.,

Defendants

In Equity No. 8144

In the Circuit Court for

Somerset County, Maryland

PETITION SUGGESTING THE DEATH
OF LYDA OWENS HOFFMAN

The petition of Alma E. Owens, one of the plaintiffs herein, by Lionel Bennett, her attorney, respectfully represents:

That since the filing of the bill of complaint herein, the plaintiff, Lyda Owens Hoffman, has departed this life intestate on September 30, 1965, leaving surviving her as her only heirs, her husband, George William Hoffman, residing in Crisfield, Maryland, and Dollie Rae Hoffman and Elaine Hoffman, her daughters, both residing at 916 Adams Avenue, Elizabeth, New Jersey.

Wherefore, petitioner prays for an order requiring process to be issued for such successors in interest calling upon them to appear and prosecute or defend this action.

Lionel Bennett
Lionel Bennett
Attorney for Plaintiffs,
Alma E. Owens and
Owen Lee Tyler

ORDER

Upon the foregoing petition, it is ordered this 15th day of November, 1965, by the Circuit Court for Somerset County, Maryland, in Equity, that the Clerk of this Court shall issue process against George William Hoffman, of Crisfield, Maryland, and Dollie Rae Hoffman and Elaine Hoffman, both of 916 Adams Avenue, Elizabeth, New Jersey, in accordance with the Maryland Rules of Procedure.

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E. McMaster Duer
Judge

Alma E. Owens,
Lyda Owens Hoffman, and
Owen Lee Tyler, all of
Crisfield, Maryland,

Plaintiffs

vs

Augusta Owens,
Edwin Owens,
Sarah Owens Lawson, all of
Crisfield, Maryland,

Melva Owens Slipper
Bear Creek Drive
Baltimore, Maryland, and

Earle Owens
Lawrence Harbor,
New Jersey,

Defendants

In Equity No. 8144

In the Circuit Court for

Somerset County, Maryland

ORDER OF PUBLICATION

This is to give notice that on the 9th day of April, 1965, a bill of complaint was filed in the Circuit Court for Somerset County by the plaintiffs against the defendants. The bill of complaint alleges in substance that the plaintiffs and defendants are seized in common of certain premises conveyed to James E. Owens by a certain deed dated May 5, 1922, and recorded among the land records of Somerset County, Maryland, in Liber WJS 85 page 566, and described therein as all that lot of land in Asbury District, Somerset County, Maryland, on the east side of the county road leading from George Mason's Store to Jenkins Creek Bridge, adjoining the lands of Travis Ward, Julius Mosher, and others, containing 1/2 acre, more or less.

That the said James E. Owens departed this life intestate leaving surviving him the following heirs at law: Warren Owens, his son, Lyda Owens Tyler, his daughter, Etta Owens, his daughter, Alma E. Owens, his daughter, and Nell Owens, his daughter.

That Warren Owens departed this life intestate leaving surviving him the following heirs at law: Augusta Owens, his widow, Melva Owens Slipper, his daughter, Edwin Owens, his son, Earle Owens, his son, and Sarah Owens Lawson, his daughter.

That Avalon Owens Tyler departed this life leaving as her only heir at law the plaintiff, Owen Lee Tyler.

That Etta Owens and Nell Owens departed this life leaving no heirs, except the parties hereto.

That said real estate is not susceptible to division without material loss or injury to the parties entitled to interest therein as stated, and that in order to make a division of said interests it will be necessary that the said real estate be sold and the proceeds thereof divided among the parties according to their several interests; that such a sale would be advantageous to the parties concerned.

The relief prayed in the bill of complaint is substantially as follows:

That a decree may be passed for the sale of said real estate; that the proceeds of said sale may be distributed between the parties according to their respective rights and interests, and that plaintiffs may have such other and further relief as the case may require.

That it appearing that Lyda Owens Hoffman, one of the plaintiffs herein, departed this life on September 30, 1965, and this Court having ordered the Clerk of this Court to issue process against George William Hoffman, of Crisfield, Maryland, and Dollie Rae Hoffman and Elaine Hoffman, both of 916 Adams Avenue, Elizabeth, New Jersey, in accordance with the Maryland Rules of Procedure.

Whereupon, it is ordered by the Circuit Court for Somerset County this 15th day of November, 1965, that the complainants cause a copy of this order to be inserted in a newspaper published in Somerset County, once a week in each of four successive weeks, before the 15th day of December, 1965, giving notice to the said non-residents, Dollie Rae Hoffman and Elaine Hoffman, of the object and substance of the bill of complaint, and warning them to show cause, if any there may be, on or before the 16th day of January 1966, why a decree should not be passed as prayed.

I. Theodore Phoebus

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO George William Hoffman

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of December next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Alma E. Owens, et al
vs.
Augusta Owens, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15 day of November, 1965.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 21 day of December, 1965. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Lionel Bennett
Name

Crisfield, Maryland
Address

L. Theodore Gaskins
Clerk

Sheriff's Return:
"Non Est 11/29/65" Isaac H. Dorsey, Sheriff

**WRIT OF SUBPOENA:** SEAL OF COURT

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO George William Hoffman

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of...December.next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of

Alma E. Owens, et al
vs.
Augusta Owens, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...15.....day of..November....., 1965....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....21.....day of....December....., 19..65.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Lionel Bennett
Name

Crisfield, Maryland
Address

S. Aladdin Abdullah
Clerk

LIBER 041 PAGE 181

Alma E. Owens,
Lyda Owens Hoffman, and
Owen Lee Tyler, all of
Crisfield, Maryland,

Plaintiffs

vs

Augusta Owens,
Edwin Owens, and
Sarah Owens Lawson, all of
Crisfield, Maryland,

Melva Owens Slipper
Bear Creek Drive
Baltimore, Maryland, and

Earle Owens
Lawrence Harbor,
New Jersey,

Defendants

In Equity No. 8144

In the Circuit Court for

Somerset County, Maryland

BILL OF COMPLAINT

Plaintiffs Alma E. Owens, Lyda Owens Hoffman, and Owen Lee Tyler, by their attorney, Lionel Bennett, allege:

1. That plaintiffs and defendants are seized in common of certain premises conveyed to James E. Owens by a certain deed dated May 5, 1922, and recorded among the land records of Somerset County, Maryland, in Liber WJS 85 page 566, and described therein as follows:

All that lot of land in Asbury District, Somerset County, Maryland, on the east side of the county road leading from George Mason's store to Jenkins Creek Bridge, adjoining the lands of Travis Ward, Julius Mosher, and others, containing 1/2 acre, more or less.

2. That the said James E. Owens departed this life intestate leaving surviving him the following heirs at law:

Warren Owens, his son
Lyda Owens, his daughter
Avalon Owens Tyler, his daughter
Etta Owens, his daughter
Alma E. Owens, his daughter
Nell Owens, his daughter

3. That Warren Owens departed this life intestate leaving surviving him the following heirs at law:

Augusta Owens, his widow

Melva Owens Slipper, his daughter

Edwin Owens, his son

Earle Owens, his son

Sarah Owens Lawson, his daughter

4. That Avalon Owens Tyler departed this life leaving as her only heir at law the plaintiff Owen Lee Tyler.

5. That Etta Owens and Nell Owens departed this life leaving no heirs, except the parties hereto.

6. That said real estate is not susceptible to division without material loss or injury to the parties entitled to interest therein as stated, and that in order to make a division of said interests it will be necessary that the said real estate be sold and the proceeds thereof divided among the parties according to their several interests; that such a sale would be advantageous to the parties concerned.

Wherefore plaintiffs pray:

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 the parties according to their respective rights and interests.

3. That plaintiffs may have such other and further relief as the case may require.

s/ Alma E. Owens
Alma E. Owens

s/ Lionel Bennett
Lionel Bennett
Attorney for Plaintiffs
940 Main Street
Crisfield, Maryland
Phone 968-1166

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 9th day of April, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in

and for Somerset County aforesaid, personally appeared Alma E. Owens, one of the plaintiffs herein, and made oath in due form of law that the matters and facts set forth in the foregoing bill of complaint are true to the best of her knowledge and belief, and that the defendants are not in the military service of the United States of America, as defined by the Soldiers and Sailors Relief Act of 1940, and as defined by Chapter 710 of the Acts of the General Assembly of Maryland, 1941 Session.

Witness my hand and Notarial Seal.

s/ Lula Mae Dize
Lula Mae Dize
Notary Public

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** George William Hoffman

***GREETING:***

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of..December.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Alma E. Owens, et al
vs.
Augusta Owens, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...29....day of.....November....., 19....65.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....21.....day of...December....., 19.65... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

.....Lionel Bennett.....
Name

.....Crisfield, Maryland.....
Address

.....S. Theodore Gheslin.....
Clerk

Sheriff's Return:
"Non Est 12/1/65".
Isaac H. Dorsey, Sheriff

LIBER 041 PAGE 185

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO George William Hoffman

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of...December....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Alma E. Owens, et al
vs.
Augusta Owens, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...29.....day of.....November....., 19....65.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....24.....day of...December....., 19 65.... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

.....Lionel Bennett.....
Name

.....Crisfield, Maryland.....
Address

s/ J. Theodore Shockley
Clerk

In Equity No. 8144
In the Circuit Court for
Somerset County, Maryland

Alma E. Owens, et al.,

Plaintiffs

vs.

Augusta Owens, et al.,

Defendants

AFFIDAVIT OF SERVICE

STATE OF NEW JERSEY)
COUNTY OF UNION )SS:

Joseph H. Weber, being duly sworn, deposes and says, I am over the age of twenty-one and that at all times hereinafter mentioned, I was a duly and regularly appointed and lawfully qualified Deputy Sheriff of the County of Union, State of New Jersey, and authorized by law to serve process in said County and State:

That on the 11th day of December, 19 65, at No. 916 Adams Avenue, in the City of Elizabeth, County of Union and State of New Jersey, I served a copy of an Order Of Publication dated November 15, 1965 in the above entitled matter upon George William Hoffman, by delivering to and leaving with him personally said copy thereof.

Deponent knew the person so served to be the same person mentioned and described in the said Order of Publication.

Deponent asked said George William Hoffman whether he was in the Military Service of the United States Government in any capacity whatever, and he replied he was not. George William Hoffman was clad in ordinary civilian clothes and wore no uniform of any kind.

Deponent is not a party to the action.

Sworn to and subscribed before me
this 15th day of December, 1965.

W. Nielsen
Notary Public of New Jersey
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES DEC. 3. 1967

Joseph H. Weber
Deputy Sheriff

LIBER 041 PAGE 187

STATE OF NEW JERSEY,
County of Union

I, HENRY G. NULTON, Clerk of the County of Union, and also Clerk of the County Court for said County, the same being a Court of Record, Do Hereby Certify, That

W. NIELSEN

whose name is subscribed to the affidavit, proof or acknowledgement of the annexed instrument and thereupon written, was at the time of taking such affidavit, proof or acknowledgement, a NOTARY PUBLIC in and for said State, commissioned, sworn and duly authorized to take and certify affidavits, acknowledgements and proofs of deeds for the conveyance of lands, tenements or hereditaments to be recorded in said State. And further, that said proof, affidavit or acknowledgement is duly executed and taken according to the laws of this State, that full faith and credit are and ought to be given to his official acts, and that I am well acquainted with the handwriting of such NOTARY PUBLIC and verily believe that the signature to the said certificate of proof, affidavit or acknowledgement is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County, the day of DEC 20 1965

4552

Henry G. Nulton Clerk.

In Equity No. 8144
In the Circuit Court for
Somerset County, Maryland

LIBER 041 PAGE 188

Alma E. Owens, et al.,

Plaintiffs

vs.

Augusta Owens, et al.,

Defendants

AFFIDAVIT OF SERVICE

STATE OF NEW JERSEY )
COUNTY OF UNION ) SS:

Joseph H. Weber, being duly sworn, deposes and says, I am over the age of twenty-one and that at all times hereinafter mentioned, I was a duly and regularly appointed and lawfully qualified Deputy Sheriff of the County of Union, State of New Jersey, and authorized by law to serve process in said County and State:

That on the 4th day of December, 19 65, at No. 916 Adams Avenue, in the City of Elizabeth, County of Union and State of New Jersey, I served a copy of an Order Of Publication dated November 15, 1965 in the above entitled matter on Dollie Rae Hoffman and Elaine Hoffman, by delivering to and leaving with each of them personally a copy of said Order Of Publication.

Deponent knew the persons so served to be the same persons mentioned and described in the said Order Of Publication.

Deponent asked said Dollie Rae Hoffman and Elaine Hoffman whether they were in the Military Service of the United States Government in any capacity whatever, and they replied they were not. Dollie Rae Hoffman and Elaine Hoffman were clad in ordinary civilian clothes and wore no uniform of any kind.

Deponent is not a party to the action.

Sworn to and subscribed before me
this 15th day of December, 1965

W. Nielsen
Notary Public of New Jersey
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES DEC. 3, 1967

Joseph H. Weber
Deputy Sheriff

STATE OF NEW JERSEY } ss.
County of Union }

I, HENRY G. NULTON, Clerk of the County of Union, and also Clerk of the County Court for said County, the same being a Court of Record, Do Hereby Certify, That W. NIELSEN whose name is subscribed to the affidavit, proof or acknowledgement of the annexed instrument and thereupon written, was at the time of taking such affidavit, proof or acknowledgement, a NOTARY PUBLIC in and for said State, commissioned, sworn and duly authorized to take and certify affidavits, acknowledgements and proofs of deeds for the conveyance of lands, tenements or hereditaments to be recorded in said State. And further, that said proof, affidavit or acknowledgement is duly executed and taken according to the laws of this State, that full faith and credit are and ought to be given to his official acts, and that I am well acquainted with the handwriting of such NOTARY PUBLIC and verily believe that the signature to the said certificate of proof, affidavit or acknowledgement is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County, the day of DEC 20 1965

4553

Henry G. Nulton Clerk.

Alma E. Owens, et al.,

Plaintiffs

vs

Augusta Owens, et al.,

Defendants

In Equity No. 8144

In the Circuit Court for

Somerset County, Maryland

DECREE PRO CONFESSO

The petition of the plaintiffs respectfully show:

That the defendants have been duly summoned to appear to the bill of complaint herein, but have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court.

The plaintiffs therefore pray that the bill of complaint may be taken pro confesso against the said defendants and that the plaintiffs have leave to take testimony before one of the Standing Examiners of this Court.

Lionel Bennett
Attorney for Plaintiffs

ORDER

It appearing in the above entitled cause that the defendants have been duly summoned to appear to the bill of complaint herein, but have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court, it is thereupon this 14th day of January, 1966, 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 defendants, and it is further ordered that the plaintiffs have leave to take testimony before one of the Standing Examiners of this Court.

E. McMaster Duer
Judge

Alma E. Owens, et al.,

Plaintiffs

vs

Augusta Owens, et al.,

Defendants

In Equity No. 8144

In the Circuit Court for

Somerset County, Maryland

TESTIMONY

In this cause, an order having been passed for testimony to be taken to support the allegations of the bill, I, William A. Martin, Jr., 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 31st day of January, 1966, in Somerset County aforesaid, I did take the following testimony, to wit:

EXAMINATION BY MR. LIONEL BENNETT:

Alma E. Owens, a witness of lawful age, produced on the part of the plaintiffs, being duly sworn, deposes and says:

Q. Please state your name and residence.
A. My name is Alma E. Owens, and I reside in Crisfield, Maryland.

Q. Are you the Alma E. Owens who is one of the plaintiffs in this action?
A. Yes I am.

Q. Will you please describe the property mentioned in the bill of complaint?
A. The property is a plot of land containing one-half acre, more or less. It is improved by a single family dwelling. It is assessed for tax purposes for the sum of $1,570.00.

Q. Can this property be divided between the parties to this action?
A. No.

Q. Do you believe that in order to make a division of your respective interests it will be necessary that the real estate be sold and the proceeds be divided between you?
A. Yes, it will.

Q. Do you believe that a sale of the premises would be advantageous to all parties concerned?
A. Yes, I believe it would.

COURT'S QUESTION:
A. No Sir.

Alma E. Owens

Alma E. Owens

William A. Martin Jr.

William A. Martin, Jr.

Calvin R. Dize, a witness of lawful age, produced on the part of the plaintiff, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.
A. My name is Calvin R. Dize; I reside in Crisfield, Maryland; and I am engaged in the insurance business.

Q. Are you familiar with the value of the land in the vicinity of the premises described by the previous witness?
A. I am.

Q. Have you made appraisals heretofore of such property?
A. I have.

Q. Will you please describe this property?
A. The property is a plot of land in Asbury District, Somerset County, Maryland, containing one-half acre, more or less. It is improved by a single family dwelling. It is assessed for $1,570.00 as follows: Land $125.00, and building $1,445.00, which is below the fair market value.

Q. Have you formed an opinion of the fair market value of this property?
A. Yes.

Q. What is the fair market value of the premises in your opinion?
A. Land $300.00, Buildings $2,700.00, making a total of $3,000.00.

COURT'S QUESTION:
A. No Sir.

Calvin R. Dize
Calvin R. Dize

William A. Martin Jr
William A. Martin, Jr.

There being no further witnesses to be examined and at the suggestion of the solicitor for the complainants, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct and paid by the plaintiffs.

Bill of Costs:

Examiner $10.00

Witness my hand and seal.

William A. Martin Jr seal
William A. Martin, Jr.

Alma E. Owens, et al.,
Plaintiffs
vs
Augusta Owens, et al.,
Defendants

In Equity No. 8144
In the Circuit Court for
Somerset County, Maryland

FINAL DECREE

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

It is thereupon this 23rd day of February, 1966, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed that the real estate in the proceedings mentioned be sold, and it is further

Ordered, adjudged and decreed that Lionel Bennett and Alexander G. Jones be, and they are hereby appointed trustees to make such 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 $3,000.00 if corporate, or $6,000.00 if private surety, conditioned for the faithful performance of the trust reposed in them by this decree, or to be reposed in them by any future decree or order in the premises; they shall then proceed to make the said sale, having given at least three weeks notice by advertisement inserted in some newspaper published in the City of Crisfield, Somerset County, as they shall think proper, of the time, place, manner and terms of sale, which terms shall be as follows:

A cash deposit of 10% of the purchase price at the time of sale and the balance in cash upon final ratification of sale by the Circuit Court for Somerset County, taxes, water rent, and all other public charges, if any, to be adjusted to the date of settlement

and as soon as may be convenient after such sale or sales, the said trustees shall return to this Court a full and particular account of their proceedings relative to such sale, with an annexed affidavit of the trust thereof and of the fairness of said sale; and on obtaining this Court's ratification of the sale, and on the payment of the whole purchase money (and not before), the said trustees will, by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her, or their heirs, the property and estate to him, her, or them sold free, clear and discharged from all claims of the parties hereto, plaintiffs and defendants, and those claiming by, from, or under them, or of them; and the said trustees will 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.

William W. Towers
~~E. McMaster Duer~~
Judge

FOR BOND SEE BOND BOOK ITP 9, FOLIO 104.

Alma E. Owens, et al.,
Plaintiffs

vs

Augusta Owens, et al.,
Defendants

In Equity No. 8144
In the Circuit Court for
Somerset County, Maryland

REPORT OF SALE

To the Honorable, the Judges of said Court:

The report of Lionel Bennett and Alexander G. Jones, trustees appointed by this Court by order herein dated February 23, 1966, 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 reposed in them by said order, and having given at least four weeks notice of the time, place, manner and terms of sale by advertisement in The Crisfield Times, a weekly newspaper published in the City of Crisfield, Somerset County, Maryland, for four successive weeks before the day of the sale, they did, pursuant to said notice, attend at the steps of the Post Office at Crisfield, Maryland, on March 19, 1966, at 2:00 p.m., and then and there proceeded to sell the property described in the bill of complaint, to wit:

All that lot of land in Asbury District, Somerset County, Maryland, on the east side of the county road leading from George Mason's store to Jenkins Creek Bridge, adjoining the lands of Travis Ward, Julius Mosher, and others, containing 1/2 acre, more or less.

And sold the same to C. B. Davis, she being the highest bidder therefor, at and for the sum of $1,500.00, and the purchaser has complied with the terms of sale.

Respectfully submitted,

Lionel Bennett

Lionel Bennett

Alexander G. Jones
Trustees

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 21st day of March, 1966, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Lionel Bennett, and Alexander G. Jones, trustees named in the aforegoing report of sale, and made oath in due form of law that the matters and things therein stated are true to the best of their knowledge and belief, and that the sale therein mentioned and reported was fairly made.

As witness my hand and Notarial Seal.

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

Lula Mae Dize
Notary Public

| | |
|---|---|
| Alma E. Owens, et al., | In Equity No. 8144 |
| Plaintiffs | In the Circuit Court for |
| vs | Somerset County, Maryland |
| Augusta Owens, et al., | |
| Defendants | |

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 21st day of March, 1966, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared C. B. Davis, who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, she was not acting as agent for any one.

2. That no other person is interested as principal.

3. That she has not directly or indirectly discouraged any one from bidding for the said property.

Witness my hand and Notarial Seal.

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

Lula Mae Dize
Lula Mae Dize
Notary Public

Alma E. Owens, et al.,

Plaintiffs

vs

Augusta Owens, et al.,

Defendants

In Equity No. 8144

In the Circuit Court for

Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary be shown on or before the 25th day of April, 1966, provided a copy of this order be printed in some weekly newspaper in Somerset County once in each of three successive weeks before the 12th day of April 1966.

The report states the amount of sale to be $1,500.00.

I. Theodore Phoebus

I. T. Phoebus, Clerk

FINAL ORDER

Ordered by this Court this 6th day of May, 1966, that the sale made and reported by the trustees herein be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Duer

E. McMaster Duer
Judge

LIBER 041 PAGE 198

Lionel Bennett, Solicito.

## Trustee's Sale

Under and by virtue of a decree of the Circuit Court for Somerset County, Maryland, the undersigned, as trustees, will sell by public auction on the steps of the Post Office in Crisfield, Maryland, on Saturday, March 19, 1966, at 2:00 p.m.

All that lot of land in Asbury District, Somerset County, Maryland, on the east of the county road leading from George Mason's store to Jenkins Creek Bridge, adjoining the lands of Travis Ward, Julius Mosher, and others, containing ½ acre, more or less.

The above property is improved with a single family dwelling.

The terms of sale shall be as follows:

A cash deposit of ten per cent of the purchase price at the time of sale, and the balance in cash upon final ratification of sale by the Circuit Court for Somerset County, taxes and all other public charges, if any, to be adjusted to the date of settlement.

Lionel Bennett

Alexander G. Jones

Trustees

2-24-4t

CRISFIELD, MD., April 1 19 66

THIS is to certify that the annexed Trustees Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Trustees Sale for 4 weeks beginning with the issue of February 25 19 66 and ending March 18 19 66.

E. L. Dryden

Publisher, THE CRISFIELD TIMES

Alma E. Owens, et al.,
Plaintiffs
VS
Augusta Owens, et al.,
Defendants

In Equity No. 8144 in the Circuit Court for Somerset County, Maryland.

## Order Nisi

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary be shown on or before the 25th day of April, 1966, provided a copy of this order be printed in some weekly newspaper in Somerset County once in each of three successive weeks before the 12th day of April 1966.

The report states the amount of sale to be $1,500.00.

I. T. Phoebus, Clerk

3-25-3t

CRISFIELD, MD., April 1 19 66

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of March 25 19 66 and ending April 8 19 66.

E. L. Dryden

Publisher, THE CRISFIELD TIMES

Alma E. Owens, et al.,
Plaintiffs

vs

Augusta Owens, et al.,
Defendants

In Equity No. 8144

In the Circuit Court for
Somerset County, Maryland

PETITION AND ORDER APPOINTING AUDITOR

The petition of Lionel Bennett, respectfully shows to this Court as follows:

That he is one of the trustees appointed by order of this Court herein, under which he sold certain real property, as more fully appears by his report of sale filed herein.

That the auditor for this Court is not available, and petitioner prays for the appointment of a special auditor to whom such report of sale may be referred to state an account, pursuant to Rule BR 6 b 5.

And your petitioner will ever pray.

Lionel Bennett

Lionel Bennett

ORDER

Upon the foregoing petition, it is this 9th day of May, 1966, by the Circuit Court for Somerset County, in Equity, ordered that Lula Mae Dize be, and she is hereby appointed a special auditor to whom the report of sale herein shall be referred to state an account.

E. McMaster Duer

E. McMaster Duer
Judge

| | |
|---|---|
| Alma E. Owens, et al., | In Equity No. 8144 |
| Plaintiffs | In the Circuit Court for |
| vs | Somerset County, Maryland |
| Augusta Owens, et al., | |
| Defendants | |

NOTICE OF FILING AUDITOR'S ACCOUNT

Take notice that the account herein was filed on May 18, 1966; that exceptions thereto must be filed within fifteen days of said date, and if no exceptions are filed within such fifteen day period, the account may thereupon be ratified.

Lula Mae Dize
Special Auditor

I certify that on May 18, 1966, I mailed a copy of the above to Alma E. Owens, Owen Lee Tyler, Augusta Owens, Edwin Owens, Sarah Owens Lawson, all of Crisfield, Maryland; Melva Owens Slipper, Bear Creek Drive, Baltimore, Maryland; Earle Owens, 724 Laurence Parkway, Laurence Harbor, New Jersey; George W. Hoffman, Dollie Rae Hoffman, and Elaine Hoffman, all of 916 Adams Avenue, Elizabeth, New Jersey.

Lula Mae Dize
Special Auditor

Alma E. Owens, et al.,

Plaintiffs

vs

Augusta Owens, et al.,

Defendants

In Equity No. 8144

In the Circuit Court for

Somerset County, Maryland

AUDIT

The report of the special auditor stating the account in the within mentioned case respectfully represents:

That your special auditor has charged the trustees with the whole amount of the sale of the real property as reported by the trustees in their report of sale; the said trustees have been allowed commissions on said sale and a special attorney's fee, as per the Chancery Rules of this Court, and their costs and expenses, not personal.

The balance of the funds in the hands of the trustees have been distributed to the parties.

Respectfully submitted:

Lula Mae Dize

Lula Mae Dize
Special Auditor

Dated May 18, 1966

| | | | | |
|---|---|---|---|---|
| May 18, 1966 - | By the whole amount of the sale of the real property as reported by the Trustees in their report of sale | | | $1,500.00 |
| May 18, 1966 - | To the Trustees for commissions, as per the Chancery Rules of this Court, 10% on $1,500.00 - $150.00 | | | |
| | To Lionel Bennett - 2/3 of commission | $100.00 | | |
| | To Alexander G. Jones - 1/3 of commission | 50.00 | | |
| | To Lionel Bennett - Special Atty's fee | 25.00 | $175.00 | |
| | To the Trustees for their costs and expenses, not personal: | | | |
| | To Lionel Bennett | 10.00 | | |
| | To Alexander G. Jones | 10.00 | | |
| | To advertising sale and order nisi | 28.75 | | |
| | To premium on bond | 12.00 | | |
| | To testimony | 10.00 | | |
| | To Clerk's costs | 52.25 | | |
| | To auctioneer | 25.00 | | |
| | To Special Auditor stating account | 15.00 | | |
| | To Carlos Bozman, Treasurer, 1965 State and County taxes | 34.89 | | |
| | To Sheriff of Middlesex County, New Jersey | 10.95 | | |
| | To Sheriff of Union County, New Jersey | 23.70 | 232.54 | 407.54 |
| | | | | $1,092.46 |

To be distributed as follows:

| | | |
|---|---|---|
| Alma E. Owens | | $273.12 |
| Avalon Owens Tyler (deceased) - | Owen Lee Tyler, Son | 273.12 |
| Warren Owens (deceased) - | Augusta Owens, widow | 91.03 |
| | Melva Owens Slipper, daughter | 45.50 |
| | Edwin Owens, son | 45.50 |
| | Earle Owens, son | 45.50 |
| | Sarah Owens Lawson, daughter | 45.50 |
| Lyda Owens Hoffman (deceased) - | George William Hoffman, widower | 91.03 |
| | Dollie Rae Hoffman, daughter | 91.04 |
| | Elaine Hoffman, daughter | 91.04 |

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 18th day of May 1966 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 2nd day of June 1966.*

L. Theodore Gochnauer Clerk

No 8144 Chancery Vs

IN THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that no exceptions have been filed in the above proceedings to the final ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date June 3 1966

L. Theodore Gochnauer Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this 3rd day of June 1966, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

L. Theodore Gochnauer

LIBER 041 PAGE 203

Rec'd JAN 13 1967

f#938

C41 204

The Marine Bank of Crisfield
Crisfield, Maryland,

Plaintiff

vs

Robert James Elliott and
Maxine M. Elliott,
Burton Avenue
Crisfield, Maryland,

Defendants

In Equity No. 8146

In the Circuit Court for

Somerset County, Maryland

ORDER TO DOCKET SUIT

The Clerk of the Circuit Court for Somerset County will please docket the above entitled case, file therein the original mortgage made by Robert James Elliott and Maxine M. Elliott, to The Marine Bank of Crisfield, dated September 5, 1962, in the sum of $6,000.00, recorded on September 14, 1962, in Liber 210 page 659.

Lionel Bennett

Lionel Bennett
Attorney named in the above
Mortgage
940 Main Street
Crisfield, Maryland
Phone: Crisfield 968-1166

FOR MORTGAGE SEE LIBER G.J.B. 210, FOLIO 659.

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 35.

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,

Plaintiff

vs

Robert James Elliott and
Maxine M. Elliott,

Defendants

In Equity No.

In the Circuit Court for

Somerset County, Maryland

## STATEMENT OF MORTGAGE DEBT

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 15th day of April, 1965, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Charles B. Pinto, Vice President of The Marine Bank of Crisfield, Crisfield, Maryland, who made oath in due form of law that the amount due on the mortgage dated September 5, 1962, made by Robert James Elliott and Maxine M. Elliott, his wife, to The Marine Bank of Crisfield, is $5,406.76, with interest from December 26, 1964, at the rate of 5¼% per annum.

As witness my hand and Notarial Seal.

Charles B. Pinto

Charles B. Pinto

Eileen Evans

Eileen Evans
Notary Public

NOTARY PUBLIC
CRISFIELD, MARYLAND

LIBER 041 PAGE 205

LIONEL BENNETT
CRISFIELD, MARYLAND

Lionel Bennett, Solicitor

# Mortgagee's Sale

OF VALUABLE

# REAL ESTATE

By virtue of the power and authority contained in a mortgage from Robert James Elliott and Maxine M. Elliott, his wife, to The Marine Bank of Crisfield, a body corporate existing under the laws of the State of Maryland, dated September 5, 1962, recorded among the land records of Somerset County, in Liber 210 page 659, default having occurred under the conditions of said mortgage, I will sell at public auction in front of the Post Office at Crisfield, Maryland, on Saturday, May 15, 1965, at 2:00 p.m.,

All that lot of land in Lawson's Election District, Somerset County, State of Maryland, which is shown and designed as Lot No. 12 on a certain plat entitled "Descriptive Plat of Sub-Division No. 1 Surveyed for the Heirs of Sarah E. McGrath, made by W. Ballard Miles, registered surveyor, recorded among the land records of Somerset County, in Plat Book BLB No 1 Folio 13.

This proprty is improved by a comfortable dwelling.

Terms of Sale: Cash, as prescribed by said mortgage. Title papers at the expense of the purchaser

Lonel Bennett
Attorney named in the above Mortgage

4-23-4t

LIBER 041 PAGE 206

CRISFIELD, MD., May 14 19 65

THIS is to certify that the annexed Mortgagee's Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Mortgagee's Sale for 4 weeks beginning with the issue of April 23 19 65 and ending May 14 19 65.

E. L. Smith

Publisher, THE CRISFIELD TIMES

The Marine Bank of Crisfield,
Plaintiff
vs
Robert James Elliott and
Maxine M. Elliott,
Defendants

In Equity No. 8146
In the Circuit Court for
Somerset County, Maryland

REPORT OF SALE

To the Honorable, the Judges of said Court:

The report of Lionel Bennett, attorney named in a certain mortgage made and executed by Robert James Elliott and Maxine M. Elliott, his wife, to The Marine Bank of Crisfield, dated September 5, 1962, and recorded among the land records of Somerset County in Liber 210 page 659, 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 in said mortgage, whereas said mortgage debt has become due and demandable, respectfully represents to your Honors, that after giving bond with security approved by the Clerk of the 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 thirty days notice of the time, manner, terms and place of sale by advertisement in The Crisfield Times, a weekly newspaper published in said Somerset County once in a week for four successive weeks before the day of the sale, he did, pursuant to said notice, attend the Post Office in Crisfield, Maryland, on May 15, 1965, at 2:00 p.m., and then and there proceeded to sell the property described in said mortgage, to wit:

All that lot of land in Lawson's Election District, Somerset County, State of Maryland, which is shown and designated as Lot No. 12 on a certain plat entitled "Descriptive Plat of Sub-Division No. 1 Surveyed for the Heirs of Sarah E. McGrath", made by W. Ballard Miles,

registered surveyor, recorded among the land records of Somerset County, in Plat Book BLB No. 1 Folio 13.

And sold the same to The Marine Bank of Crisfield, Crisfield, Maryland, it being then and there the highest bidder therefor, at and for the sum of $5,000.00, and the purchaser has complied with the terms of sale.

Respectfully submitted,

Lionel Bennett
Attorney

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 17th day of May, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lionel Bennett, attorney named in the foregoing report of sale, and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge and belief, and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal.

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

Lula Mae Dize
Notary Public

The Marine Bank of Crisfield,

Plaintiff

vs

Robert James Elliott and
Maxine M. Elliott,

Defendants

In Equity No. 8146

In the Circuit Court for

Somerset County, Maryland

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 17th day of May, 1965, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Charles B. Pinto, Vice President and Cashier of The Marine Bank of Crisfield, who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, it was not acting as agent for any one.

2. That no other person is interested as principal.

3. That it has not directly or indirectly discouraged any one from bidding for the said property.

Witness my hand and Notarial Seal.

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

Lula Mae Dize
Notary Public

LIBER 041 PAGE 203

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,

Plaintiff

vs

Robert James Elliott and
Maxine M. Elliott,

Defendants

In Equity No. 8146

In the Circuit Court for

Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary thereof be shown on or before the 21st day of June, 1965, 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 7th day of June, 1965.

The report states the amount of sale to be $5,000.00.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

FINAL ORDER

Ordered by this Court this 22nd day of June, 1965, that the sale made and reported by the attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Duer

E. McMaster Duer, Judge

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,

Plaintiff

vs

Robert James Elliott and
Maxine M. Elliott,

Defendants

In Equity No. 8146

In the Circuit Court for

Somerset County, Maryland

PETITION TO SUBSTITUTE PURCHASER

The petition of Lionel Bennett, trustee, for the purpose of foreclosure herein, and The Marine Bank of Crisfield, the purchaser at the sale held herein, respectfully represents and shows to this Court as follows:

That at the sale held by the trustee herein on May 15, 1965, The Marine Bank of Crisfield was the successful bidder and purchaser of the premises for the sum of $5,000.00, as more fully appears by the trustee's report of sale filed herein.

That petitioners, pursuant to Maryland Rule W 74 g 3, desire to substitute W. J. Driver, as Administrator of Veterans Affairs, an officer of the United States of America, his successors or assigns, whose address is Veterans Administration, Washington, D. C., 20420, as the purchaser herein, and authorize the trustee to convey the premises to him after final ratification of the sale.

Lionel Bennett

Lionel Bennett

THE MARINE BANK OF CRISFIELD

By: Charles B. Pinto
Charles B. Pinto
Vice President and Cashier

LIBER 041 PAGE 211

LIONEL BENNETT
CRISFIELD, MARYLAND

| | |
|---|---|
| The Marine Bank of Crisfield, | In Equity No. 8146 |
| Plaintiff | In the Circuit Court for |
| vs | Somerset County, Maryland |
| Robert James Elliott and Maxine M. Elliott, | |
| Defendants | |

ORDER TO SUBSTITUTE PURCHASER

On the foregoing petition of Lionel Bennett, trustee, and The Marine Bank of Crisfield, it is this 19th day of May, 1965, by the Circuit Court for Somerset County, Maryland, in Equity,

ORDERED that W. J. Driver, as Administrator of Veterans Affairs, an officer of the United States of America, his successors or assigns, whose address is Veterans Administration, Washington, D. C., 20420, be and he is hereby substituted as the purchaser herein, and it is further

ORDERED that the trustee herein be and he is hereby authorized to convey the premises to him after final ratification of sale.

E. McMaster Duer

E. McMaster Duer
Judge

LIONEL BENNETT
CRISFIELD, MARYLAND

The Marine Bank of Crisfield,

Plaintiff

vs

Robert James Elliott and
Maxine M. Elliott,

Defendants

In Equity No. 8146

In the Circuit Court for

Somerset County, Maryland

PETITION AND ORDER APPOINTING AUDITOR

The petition of Lionel Bennett respectfully shows to this Court as follows:

That he is the attorney named in the mortgage made by the above defendants, under which he sold certain real property, as more fully appears by his report of sale filed herein.

That the auditor for this Court is not available, and petitioner prays for the appointment of a special auditor to whom such report of sale may be referred to state an account, pursuant to Rule BR 6 b 5.

And your petitioner will ever pray.

Lionel Bennett

Lionel Bennett

ORDER

Upon the foregoing petition, it is this 7 24 day of June, 1965, by the Circuit Court for Somerset County, in Equity, ordered that Lula Mae Dize be, and she is hereby appointed a special auditor to whom the report of sale herein shall be referred to state an account.

E. McMaster Duer

E. McMaster Duer,
Judge

LIONEL BENNETT
CRISFIELD, MARYLAND

LIBER 041 PAGE 213

The Marine Bank of Crisfield,
Plaintiff
vs
Robert James Elliott and Maxine M. Elliott,
Defendants
In Equity No. 8146 In the Circuit Court for Somerset County, Maryland.

## Order Nisi

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary thereof be shown on or before the 21st day of June, 1965, 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 7th day of June, 1965.

The report states the amount of sale to be $5,000.00.

I. Theodore Phoebus, Clerk

2-21-3t

CRISFIELD, MD., June 7 19 65

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of May 21 1965 and ending June 4 1965.

Publisher, THE CRISFIELD TIMES

The Marine Bank of Crisfield,
Plaintiff

vs

Robert James Elliott and
Maxine M. Elliott,
Defendants

In Equity No. 8146
In the Circuit Court for
Somerset County, Maryland

OATH OF SPECIAL AUDITOR

STATE OF MARYLAND, Somerset County:

On this 23rd day of June, 1965, before me, a Judge of the Circuit Court for Somerset County, Maryland, who appointed her a special auditor herein, personally appeared Lula Mae Dize, and she made oath in due form of law that she would well and faithfully execute the duties of her office without favor, affection, partiality, or prejudice.

Lula Mae Dize
Lula Mae Dize

E. McMaster Duer
E. McMaster Duer
Judge

The Marine Bank of Crisfield,
Plaintiff

vs

Robert James Elliott and
Maxine M. Elliott,
Defendants

In Equity No. 8146
In the Circuit Court for
Somerset County, Maryland

## AUDIT

To the Honorable, the Judges of said Court:

The report of the special auditor stating the account in the within mentioned case respectfully represents:

That your special auditor has charged the attorney with the whole amount of the sale of the real property, as reported by the attorney in his report of sale. The said attorney has been allowed commissions on said sale and a special attorney's fee, as per the Chancery Rules of this Court, and his costs and expenses, not personal.

The balance of the funds in the hands of the attorney has been distributed to the mortgagee on account of the mortgage debt and interest, for the payment of which the real estate was sold in this cause, and your special auditor has added simply a statement of the mortgage debt and interest.

Respectfully submitted:

Lula Mae Dize
Lula Mae Dize
Special Auditor

Dated: June 23, 1965

| | | | | |
|---|---|---|---|---|
| June 23, 1965 - | By the whole amount of the sale of the real property as reported by the Attorney in his report of sale. | | | $5,000.00 |
| | To the Attorney for his commissions, as per the Chancery Rules of this Court | $400.00 | | |
| | To special attorney's fee, as per said Rules | 25.00 | $425.00 | |
| June 23, 1965 - | To the attorney for his costs and expenses, not personal: | | | |
| | To Solicitor | $10.00 | | |
| | To Clerk's costs | 28.00 | | |
| | To advertising sale and order nisi | 36.25 | | |
| | To premium on atty's. bond | 24.00 | | |
| | To auctioneer | 35.00 | | |
| | To 1963 State & County taxes | 71.93 | | |
| | To 1964 State & County taxes | 68.02 | | |
| | To City of Crisfield, water charges | 22.00 | | |
| | To recording deed | 14.00 | | |
| | To U.S. Documentary Stamps on deed | 5.50 | | |
| | To Special Auditor stating this account | 15.00 | 329.70 | |
| | | | $754.70 | |

The balance of the funds in the hands of the Attorney distributed as follows:

| | |
|---|---|
| To The Marine Bank of Crisfield, the balance of the funds in the hands of the Attorney on account of a mortgage debt and interest for which the real estate was sold | 4,245.30 |
| | $5,000.00 |

Statement of mortgage debt:

| | |
|---|---|
| Balance of principal due | $5,406.76 |
| Interest from December 26, 1964 to May 15, 1965 | 109.57 |
| | $5,516.33 |

I hereby certify that on June 24, 1965, I gave notice by postal card, as required by Rule 595 f 2, to Robert James Elliott and Maxine M. Elliott, and The Marine Bank of Crisfield.

Lula Mae Dize
Lula Mae Dize
Special Auditor

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 24th day of June 1965 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 9th day of July 1965.*

*T. Theodore Gherkin* Clerk

No. 8146 Chancery Vs.

IN THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that no exceptions have been filed in the above proceedings to the final ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date July 12 1965

T. Theodore Gherkin Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this 12th day of July 1965 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

*T. Theodore Gherkin*

The Marine Bank of Crisfield,

Plaintiff

vs

Robert James Elliott and
Maxine M. Elliott,

Defendants

In Equity No. 8146

In the Circuit Court for

Somerset County, Maryland

## ASSIGNMENT OF RIGHT TO DEFICIENCY DECREE

The Marine Bank of Crisfield hereby assigns its right to a deficiency decree against Robert James Elliott and Maxine M. Elliott, the mortgagors herein, to W. J. Driver, as Administrator of Veterans Affairs, an officer of the United States of America, his successors or assigns, whose address is Veterans Administration, Washington, D. C., 20420.

In witness whereof The Marine Bank of Crisfield has caused these presents to be executed by its duly authorized officer and its corporate seal to be affixed this 16th day of July, 1965.

ATTEST:

Edith Gandy
Edith Gandy
Secretary

THE MARINE BANK OF CRISFIELD

By: Charles B. Pinto
Charles B. Pinto,
Vice President



JAN 13 1967

R# 9/198

LIBER 021 PAGE 220

| | | |
|---|---|---|
| Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, | : | No. 2166 |
| | : | In the Circuit Court |
| Plaintiffs, | : | For Somerset County |
| -vs- | : | State of Maryland |
| Henry E. Williams and Beatrice M. Williams, his wife | : | |
| Defendants, | ********* | |

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. I. Theodore Phoebus, Clerk of said Court:

Mr. Clerk:

Please docket the above entitled case and file herewith the affidavit of indebtedness, substitute Trustees form and Deed of Trust dated February 13, 1964 from Henry E. Williams and Beatrice M. Williams, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 220, Folio 521, Herman E. Perdue and Morton J. Owrutsky having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

Herman E. Perdue and Morton J. Owrutsky
Substitute Trustees

132 East Main Street
Salisbury, Maryland
Telephone: PI 2-6141

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

FOR DEED OF TRUST SEE LIBER I.T.P. No. 220, FOLIO 521.

Mr. Herman E. Perc
Attorney at Law
Odds Fellows Bldg.
East Main Street S.
Salisbury, Md.

May 17, 1965

FORECLOSURE SUIT INFORMATION

DEFENDANT'S NAME: Henry J. Williams Account #98693

DEFENDANT'S ADDRESS: P. O. Box 163
Westover, Md.

PAYMENTS DELINQUENT:

One payment at $11.00
and Six payments at $44.00:

| | | |
|---|---|---|
| November 15 | $ 11.00 | |
| December 15 | 44.00 | |
| January 15 | 44.00 | |
| February 15 | 44.00 | |
| March 15 | 44.00 | |
| April 14 | 44.00 | |
| May 15 | 44.00 | |
| | $275.00 | |
| Ins posted to a/c | 28.50 | 5/63-5/64 |
| Ins not posted to a/c | 53.00 | 5/64-5/66 |
| | $356.50 | |

PAYMENTS MADE: $385.00

TOTAL BALANCE DUE: $5,984.10 plus ins. $53.00, total $6,037.10

AMOUNT OF ADVANCE COST: $50.00

VERY TRULY YOURS,

MID STATE HOMES, INC.

O. C. KING,
VICE PRESIDENT

LIBER 041 PAGE 222

**APPOINTMENT OF SUBSTITUTE TRUSTEE**

WHEREAS, the undersigned Corporation is the owner and holder of the indebtedness secured by a Deed of Trust from Henry E. Williams and Beatrice M. Williams to J. H. Kelly and J. L. Moore, Trustees for MID STATE HOMES, INC. dated February 13th 1964 and recorded among the Land Records of Somerset County, State of Maryland, in Liber J.W.T.S. No. 220, Folio 521; and

WHEREAS, Item Nineteen (19) of said Deed of Trust provides for the removal and substitution of a Trustee or Trustees, at the option of the holder of the indebtedness secured by this Deed of Trust.

NOW, THEREFORE, pursuant to Item Nineteen (19) as set forth in said Deed of Trust and Rule W 77, Section D of the Maryland Rules of Procedure, 1962 edition as amended, Herman E. Perdue of Wicomico County, State of Maryland and Morton I. Owrutsky of Wicomico County, State of Maryland, are hereby appointed substitute Trustees, to act in all respects as Trustees, under the terms of said Deed of Trust in the place and stead of J. H. Kelly and J. L. Moore, the predecessor Trustee (s).

IN WITNESS WHEREOF, the undersigned Corporation has caused this instrument to be signed in its corporate name by its Vice-President and its corporate seal to be hereunto affixed, attested by its Secretary, this 17th day of May, 1965.

ATTEST:

MID STATE HOMES, INC.

Ass't Secretary

BY Vice-President

(Corporate Seal)

STATE OF FLORIDA, COUNTY OF Hillsborough,

On this 17th day of May, 1965, before me, ~~Jenny~~ D. Terwilliger, the undersigned officer, personally appeared O. C. King who acknowledged to be the Vice-President of MID STATE HOMES, INC., a Corporation, and that he, as such Vice-President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by himself as Vice-President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Jenny D. Terwilliger
Notary Public

Notary Public, State of Florida
My Commission Expires Sept. 2, 1968
Bonded by American Surety Co.

My Commission Expires: 9-2-1968

LIBER 041 PAGE 223

LIBER 041 PAGE 224

| | | |
|---|---|---|
| Herman E. Perdue and<br>Morton J. Owrutsky,<br>Substitute Trustees, | : | No. 8166 Chancery |
| | : | In the Circuit Court |
| Plaintiffs, | : | For Somerset County |
| -vs- | : | State of Maryland |
| Henry E. Williams and<br>Beatrice M. Williams, his wife | : | |
| Defendants, | : | |

**********

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 12th day of July, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, who made oath in due form of law that they have been appointed Substitute Trustees for Mid-State Homes, Inc., in accordance with the provisions of a Deed of Trust from Henry E. Williams and Beatrice M. Williams, his wife, dated February 13, 1964 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 220, Folio 521; and on behalf of said Mortgagee, being authorized so to do, made oath in due form of law that sum of $4,019.68 together with interest from August 1, 1965, is now due and owing; and further made oath that said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers and Sailors Civil Relief Act and amendments thereton and have not been discharged therefrom within a period of thirty (30) days.

AS WITNESS my hand and notarial seal.

PATRICIA T. TILGHMAN NOTARY PUBLIC WICOMICO COUNTY, MD.

Notary Public

My Commission Expires: July 1, 1967

FOR BOND SEE BOND BOOK ITP No. 9, FOLIO 62.

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

| | | |
|---|---|---|
| Herman E. Perdue and<br>Morton J. Owrutsky<br>Substitute Trustees | : | No. 8166 Chancery |
| | : | In the Circuit Court |
| Plaintiffs | : | For Somerset County |
| -vs- | : | State of Maryland |
| Henry E. Williams and<br>Beatrice M. Williams, his<br>wife, | : | |
| Defendants, | : | |

**********

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 14th day of July, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Morton J. Owrutsky, the purchaser of the real estate described in the above proceedings, and he did make oath in due form of law:

(1) That in making said purchase he was acting as agent for Mid-State Homes, Inc., a body corporate of the State of Florida.

(2) That there are no other parties than Mid-State Homes, Inc. interested in the purchase of said real estate as principals.

(3) That he as agent for Mid-State Homes, Inc. did not directly or indirectly discourage anyone from bidding for said property.

AS WITNESS my hand and Notarial Seal the day and year first above written.

Notary Public

CATHERINE T. TRUITT
NOTARY PUBLIC
WICOMICO COUNTY, MD.

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

| | | |
|---|---|---|
| Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees | : | No. 8166 Chancery |
| | : | In the Circuit Court |
| Plaintiffs, | : | For Somerset County |
| -vs- | : | State of Maryland |
| Henry E. Williams and Beatrice M. Williams, his wife, | : | |
| Defendants, | : | |

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated February 13, 1964 from Henry E. Williams and Beatrice M. Williams, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 220, Folio 521; respectfully shows:

That after default had been made in the terms, covenants, and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald, a newspaper published in Somerset County, Maryland, prior to Tuesday, July 13, 1965, and after given bond with the securities approved by the Clerk of this Court, said Trustees did, on Tuesday, July 13, 1965, at 2:00 o'clock P.M., attend at the front door of the Court House at Somerset County, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, free and clear of all liens and encumbrances, all the right, title, and interest of the said Henry E. Williams and Beatrice M. Williams, his wife, said property being more particularly described as follows:

ALL that piece, parcel or lot of land situate, lying, and being in Westover Election District, in Somerset County, State of Maryland, and more particularly described as follows: BEGINNING for the same at a point located along the Southerly side of said Westover to Fairmount Road to a point located at the Northeasterly corner of the land owned by James

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

Ring, said point of beginning being the Northwesterly corner of the land hereby conveyed; thence in a Southerly direction by and with the Easterly line of the James Ring property, a distance of 140 feet; thence in an Easterly direction in a line parallel to the Southerly line of said County Road and at a uniform distance of 140 feet therefrom, a distance of 75 feet to the property owned by Herbert E. Armwood and wife; thence in a Northerly direction by and with said Armwood property in a line parallel with the first course hereof and at a uniform distance of 75 feet therefrom, a distance of 140 feet to the Southerly line of the aforesaid County Road; thence by and with the Southerly line of said County Road, in a Westerly direction, a distance of 75 feet to the place of beginning and being the same land conveyed unto Henry E. Williams, single, by Edward M. Collins, widower and Edward M. Collins, Jr., single, by deed dated January 31, 1962, and recorded among the Land Records of Somerset County, State of Maryland , in Liber 207, Folio 493.

AND your Trustees sold the aforedescribed property to Mid-State Homes, Inc., a body corporate of the State of Florida, at and for the sum of $6,300.00, it, at that sum, being the highest bidder therefor, and the said purchaser has complied with the terms of sale.

Respectfully submitted,

Herman E. Perdue, Substitute Trustee

Morton J. Owrutsky, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 14th day of July, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees named in the aforegoing Report of Sale, 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 to the best of their 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.

NOTARY PUBLIC WICOMICO COUNTY, MD.

Notary Public

LIBER 041 PAGE 227

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Marland, in Equity, on this 2nd day of August, A.D., 1965, that the sale of the property mentioned in these proceedings made and reported by Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, under the power of sale contained in the Deed of Trust from Henry E. Williams and Beatrice M. Williams, his wife, and more specifically referred to in the Report of Sale filed in these proceedings, be Ratified and Confirmed, unless cause to the contrary be shown on or before the 7th day of Sept., 1965; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 2nd day of Sept., 1965.

The Report states the amount of sale to be $6,300.00.

CLERK

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this _____ day of _____, 1965, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally Ratified and Confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this said cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commissions.

JUDGE

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

LIBER 041 PAGE 229

PRINCESS ANNE, MD. August 3 1965

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted: June 17, 24, July 8, 1965

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

PERDUE AND OWRUTSKY
Attorneys at Law
132 East Main St.
Salisbury, Maryland

# TRUSTEES' SALE

of valuable

## HOME AND LOT

at

WESTOVER, MARYLAND

known as the Henry J. Williams property.

By virtue of the power of sale and authority contained in a deed of trust executed by Henry E. Williams and Beatrice M. Williams, his wife, dated February 13, 1964 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 220, Folio 521, default having occurred thereunder, the undersigned Substitute Trustees will sell at Public Auction

AT THE FRONT DOOR OF THE COURT HOUSE AT PRINCESS ANNE, MD., ON

## JULY 13, 1965

AT OR ABOUT 2:00 o'clock P.M., the following land:

ALL THAT PIECE, parcel or lot of land situate, lying, and being in Westover Election District, in Somerset County, State of Maryland, and more particularly described as follows: BEGINNING for the same at a point located along the Southerly side of said Westover to Fairmount road to a point located at the Northeasterly corner of the land owned by James Ring, said point of beginning being the Northwesterly corner of the land hereby conveyed; thence in a Southerly direction by and with the Easterly line of the James Ring property, a distance of 140 feet; thence in an Easterly direction in a line parallel to the Southerly line of said County Road and at a uniform distance of 140 feet therefrom, a distance of 75 feet to the property owned by Herbert E. Armwood and wife; thence in a Northerly direction by and with said Armwood property in a line parallel with the first course hereof and at a

| | | |
|---|---|---|
| Herman E. Perdue and<br>Morton J. Owrutsky,<br>Substitute Trustees | *<br>* | No. 8166 Chancery<br>In the Circuit Court |
| Plaintiffs, | * | For Somerset County |
| vs. | * | State of Maryland |
| Henry E. Williams and<br>Beatrice M. Williams, his wife | *<br>* | |
| Defendants | | |

********

PETITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, in the above entitled cause, petitions this Honorable Court as follows:

1. That heretofore, on July 13, 1965, your Petitioner, Morton J. Owrutsky, appeared at the front door of the Court House in Somerset County, State of Maryland, for the purpose of selling the property described in said Deed of Trust.

2. That at said date, time and place no one appeared or attended the sale, other than your Petitioner and after appropriate announcement, your Petitioner submitted a bid of the present owner of the indebtedness, Mid-State Homes, Inc., in the amount of Forty Three Hundred Dollars ($4300.00).

3. That your Petitioners filed a Report with this Court inadvertently showing the sale price as Sixty Three Hundred Dollars ($6300.00) and an Order of Nisi has been published showing sale thereof in said amount.

WHEREFORE, Your Petitioners pray leave to file an amended Report of Sale showing the correct sale price of Forty Three Hundred Dollars ($4300.00) instead of Sixty Three Hundred Dollars ($6300.00).

Herman E. Perdue, Substitute Trustee

Morton J. Owrutsky, Substitute Trustee

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

ORDER

The above Petition having been read and considered, it is thereupon this 8 day of Sept., in the year 1965, by the Circuit Court for Somerset County, State of Maryland, in Equity, ORDERED that Herman E. Perdue and Morton J. Owrutsky be and they are hereby granted leave to amend the Report of Sale as requested in the aforegoing Petition.

E. McMaster Duer.
JUDGE

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

| | | |
|---|---|---|
| Herman E. Perdue and | * | No. 8166 Chancery |
| Morton J. Owrutsky, | | |
| Substitute Trustees | * | In the Circuit Court |
| Plaintiffs | * | For Somerset County |
| vs. | * | State of Maryland |
| Henry E. Williams and | * | |
| Beatrice M. Williams, his | | |
| wife | * | |
| Defendants | * | |

*********

AMENDED REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated February 13, 1964 from Henry E. Williams and Beatrice M. Williams, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 220, Folio 521; respectfully shows:

That after default had been made in the terms, covenants, and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald, a newspaper published in Somerset County, Maryland, prior to Tuesday, July 13, 1965, and after given bond with the securities approved by the Clerk of this Court, said Trustees did, on Tuesday, July 13, 1965, at 2:00 o'clock P. M., attend at the front door of the Court House at Somerset County, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, free and clear of all liens and encumbrances, all the right, title, and interest of the said Henry E. Williams and Beatrice M. Williams, his wife, said property being more particularly described as follows:

ALL that piece or parcel or lot of land situate, lying, and being in Westover Election District, in Somerset County, State of Maryland, and more particularly described as follows: BEGINNING for the same at a point located along the Southerly side of said Westover to Fiarmount Road to a point located at the Northeasterly corner of the land owned

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

by James Ring, said point of beginning being the Northwesterly corner of the land hereby conveyed; thence in a Southerly direction by and with the Easterly line of the James Ring property, a distance of 140 feet; thence in an Easterly direction in a line parallel to the Southerly line of said County Road and at a uniform distance of 140 feet therefrom, a distance of 75 feet to the property owned by Herbert E. Armwood and wife; thence in a Northerly direction by and with said Armwood property in a line parallel with the first course hereof and at a uniform distance of 75 feet therefrom, a distance of 140 feet to the Southerly line of the aforesaid County Road; thence by and with the Southerly line of said County Road, in a Westerly direction, a distance of 75 feet to the place of beginning and being the same land conveyed unto Henry E. Williams, single, by Edward M. Collins, widower and Edward M. Collins, Jr., single, by deed dated January 31, 1962, and recorded among the Land Records of Somerset County, State of Maryland, in Liber 207, Folio 493.

AND your Trustees sold the aforedescribed property to Mid-State Homes, Inc., a body corporate of the State of Florida, at and for the sum of $4,300.00, it, at that sum, being the highest bidder therefor, and the said purchaser has complied with the terms of sale.

Respectfully submitted,

Herman E. Perdue, Substitute Trustee

Morton J. Owrutsky, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 27th day of August, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally apppeared Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees named in the aforegoing Amended Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Amended Report of Sale are true and correct to the best of their 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.

Charlotte M. Richardson
NOTARY PUBLIC

CHARLOTTE M. RICHARDSON NOTARY PUBLIC WICOMICO CO., MD.

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

LIBER 041 PAGE 034

AMENDED ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 8th day of September, A.D., 1965, that the sale of the property mentioned in these preceedings made and reported by Herman E. Perdue and Morton J. Cwrutsky, Substitute Trustees, under the power of sale contained in the Deed of Trust from Henry E. Williams and Beatrict M. Williams, his wife, and more specifically referred to in the Amended Report of Sale filed in these proceedings, be Ratified and Confirmed, unless cause to the contrary be shown on or before the 11th day of October, 1965; provided a copy of this Amended Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 4th day of October, 1965.

The Amended Report states the amount of sale to be $4,300.00

A. Theodore Phoebus
CLERK

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 18th day of October, 1965, that the Sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally Ratified and Confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Amended Order Nisi passed in this said cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commissions.

E. McMaster Duer
JUDGE

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

FILED

Oct 15 1 25 PM '65

LIBER 641 PAGE 235

PRINCESS ANNE, MD. October 15 1965

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Sept 14, 23, 30, 1965

Clarence L. Byrd

Business Manager MARYLANDER and HERALD

plw

AMENDED

# ORDER NISI

No. 8166 Chancery
In the Circuit Court
For Somerset County
State of Maryland

Herman E. Perdue and
Morton J. Owrutsky,
Substitute Trustees
Plaintiffs

vs

Henry E. Williams and
Beatrice M. Williams,
his wife
Defendants

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 8th day of September, A. D., 1965, that the sale of the property mentioned in these proceedings made and reported by Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, under the power of sale contained in the Deed of Trust from Henry E. Williams and Beatrice M. Williams, his wife, and more specifically referred to in the Amended Report of Sale filed in these proceedings, be Ratified and Confirmed, unless cause to the contrary be shown on or before the 11th day of October, 1965; provided a copy of this Amended Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 4th day of October, 1965.

The Amended Report states the amount of sale to be $4,-300.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
True Copy,
Test: I. Theodore Phoebus, Clk.

20-3tc

| | | |
|---|---|---|
| Herman E. Perdue and<br>Morton J. Owrutsky,<br>Substitute Trustees, | * | No. 8166 Chancery<br><br>In the Circuit Court |
| Plaintiffs | * | For Somerset County, |
| vs | * | State of Maryland |
| Henry E. Williams and<br>Beatrice M. Williams, his wife | *<br>* | |
| Defendants | | |

**********

AUDITOR'S REPORT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Auditor, to whom the porceedings were referred in the above entitled cause to state an account submits the following Auditor's Report and hereby certifies that notices required by Rule 595 (g) of Maryland Rules of Procedure have been mailed.

Larry G. Phillips
AUDITOR

HERMAN E. PERDUE and MORTON J. OWRUTSKY, Substitute Trustees, for the sale and distribution of the moneys arising therefrom, reports the following collections and disbursements.

RECEIPTS

| | |
|---|---|
| Amount of sale as per report | $4,300.00 |

DISBURSEMENTS
DISTRIBUTION TO COSTS AND EXPENSES

| | | |
|---|---|---|
| I. Thoedore Phoebus, Clerk<br>Court costs | | 38.00 |
| Marylander and Herald<br>Advertising<br>Order Nisi | 70.00<br>10.00 | 80.00 |
| Elmer F. Ruark Agency<br>Trustee's bond | | 32.00 |
| Notary Public fees | | 2.15 |

| | | | |
|---|---|---|---|
| Herman E. Perdue & Morton J. Owrutsky, Substitute Trustees | | | |
| Reimbursement for photocopies | 2.50 | | |
| Fee in lieu of commission | 200.00 | | |
| Mileage | 2.00 | 204.50 | |
| Carlos Bozman, Treasurer | | | |
| 1964 State & County taxes | 42.48 | | |
| 1965 State & County taxes | 40.66 | 83.14 | |
| Harry C. Dashiell | | | |
| Auditor's fee | | 27.00 | |
| Jim Walter Corporation | | DIVIDEND | |
| Amount of debt - $4,019.68 | | 3833.21 | $4,300.00 |

ORDER NISI

ORDERED by the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, this 20th day of October, 1965, that the aforesaid Auditor's Report be ratified and confirmed, unless cause to the contrary be shown by exception filed on or before the 23rd day of November, 1965.

J. Theodore Shockley
CLERK

FINAL ORDER OF RATIFICATION

ORDERED, this 24th day of November, 1965, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Auditor's Report be and the same is hereby finally ratified and confirmed no cause to the contrary having been shown, and that said Substitute Trustees apply the proceeds accordingly.

J. Theodore Shockley
CLERK



Eld
JAN 13 1967

LIBER 041 PAGE 238

| | | |
|---|---|---|
| Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, | : | No. 8177 |
| Plaintiffs, | : | In the Circuit Court |
| | : | For Somerset County |
| -vs- | : | State of Maryland |
| Roland Whittington, single | : | |
| Defendant, | : | |

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. I. Theodore Phoebus, Clerk of said Court:

Mr. Clerk:

Please docket the above entitled case and file herewith the affidavit of indebtedness, substitute Trustees form and Deed of Trust dated August 18, 1961 from Roland Whittington (Single) and recorded among the Land Records of Somerset County, State of Maryland, in Liber G.J.B. No. 206, Folio 128, Herman E. Perdue and Morton J. Owrutsky having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

Herman E. Perdue and Morton J. Owrutsky

132 East Main Street
Salisbury, Maryland
Telephone: PI 2-6141

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 61.

FOR DEED OF TRUST SEE LIBER G.J.B. NO. 206, FOLIO 128.

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

LIBER 041 PAGE 238

Mr. Herman E. Perdue
Attorney at Law
Odds FEllows Bldg.
East Main Street S.
Salisbury, Maryland

LIBER [illegible]

June 9, 1965

FORECLOSURE SUIT INFORMATION

JIM WALTER CORPORATION

DEFENDANT'S NAME: R. Whittington Account #100244

DEFENDANT'S ADDRESS: 2828 Riggs Ave.
Baltimore, Marylnad

PAYMENTS DELINQUENT: Five payments at $47.60:

| | | |
|---|---|---|
| February 15 | $ 47.60 | |
| March 15 | 47.60 | |
| April 15 | 47.60 | |
| May 15 | 47.60 | |
| June 15 | 47.60 | |
| | $238.00 | |
| Ins not posted to a/c | 45.74 | 8/64-8/66 |
| | $283.74 | |

PAYMENTS MADE: $1,856.40

TOTAL BALANCE DUE: $2,142.00 plus ins. $45.74, total $2,187.74

AMOUNT OF ADVANCE COST: $50.00

VERY TRULY YOURS,

MID STATE HOMES, INC.

O. C. KING,
VICE PRESIDENT

LIBER 041 PAGE 239

# APPOINTMENT OF SUBSTITUTE TRUSTEE

WHEREAS, the undersigned Corporation is the owner and holder of the indebtedness secured by a Deed of Trust from Roland Whittington (single) and _____ to Joseph H. Kelly and J. L. Moore _____, Trustees for ~~Wise Homes of Subsidiary Inc. and/or Wise~~ JIM WALTER CORPORATION, of Tampa, Florida ~~Homes Inc. and/or Wise Homes of Maryland Inc.~~, dated August 18th, 1961 and recorded among the Land Records of Somerset County, State of Maryland, in Liber J.W.T.S. No. 206, Folio 128; and

WHEREAS, Item Nineteen (19) of said Deed of Trust provides for the removal and substitution of a Trustee or Trustees, at the option of the holder of the indebtedness secured by this Deed of Trust.

NOW, THEREFORE, pursuant to Item Nineteen (19) as set forth in said Deed of Trust and Rule W 77, Section D of the Maryland Rules of Procedure, 1962 edition as amended, Herman E. Perdue of Wicomico County, State of Maryland and Morton J. Owrutsky of Wicomico County, State of Maryland, are hereby appointed substitute Trustee (~~s~~), to act in all respects as Trustee (~~s~~), under the terms of said Deed of Trust in the place and stead of Joseph H. Kelly and J. L. Moore, the predecessor Trustee (s).

IN WITNESS WHEREOF, the undersigned Corporation has caused this instrument to be signed in its corporate name by its ~~Vice~~ President and its corporate seal to be hereunto affixed, attested by its Secretary, this 9th day of June, 1965.

ATTEST:

JIM WALTER CORPORATION

Ass't Secretary

BY _____ ~~Vice~~ President

(Corporate Seal)

STATE OF FLORIDA, COUNTY OF HILLSBOROUGH,

On this 9th day of June, 1965, before me, Jenny D. Terwilliger the undersigned officer, personally appeared J. O. Alston who acknowledged to be the Vice-President of JIM WALTER CORPORATION, a Corporation, and that he, as such Vice-President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by himself as Vice-President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Jenny D. Terwilliger

Notary Public.

Notary Public, State of Florida at Large
My Commission Expires Sept. 2, 1968
Bonded by American Surety Co. of N.Y.

My Commission Expires:

| | | |
|---|---|---|
| Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees | : | No. 8177 Chancery |
| | : | In the Circuit Court |
| Plaintiffs, | : | For Somerset County |
| -vs- | : | State of Maryland |
| Roland Whittington (single) | : | |
| Defendant, | : | |

**********

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 23 day of July, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, who made oath in due form of law that they have been appointed Substitute Trustees for Jim Walter Corporation, in accordance with the provisions of a Deed of Trust from Roland Whittington (Single), dated August 18, 1961, and recorded among the Land Records of Somerset County, State of Maryland, in Liber G.J.B. No. 206, Folio 128; and on behalf of said Mortgagee, being authorized so to do, made oath in due form of law that the sum of $1,973.83, together with interest from August 1, 1965, is now due and owing; and further made oath that said Defendant is not a member of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers and Sailors Civil Relief Act and amendments thereto and has not been discharged therefrom within a period of thirty (30) days.

AS WITNESS my hand and Notarial Seal.

Patricia T. Truitt
Notary Public

PATRICIA T. TRUITT
NOTARY PUBLIC
WICOMICO COUNTY, MD.

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

| | | |
|---|---|---|
| Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees | : | No. 8177 Chancery |
| | : | In the Circuit Court |
| Plaintiffs, | : | For Somerset County |
| -vs- | : | State of Maryland |
| Roland Whittington (single) | : | |
| Defendant, | : | |

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated August 18, 1961 from Roland Whittington (single), and recorded among the Land Records of Somerset County, State of Maryland, in Liber G.J.B. No. 206, Folio 128, respectfully shows:

That after default had been made in the terms, covenants, and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald a newspaper published in Somerset County, Maryland, prior to Tuesday, July 27, 1965, and after having given bond with the securities approved by the Clerk of this Court, said Trustees did, on Tuesday, July 27, 1965, at 2:00 o'clock P.M., attend at the front door of the Court House at Somerset County, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public acution, free and clear of all liens and encumbrances, all the right, title, and interest of the said Roland Whittington, said property being more particularly described as follows:

ALL that lot or parcel of land situate, lying, and being in Brinkley's Election District, in Somerset County, State of Maryland, and more particularly described as follows: BEGINNING on the West side of said State Road (413) at a store set up; thence in a Westerly direction in a straight line set up on the pond or excavation made by the engineers in building the new said State Road; thence in a Southerly direction in a line

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

parallel with said State Road forty feet to another stone; thence in an Easterly direction in a line parallel to the first mentioned line to another stone set up on the said State Road; thence in an Northerly direction by and with said State Road forty feet to the place of beginning; and being in all respects the same property conveyed unto the said Roland Whittington (single), by Thomas E. Logan and Rosie Logan, his wife, by deed dated December 22, 1950 and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 115, Folio 460.

AND your Trustees sold the aforedescribed property to Mid-State Homes, Inc., a body corporate of the State of Florida, at and for the sum of $2,275.00, it, at that sum, being the highest bidder therefor, and the said purchaser has complied with the terms of sale.

Respectfully submitted,

Herman E. Perdue, Substitute Trustee

Morton J. Owrutsky, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 28th day of July, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees named in the aforegoing Report of Sale, 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 to the best of their 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.

PATRICIA T. TROUTT
NOTARY PUBLIC
WICOMICO COUNTY, MD.

Notary Public



LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 29th day of July, A.D., 1965, that the sale of the property mentioned in these proceedings made and reported by Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, under the power of sale contained in the Deed of Trust from Roland Whittington, (single), and more specifically referred to in the Report of Sale filed in these proceedings, be Ratified and Confirmed, unless cause to the contrary be shown on or before the 1st day of September, 1965; pro vided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 24th day of August, 1965.

The Report states the amount of sale to be $2,275.00.

J. Theodore Shockley
CLERK

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 5th day of July, 1965, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally Ratified and Confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this said cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commissions.

E. Norman Duer
JUDGE

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

LIBER 641 PAGE 240

| | | |
|---|---|---|
| Herman E. Perdue and<br>Morton J. Owrutsky,<br>Substitute Trustees | : | No. 8177 Chancery |
| | : | In the Circuit Court |
| Plaintiffs, | : | For Somerset County |
| -vs- | : | State of Maryland |
| Roland Whittington (single) | : | |
| Defendant, | : | |

**********

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 28 day of July, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Herman E. Perdue, the purchaser of the real estate described in the above proceedings, and he did make oath in due form of law:

(1) That in making said purchase he was acting as agent for Mid-State Homes, Inc., a body corporate of the State of Florida.

(2) That there are no other parties than Mid-State Homes, Inc. interested in the purchase of said real estate as principals.

(3) That he as agent for Mid-State Homes, Inc. did not directly or indirectly discourage anyone from bidding for said property.

AS WITNESS my hand and Notarial Seal the day and year first above written.

PATRICIA T. TRUITT
NOTARY PUBLIC
WICOMICO COUNTY, MD.

Patricia T. Truitt
Notary Public

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

LIBER 041 PAGE 247

PRINCESS ANNE, MD., July 5, 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted August 5, 12, 19, 1965

Clarence L. Bess
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8177 Chancery
In the Circuit Court
For Somerset County
State of Maryland

Herman E. Perdue and
Morton J. Owrutsky,
Substitute Trustees
Plaintiffs,

vs

Roland Whittington (single)
Defendant,

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 29th day of July, A.D., 1965, that the sale of the property mentioned in these proceedings made and reported by Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, under the power of sale contained in the Deed of Trust from Roland Whittington, (single), and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and Confirmed, unless cause to the contrary be shown on or before the 1st day of September, 1965; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) sucessive weeks before the 24th day of August, 1965.

Th Report states the amount of sale to be $2,275.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Md.

True Copy.
Test: I. Theodore Phoebus, Clk.

14-Sto

| | | |
|---|---|---|
| Herman E. Perdue and<br>Morton J. Owrutsky,<br>Substitute Trustees<br>Plaintiffs, | :<br>:<br>:<br>: | No. 8177 Chancery<br>In the Circuit Court<br>for Somerset County<br>State of Maryland |
| vs | | |
| Roland Whittington (single)<br>Defendant, | :<br>: | |

EXCEPTIONS TO RATIFICATION OF SALE

To the Honorable the Judge of said Court:

The petition of Marion L. Burton and Eva L. Burton, by Jones & Jones their Attorneys, respectfully represent:

1. That by deed dated February 26, 1965 and duly recorded among the Land Records of Somerset County in Liber T.T.P. No. 226, folio 176 C. J. Langenfelter and Son, Inc., a body corporate of the State of Maryland, conveyed unto the said Marion L. Burton and Eva L. Burton, his wife, certain lands in Brinkleys Election District, Somerset County, Maryland, particularly described in said deed.

2. That the said lands so conveyed, and of which the said Marion L. Burton and Eva L. Burton are still seized and possessed, adjoin the land subject to the within foreclosure proceeding.

3. That the improvements, consisting of a dwelling house, alleged in these proceedings to be situate upon the land described in these proceedings is, in fact, situated substantially and largely upon the land of the said Marion L. Burton and Eva L. Burton referred to above.

4. That in view of these circumstances, adequate proof of which will be provided at a hearing on this matter, the sale reported to this court by Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, should not be ratified and confirmed unless and until the respective rights of the said Marion L. Burton and Eva L. Burton, and the parties to this proceeding have been determined.

Wherefore the said Marion L. Burton and Eva L. Burton, by Jones & Jones their Attorneys, except to the ratification of sale reported in this proceeding and respectfully request that this matter be set down for a hearing before this court at a time convenient to the parties.

JONES & JONES

By _____
Attorneys for Petitioners
Princess Anne, Md.
Telephone No. 651-2747

State of Maryland, Somerset County, to wit:

Before me Eunice Pilchard, Notary Public of the State of Maryland in and for Somerset County aforesaid, personally appeared Marion L. Burton and Eva L. Burton, his wife, of Somerset County and made oath in due form of law that the matters set forth in the aforegoing Exceptions To Ratification Of Sale are true and correct to the best of their knowledge and belief.

As witness my hand and Notarial Seal this 26th day of August, 1965.

Eunice Pilchard
Notary Public

I hereby certify that a copy of the aforegoing Exceptions To Ratification Of Sale and Affidavit was mailed to Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, at the law office of Herman E. Perdue, 132 East Main Street, Salisbury, Maryland, this 26th day of August, 1965, by first-class mail, postage prepaid.

JONES & JONES

By _____
Alexander G. Jones

| | | |
|---|---|---|
| Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees Plaintiffs, | : | No. 8177 Chancery |
| vs | : | In the Circuit Court for Somerset County, Maryland |
| Roland Whittington (single) Defendant, | : | |

MOTION TO WITHDRAW EXCEPTIONS TO RATIFICATION OF SALE

Marion L. Burton and Eva L. Burton, his wife, by Jones & Jones, their attorneys, hereby file their motion to withdraw their "Exceptions to Ratification of Sale" previously filed in this proceeding upon payment of costs by the Trustees.

JONES & JONES

By _____
Attorneys for Petitioners
Princess Anne, Maryland
Telephone: 651-2747

ORDER OF COURT

Upon the aforegoing motion the "Exceptions to Ratification of Sale" previously filed in this proceeding by Marion L. Burton and Eva L. Burton are hereby withdrawn upon payment of costs by the Trustees.

E. McMaster Duer
Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the aforegoing Petition and Order was mailed to Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees, at the law office of Herman E. Perdue, 132 East Main Street, Salisbury, Maryland, this 28th day of June, 1966, by first-class mail, postage prepaid.

_____
Alexander G. Jones

| | | |
|---|---|---|
| Herman E. Perdue and Morton J. Owrutsky, Substitute Trustees | * | No. 8177 Chancery |
| Plaintiffs | * | In the Circuit Court |
| vs | * | For Somerset County |
| Roland Whittington (single) | * | State of Maryland |
| Defendant | * | |

* * * * * * * * * * *

AUDITOR'S REPORT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Auditor, to whom the proceedings were referred in the above entitled cause to state an account submits the following Auditor's Report and hereby certifys that notices required by Rule 595 (g) of Maryland Rules of Procedure have been mailed.

Harry C. Dashiell
AUDITOR

HERMAN E. PERDUE and MORTON J. OWRUTSKY, Substitute Trustees, for the sale and distribution of the moneys arising therefrom, reports the following collections and disbursements.

RECEIPTS

| | |
|---|---|
| Amount of sale as per report | $2,275.00 |

DISBURSEMENTS
DISTRIBUTION TO COSTS AND EXPENSES

| | | |
|---|---|---|
| I. Thoedore Phoebus, Clerk | | |
| Court costs | | 38.00 |
| Marylander and Herald | | |
| Advertising | 48.75 | |
| Order Nisi | 10.00 | 58.75 |
| Elmer F. Ruark Agency | | |
| Trustee's bond | | 10.00 |
| Notary Public fees | | 2.15 |
| Herman E. Perdue & Morton J. Owrutsky, Substitute Trustees | | |
| Reimbursement for photocopies | 2.00 | |
| Fee in lieu of commission | 200.00 | 202.00 |

| | | | |
|---|---|---|---|
| Carlos Bozman, Treasurer | | | |
| 1964 State & County taxes | 39.95 | | |
| 1965 State & County taxes | 35.04 | 74.99 | |
| Harry C. Dashiell | | | |
| Auditor's fee | | 27.00 | |
| Jim Walter Corporation | | DIVIDEND | |
| Amount of debt - $1973.83 | | 1862.11 | $2,275.00 |

ORDER NISI

ORDERED by the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, this 11th day of July, 1966, that the aforesaid Auditor's Report be ratified and confirmed, unless cause to the contrary be shown by exception filed on or before the 12th day of August, 1966.

S. Theodore Shockley
CLERK

FINAL ORDER OF RATIFICATION

ORDERED, this 15th day of August, 1966, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Auditor's Report be and the same is hereby finally ratified and confirmed no cause to the contrary having been shown, and that said Substitute Trustees apply the proceeds accordingly.

S. Theodore Shockley
CLERK

Exd
JAN 13 1967

Thomas S. Simpkins,
Sarah M. Peyton,
H. DeWayne Whittington,
H. Parker Tull,
Percy White,
B. W. Ferguson,
Robert L. Chamberlin, Jr.,
constituting the Somerset County
Welfare Board
Princess Anne, Maryland

Plaintiffs

vs.

Viola French, Rumbley, Maryland
Mary Brown, Rumbley, Maryland
Alice Dize, Rumbley, Maryland
Otis French, Rumbley, Maryland
Louise Taylor, Rumbley, Maryland
Lawson French, Upper Fairmount, Md.
Edna Jones, Fairmount, Maryland
Dorothy Hall, Fairmount, Maryland

Defendants

In Equity No. 5193

In the Circuit Court for

Somerset County, Maryland

BILL OF COMPLAINT

Thomas S. Simpkins, Sarah M. Peyton, H. DeWayne Whittington, H. Parker Tull, Percy White, B. W. Ferguson, Robert L. Chamberlin, Jr., constituting the Somerset County Welfare Board, by their attorney, Lionel Bennett, allege:

1. That the plaintiffs sue as well for themselves as for all of the creditors of George B. French, late of Somerset County, Maryland, who will come in and contribute to the expenses of this suit.

2. That plaintiffs are organized under the laws of the State of Maryland for the purpose of furnishing help and money to the needy aged in Somerset County and as such did furnish money to George B. French from November 16, 1948 to November 30, 1964, amounting to $7,703.17;

3. That the said George B. French, being so indebted as aforesaid and also unto divers other persons, departed this life on November 7, 1964, intestate, seized and possessed of all that

lot of land in Fairmount Election District, Somerset County, Maryland, described in a certain deed dated October 20, 1908, recorded in Liber SFD 50 page 144 from Samuel L. French and Mary L. French, his wife, to the said George B. French as follows: the said located on what is known as Jericho and joins the land of Samuel L. French on the northwest eighty-five yards, joins Mine Creek on the southwest fifty yards, joins Goose Creek on the northeast fifty yards, joins the land of Mary L. French on the southeast eighty-five yards.

4. That no letters of administration have been issued on the estate of the late George B. French; that the said George B. French was not possessed of any personal property at the time of his death; that the said George B. French was survived by the following heirs at law:

Viola French, adult niece; Mary Brown, adult niece; Alice Dize, adult niece; Otis French, adult nephew; Louise Taylor, adult niece; Lawson French, adult nephew; Edna Jones, adult niece; Dorothy Hall, adult niece.

5. All sums paid by the plaintiffs to or for the benefit of the late George B. French are a claim for which plaintiffs are entitled to have the decedent's real estate sold to repay itself and to pay the claims of other creditors of said deceased and plaintiffs are unable to obtain adequate relief without aid of this Court.

Wherefore plaintiffs pray:

1. That the decedent's real estate described above, or so much thereof as may be necessary, may be decreed to be sold for the payment of plaintiffs' claim and claims of other creditors of said deceased.

2. That plaintiffs may have such other and further relief as their case may require.

Lionel Bennett

Lionel Bennett
County Attorney
Attorney for plaintiffs
940 Main Street
Crisfield, Maryland
Phone No. 968-1166

WRIT OF SUMMONS

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County to wit:

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon

Viola French
Rumbley, Maryland

to the Circuit Court for Somerset County at Princess Anne, Maryland, on the first Monday of September.....next, to answer an action at the suit of

Somerset County Welfare Board

and have you then and there this writ.

Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...3rdday of.....Aug....., 19..65.

TO THE PERSON(S) SUMMONED:

You are required to file your answer or other defense in the Clerk's Office on or before the...21sday of....September....., 19..65. Personal attendance in Court on the day named in the summons is not required. If you fail to assert a defense within the time named, the plaintiff may obtain judgment by default against you, which may be extended to final judgment upon proof of damages.

Plaintiff(s) Attorney(s)

Name Lionel Bennett

Address Crisfield, Maryland

Sheriff's Return
"Summoned and copy of Subpoena and Bill of Complaint left with Viola French, one of the Defendants, this 5th day of Aug., 1965".
Isaac H. Dorsey, Sheriff
Edwin L. Sterling, Deputy Sheriff

Clerk

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WRIT OF SUMMONS

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County to wit:

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon

Mary Brown
Rumbley, Maryland

to the Circuit Court for Somerset County at Princess Anne, Maryland, on the first Monday of .September.....next, to answer an action at the suit of

Somerset County Welfare Board

and have you then and there this writ.

Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the....3....day of.....August....., 19...65.

TO THE PERSON(S) SUMMONED:

You are required to file your answer or other defense in the Clerk's Office on or before the..21....day of.....September....., 19...65. Personal attendance in Court on the day named in the summons is not required. If you fail to assert a defense within the time named, the plaintiff may obtain judgment by default against you, which may be extended to final judgment upon proof of damages.

Plaintiff(s) Attorney(s)

Name .....Lionel Bennett.....

Address ...Crisfield, Maryland.....

Sheriff's Return
Summoned and copy of Subpoena and Bill of Complaint left with Mary Brown, one of the Defendants this 5th day of August, 1965".
Isaac H. Dorsey, Sheriff
Edwin L. Sterling, Deputy Sheriff

.....Clerk

WRIT OF SUMMONS

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County to wit:

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon

Alice Dize
Rumbley, Maryland

to the Circuit Court for Somerset County at Princess Anne, Maryland, on the first Monday of September.....next, to answer an action at the suit of

THE SOMERSET COUNTY WELFARE BOARD

and have you then and there this writ.

Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...3.....day of.....August....., 19..65.

TO THE PERSON(S) SUMMONED:

You are required to file your answer or other defense in the Clerk's Office on or before the.21.....day of.....September....., 19..65. Personal attendance in Court on the day named in the summons is not required. If you fail to assert a defense within the time named, the plaintiff may obtain judgment by default against you, which may be extended to final judgment upon proof of damages.

Plaintiff(s) Attorney(s)

Name .....Lionel Bennett.....

Address .....Crisfield, Maryland.....

Sheriff's Return
Summoned and copy of Subponea and Bill of Complaint left with Alice Dize, one of the Defendants this 5th day of August, 1965".
Isaac H. Dorsey, Sheriff
Edwin L. Sterling, Deputy Sheriff

.....Clerk

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WRIT OF SUMMONS

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County to wit:

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon

Otis French
Rumbley, Maryland

to the Circuit Court for Somerset County at Princess Anne, Maryland, on the first Monday of .September.....next, to answer an action at the suit of

THE SOMERSET COUNTY WELFARE BOARD

and have you then and there this writ.

Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the....3....day of....August....., 19.65..

TO THE PERSON(S) SUMMONED:

You are required to file your answer or other defense in the Clerk's Office on or before the..21....day of.....September....., 19...65. Personal attendance in Court on the day named in the summons is not required. If you fail to assert a defense within the time named, the plaintiff may obtain judgment by default against you, which may be extended to final judgment upon proof of damages.

Plaintiff(s) Attorney(s)

Name .....Lionel..Bennett.....

Address ....Crisfield,..Maryland.....

Sheriff's Return
Summoned and copy of Subpoena and Bill of Complaint left with Otis French, one of the Defendants, this 5th day of August, 1965".
Isaac H. Dorsey, Sheriff
Edwin L. Sterling, Deputy Sheriff

.....
Clerk

WRIT OF SUMMONS

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County to wit:

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon

DOROTHY HALL

FAIRMOUNT, MD.

to the Circuit Court for Somerset County at Princess Anne, Maryland, on the first Monday of .....SEPTEMBER.....next, to answer an action at the suit of

SOMERSET COUNTY WELFARE BOARD

and have you then and there this writ.

Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the.....3...day of.....August...., 19..65 .

TO THE PERSON(S) SUMMONED:

You are required to file your answer or other defense in the Clerk's Office on or before the...21st day of.....September....., 19....65 Personal attendance in Court on the day named in the summons is not required. If you fail to assert a defense within the time named, the plaintiff may obtain judgment by default against you, which may be extended to final judgment upon proof of damages.

Plaintiff(s) Attorney(s)

Name .....Lionel..Bennett.....

Address .....Crisfield,..Maryland.....

Sheriff's Return and Bill of Complaint
Summoned and copy of Subpoena left with Dorothy Hall, one of the Defendants, this 5th day of August, 1965
Isaac H. Dorsey, Sheriff
Edwin L. Sterling, Deputy Sheriff

.....S. Shelton Clark.....
Clerk

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LIBER 041 PAGE 260

WRIT OF SUMMONS

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County to wit:

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon

Louise Taylor
Rumbley, Maryland

to the Circuit Court for Somerset County at Princess Anne, Maryland, on the first Monday of ....September....next, to answer an action at the suit of

SOMERSET COUNTY WELFARE BOARD

and have you then and there this writ.

Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..3.....day of.....August...., 19....65

TO THE PERSON(S) SUMMONED:

You are required to file your answer or other defense in the Clerk's Office on or before the...21st day of.....September....., 19....65 Personal attendance in Court on the day named in the summons is not required. If you fail to assert a defense within the time named, the plaintiff may obtain judgment by default against you, which may be extended to final judgment upon proof of damages.

Plaintiff(s) Attorney(s)

Name .....Lionel Pennett.....

Address ...Crisfield, Maryland.....

Sheriff's Return
"Non Est 8/11/65".
Isaac H. Dorsey, Sheriff
Edwin L. Sterling, Deputy Sheriff

.....
Clerk

WRIT OF SUMMONS

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County to wit:

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon

Lawson French

Upper Fairmount, Maryland

to the Circuit Court for Somerset County at Princess Anne, Maryland, on the first Monday of ...September.....next, to answer an action at the suit of

SOMERSET COUNTY WELFARE BOARD

and have you then and there this writ.

Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...3.....day of.....August....., 19..65.

TO THE PERSON(S) SUMMONED:

You are required to file your answer or other defense in the Clerk's Office on or before the...21...day of..September....., 19..65. Personal attendance in Court on the day named in the summons is not required. If you fail to assert a defense within the time named, the plaintiff may obtain judgment by default against you, which may be extended to final judgment upon proof of damages.

Plaintiff(s) Attorney(s)

Name .....Lionel..Bennett.....

Address .....Crisfield,..Maryland.....

Sheriff's Return
Non Est as to Lawson French, one of the
Defendants, this 5th day of August, 1965.
Isaa c H. Dorsey, Sheriff
Edwin L. Sterling, Deputy

.....
Clerk

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LIBER 041 PAGE 262

**WRIT OF SUMMONS**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County to wit:

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon

Edna Jones

Fairmount, Maryland

to the Circuit Court for Somerset County at Princess Anne, Maryland, on the first Monday of September.....next, to answer an action at the suit of

SOMERSET COUNTY WELFARE BOARD

and have you then and there this writ.

Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..3.....day of.....August....., 1965..

TO THE PERSON(S) SUMMONED:

You are required to file your answer or other defense in the Clerk's Office on or before the....21...day of....September....., 19...65. Personal attendance in Court on the day named in the summons is not required. If you fail to assert a defense within the time named, the plaintiff may obtain judgment by default against you, which may be extended to final judgment upon proof of damages.

Plaintiff(s) Attorney(s)

Name .....Lionel Bennett.....

Address .....Crisfield, Md.....

.....Clerk

Sheriff's Return
"Summoned and copy of Subpoena and Bill of Complaint left with Edna Jones, one of the Defendants, this 9th day of Aug., 1965".
Isaac H. Dorsey, Sheriff

Edwin L. Sterling, Deputy

WRIT OF SUBPOENA:

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Lawson French
Upper Fairmount, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of September next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Somerset County Welfare Board
versus
Viola French, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 9th day of August, 1965.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 21st day of September, 1965. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Lionel Bennett
Name

Crisfield, Maryland
Address

Theodore Phoebus
Clerk

Sheriff's Return
"Non Est 8/11/65".
Isaac H. Dorsey, Sheriff
Edwin L. Sterling, Deputy

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO **Louise Taylor**

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of September next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Somerset County Welfare Board versus Viola French, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 13th day of August, 19 65.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 21st day of September, 19 65. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Lionel Bennett
Name

Crisfield, Maryland
Address

Clerk

Sheriff's Return
Summoned Louise Taylor by leaving with her a copy of the writ, together with copy of Bill of Complaint attached on this 23rd day of August, 1965. so ans."
W. Kenneth Tyler
Sheriff

Thomas S. Simpkins, et al., Plaintiffs

vs

Viola French, et al., Defendants

In Equity No. 8193

In the Circuit Court for Somerset County, Maryland

ORDER OF PUBLICATION

This is to give notice that on August 3, 1965, a bill of complaint was filed in the Circuit Court for Somerset County by the plaintiffs, Thomas S. Simpkins, Sarah M. Peyton, H. DeWayne Whittington, H. Parker Tull, Percy White, B. W. Ferguson, Robert L. Chamberlin, Jr., constituting the Somerset County Welfare Board, of Princess Anne, Maryland, against the defendants, Viola French, Mary Brown, Alice Dize, Otis French and Louise Taylor, all of Rumbley, Maryland, Edna Jones and Dorothy Hall, of Fairmount, Maryland, and Lawson French, whose last known address was 135 Mimosa Lane, Paducah, Kentucky.

The bill of complaint alleges in substance that the plaintiffs sue as well for themselves as for all of the creditors of George B. French, late of Somerset County, Maryland, who will come in and contribute to the expenses of this suit; that plaintiffs are organized under the laws of the State of Maryland for the purpose of furnishing help and money to the needy aged in Somerset County and as such did furnish money to George B. French from November 16, 1948 to November 30, 1964, amounting to $7,703.17; that the said George B. French, being so indebted as aforesaid and also unto divers other persons, departed this life on November 7, 1964, intestate, seized and possessed of all that lot of land in Fairmount Election District, Somerset County, Maryland, described in a certain deed dated October 20, 1908, recorded in Liber SFD 50 page 144, from Samuel L. French and Mary L. French, his wife, to the said George B. French as follows: the said located on what is known as Jericho and joins the land of Samuel L. French on the northwest eighty-five yards, joins Mine Creek on the

southwest fifty yards, joins Goose Creek on the northeast fifty yards, joins the land of Mary L. French on the southeast eighty-five yards; that no letters of administration have been issued on the estate of the late George B. French; that the said George B. French was not possessed of any personal property at the time of his death; that the said George B. French was survived by the following heirs at law: Viola French, adult niece; Mary Brown, adult niece; Alice Dize, adult niece; Otis French, adult nephew; Louise Taylor, adult niece; Lawson French, adult nephew; Edna Jones, adult niece; Dorothy Hall, adult niece; all sums paid by the plaintiffs to or for the benefit of the late George B. French are a claim for which plaintiffs are entitled to have the decedent's real estate sold to repay itself and to pay the claims of other creditors of said deceased and plaintiffs are unable to obtain adequate relief without aid of this Court.

The relief prayed in the bill of complaint is substantially as follows:

That the decedent's real estate described above, or so much thereof as may be necessary, may be decreed to be sold for the payment of plaintiffs' claim and claims of other creditors of said deceased; that plaintiffs may have such other and further relief as their case may require.

Whereupon, it is ordered by the Circuit Court for Somerset County, this 23rd day of September, 1965, that the complainants cause a copy of this order to be inserted in a newspaper published in Somerset County, once a week in each of four successive weeks before the 26th day of October, 1965, giving notice to the said non-resident defendant, Lawson French, of the object and substance of the bill of complaint, and warning him to show cause, if any there may be, on or before the 30th day of November, 1965, why a decree should not be passed as prayed.

I. Theodore Phoebus

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

| | |
|---|---|
| Thomas S. Simpkins, et al., | In Equity No. 8193 |
| Plaintiffs | In the Circuit Court for |
| vs | Somerset County, Maryland |
| Viola French, et al., | |
| Defendants | |

AFFIDAVIT OF SERVICE

STATE OF KENTUCKY, McCracken County, to wit:

I hereby certify that on this 7th day of October, 1965, before me, the subscriber, a Notary Public of the State of Kentucky, in and for McCracken County, personally appeared John T. Rogers, Deputy Sheriff, who made oath in due form of law as follows:

That on the 26th day of September, 1965, at 135 Mimosa Lane, Paducah, Kentucky, he being then more than twenty-one years of age, served a true copy of the order of publication in this action personally upon Lawson French, one of the defendants herein, by delivering to and leaving with the said defendant a true copy thereof. That he knows the person so served as aforesaid to be the defendant in said action and the person mentioned and described in said order of publication as Lawson French, the defendant herein.

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

John T. Rogers

Anna Mae Edwards
Notary Public
My Commission Expires July 1, 1966

FILED
OCT 13 1 53 PM '65

LIBER 041 PAGE 267

Thomas S. Simpkins, et al.,
Plaintiffs
vs
Viola French, et al.,
Defendants

In Equity No. 8193
In the Circuit Court for
Somerset County, Maryland

DECREE PRO CONFESSO

The petition of the plaintiffs respectfully show:

That the defendants have been duly summoned to appear to the bill of complaint herein, but have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court.

The plaintiffs therefore pray that the bill of complaint may be taken pro confesso against the said defendants and that the plaintiffs have leave to take testimony before one of the Standing Examiners of this Court.

Lionel Bennett
Lionel Bennett
Attorney for Plaintiffs

ORDER

It appearing in the above entitled cause that the defendants have been duly summoned to appear to the bill of complaint herein, but have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court, it is thereupon this 2nd day of December, 1965, 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 defendants, and it is further ordered that the plaintiffs have leave to take testimony before one of the Standing Examiners of this Court.

E. McMaster Duer
E. McMaster Duer
Judge

Thomas S. Simpkins, et al., Plaintiffs

vs

Viola French, et al., Defendants

In Equity No. 8193

In the Circuit Court for Somerset County, Maryland

TESTIMONY

In this cause, an order having been passed for testimony to be taken to support the allegations of the bill, I, William A. Martin, Jr., 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 day of December, 1965, in Somerset County aforesaid, I did take the following testimony, to wit:

EXAMINATION BY MR. LIONEL BENNETT:

Elizabeth W. Hall, a witness of lawful age, produced on the part of the plaintiffs, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.
A. I am Elizabeth W. Hall, I reside near Crisfield, Maryland, and am the Director of the Somerset County Welfare Board.

Q. Did the Somerset County Welfare Board have any dealings with one George B. French, late of Somerset County?
A. Yes, he was the recipient of assistance from the Somerset County Welfare Board from November 16, 1948 through November 30, 1964 in the sum of $7,703.17.

Q. Is the late George B. French still alive?
A. No, he died on November 7, 1964.

Q. Did he leave a will?
A. To my knowledge, no he did not.

Q. Did he own any property in Somerset County?
A. Yes, he owned a lot of land improved by a dwelling in Fairmount Election District, Somerset County, Maryland, in a section known as Jericho, and is more particularly described in a certain deed dated October 20, 1908, recorded in Liber SFD 50 page 144.

Q. Have any letters of administration been issued on his estate?
A. No they have not.

Q. Has any part of the claim of the Somerset County Welfare Board been paid?
A. It has not.

Q. Do you believe that a sale of the real estate you have described is necessary to pay the claim of the Somerset County Welfare Board and other creditors, if any, against the defendant?
A. Yes I do.

Q. Do you believe that a sale of the premises would be advantageous to all parties concerned?
A. Yes I believe it would.

COURT'S QUESTION:
A. No Sir.

Elizabeth W. Hall
Elizabeth W. Hall

William A. Martin Jr.
William A. Martin, Jr.

Calvin R. Dize, a witness of lawful age, produced on the part of the plaintiffs, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.
A. My name is Calvin R. Dize: I reside in Crisfield, Maryland; and I am engaged in the insurance business.

Q. Are you familiar with the value of the land in the vicinity of the premises described by the previous witness?
A. I am.

Q. Have you made appraisals heretofore of such property?
A. I have.

Q. Will you please describe this property?
A. The property is a plot of land in Fairmount Election District, Somerset County, Maryland, in Rumbley on Goose Creek, and adjoins the land of Samuel E. and Carroll French. It consists of 3/4 of an acre of land and a very run down dwelling. It is assessed for $340.00, which is below the fair market value of this property.

Q. Have you formed an opinion of the fair market value of this property?
A. Yes.

Q. What is the fair market value of the premises in your opinion?
A. $1,000.00.

COURT'S QUESTION:
A. No Sir.

Calvin R. Dize
Calvin R. Dize

William A. Martin, Jr.
William A. Martin, Jr.

There being no further witnesses to be examined and at the suggestion of the Solicitor for the complainants, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct and paid by the plaintiffs.

Bill of Costs:

Examiner $10.00

Witness my hand and Seal.

William A. Martin, Jr. seal
William A. Martin, Jr.

Thomas S. Simpkins, et al., Plaintiffs

vs

Viola French, et al., Defendants

In Equity No. 8193

In the Circuit Court for Somerset County, Maryland

FINAL DECREE

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

It is thereupon this 6th day of ~~December~~ January, 1966, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed that the real estate in the proceedings mentioned be sold; and it is further

Ordered, adjudged and decreed that Lionel Bennett 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 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 $1,000.00, if corporate, or $2,000.00, if private surety, 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 some newspaper published in the City of Crisfield, Somerset County, as he shall think proper, of the time, place, manner and terms of sale, which terms shall be as follows:

A cash deposit of 10% of the purchase price at the time of sale and the balance in cash upon final ratification of sale by the Circuit Court for Somerset County, taxes, water rent, and all other public charges, if any, to be adjusted to the date of settlement 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 trust thereof and of the fairness of said sale; and on obtaining this Court's ratification of the sale, and on the payment of the whole purchase money (and not before), the said trustee will, by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers his, her, or their heirs, the property and estate to him, her, or them sold free, clear and discharged from all claims of the parties hereto, plaintiffs and defendants, and those claiming by, from, or under them, or of them; and the said trustee will 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.

E. McMaster Duer

E. McMaster Duer
Judge

FOR BOND SEE BOND BOOK NO. 9, FOLIO 96.

| | |
|---|---|
| Thomas S. Simpkins, et al., | In Equity No. 8193 |
| Plaintiffs | In the Circuit Court for |
| vs | Somerset County, Maryland |
| Viola French, et al., | |
| Defendants | |

REPORT OF SALE

To the Honorable, the Judges of said Court:

The report of Lionel Bennett, trustee appointed by this Court by order herein dated January 6, 1966, 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 reposed in him by said order, and having given at least four weeks notice of the time, place, manner and terms of sale by advertisement in The Crisfield Times, a weekly newspaper published in the City of Crisfield, Somerset County, for four successive weeks before the day of the sale, he did, pursuant to said notice, attend at the steps of the Post Office at Crisfield, Maryland, on February 5, 1966, at 2:00 p.m., and then and there proceeded to sell the property described in the bill of complaint, to wit:

All that lot of land in Fairmount Election District, Somerset County, Maryland, described in a certain deed dated October 20, 1908, recorded in Liber SFD 50 page 144, from Samuel L. French and Mary L. French, his wife, to the said George B. French as follows: The said located on what is known as Jericho and joins the land of Samuel L. French on the northwest 85 yards, joins Mine Creek on the southwest 50 yards, joins Goose Creek on the northeast 50 yards, and joins the land of Mary L. French on the southeast 85 yards.

And sold the same to Carroll Preston French and Ruth Anne French, his wife, they being the highest bidders therefor, at and for the sum of $1,100.00, and the purchasers have complied with the terms of sale.

Respectfully submitted,

Lionel Bennett, Trustee

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 7th day of February, 1966, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Lionel Bennett, trustee named in the aforegoing report of sale, and made oath in due

ıe to

.n

Lionel Bennett, Solicitor

# TRUSTEE'S SALE

Under and by virtue of a decree of the Circuit Court for Somerset County, Maryland, the undersigned, as trustee, will sell by public auction on the steps of the Post Office in Crisfield, Maryland, on Saturday, February 5, 1966, at 2:00 p.m.,

All that lot of land in Fairmount Election District, Somerset County, Maryland, described in a certain deed dated October 20, 1908, recorded in Liber SFD 50 page 144 from Samuel L. French and Mary L. French his wife, to the said George B. French as follows: The said located on what is known as Jericho and joins the land of Samuel L. French on the northwest 85 yards, joins Mine Creek on the southwest 50 yards, joins Goose Creek on the northeast 50 yards, and joins the land of Mary L. French on the southeast 85 yards.

The terms of sale shall be as follows:

A cash deposit of ten per cent of the purchase price at the time of sale, and the balance in cash upon final ratification of sale by the Circuit Court for Somerset County, taxes and all other public charges, if any, to be adjusted to the date of settlement.

Lionel Bennett
Trustee

1-14-4t

CRISFIELD, MD., February 4 1966

THIS is to certify that the annexed Somerset Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Somerset Sale for 4 weeks beginning with the issue of January 14 1966 and ending February 4 1966.

E. L. Dunn
Publisher, THE CRISFIELD TIMES

| | |
|---|---|
| Thomas S. Simpkins, et al., | In Equity No. 8193 |
| Plaintiffs | In the Circuit Court for |
| vs | Somerset County, Maryland |
| Viola French, et al., | |
| Defendants | |

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 7th day of January, 1966, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carroll Preston French and Ruth Anne French, his wife, who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, they were not acting as agent for any one.

2. That no other person is interested as principal.

3. That they have not directly or indirectly discouraged any one from bidding for the said property.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

Thomas S. Simpkins, et al.,
Plaintiffs

vs

Viola French, et al.,
Defendants

In Equity No. 8193
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary be shown on or before the 14th day of March, 1966, provided a copy of this order be printed in some weekly newspaper in Somerset County once in each of three successive weeks before the 28th day of February 1966.

The report states the amount of sale to be $1,100.00.

I. T. Phoebus, Clerk

FINAL ORDER

Ordered by this Court this 1st day of March, 1966, that the sale made and reported by the trustee herein be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Duer
Judge

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ET AL | : | No. 8193 CHANCERY CASES |
| | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| VIOLA FRENCH, ET AL | : | STATE OF MARYLAND |

## PETITION FOR ALLOWANCE OF CLAIM

THE PETITION OF BRADSHAW & SONS, MORTICIANS, BY SIMPKINS AND SIMPKINS, THEIR ATTORNEYS, RESPECTFULLY REPRESENTS:

1. THAT THE DECEDENT, GEORGE B. FRENCH, IN THE ABOVE MATTER WAS INTERRED BY THE CLAIMANT.

2. THAT THE TOTAL COST FOR FUNERAL EXPENSES AND INTERRMENT WAS $526.00, AND THAT THE CLAIMANT HAS HERETOFORE RECEIVED $241.00 ON SAID ACCOUNT FROM DECEDENT'S LIFE INSURANCE POLICY; ALL OF WHICH IS FULLY SHOWN ON THE ATTACHED INVOICE.

3. THAT THERE IS A BALANCE OF $285.00 OWED TO THE CLAIMANT.

4. THAT THE CLAIMANT IS A PREFERRED CREDITOR BY VIRTUE OF ARTICLE 16, SECTION 157.

5. THAT THE TRUSTEE IN THIS CAUSE HAS MADE SALE OF THE REAL ESTATE OF THE DECEDENT AND HAS IN HIS HANDS SUFFICIENT FUNDS WITH WHICH TO PAY THE CLAIMANT.

WHEREFORE, THE PETITIONER PRAYS THIS HONORABLE COURT TO PASS AN ORDER,

(A) APPROVING THE CLAIM FOR FUNERAL EXPENSES UNPAID IN THE AMOUNT OF $285.00 AND PREFERRED OVER COMMON CREDITORS.

(B) SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED.

SIMPKINS AND SIMPKINS

BY Thos. S. Simpkins

THOS. S. SIMPKINS

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

ORDER

UPON THE AFOREGOING PETITION, IT IS, THIS 16th DAY OF FEBRUARY, 1966, ORDERED BY THE CIRCUIT COURT FOR SOMERSET COUNTY, STATE OF MARYLAND, IN No. 8193 CHANCERY CASES THAT THE CLAIM OF BRADSHAW & SONS IN THE AMOUNT OF $285.00 BE AND THE SAME IS HEREBY APPROVED AND ALLOWED PRIORITY OVER COMMON CREDITORS OF THE DECEDENT.

E. McMaster Duer
JUDGE

I HEREBY CERTIFY, THAT ON THIS 17 DAY OF FEBRUARY, 1966, I DID MAIL EXACT COPIES OF THE AFOREGOING PETITION AND ORDER BY REGULAR UNITED STATES MAIL, WITH PROPER POSTAGE THERETO AFFIXED, TO LIONEL BENNETT, ESQUIRE, TRUSTEE, TO HIS OFFICES IN CRISFIELD, MARYLAND.

ATTORNEYS FOR CLAIMANT

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FILE COPY

LIBER 041 PAGE 280

# BRADSHAW & SONS

IN ACCOUNT WITH Estate of George B. French
Late of Rumbley, Somerset, Md.
Deceased Nov. 7, 1964

SERVICE Funeral Services:
George B. French

REMARKS:

DATE Nov. 9, 1964 TOTAL SERVICE $526.00

| DATE | DESCRIPTION | DR. | CR. | BALANCE |
|---|---|---|---|---|
| 1965 | | | | |
| 1/7 | Peoples Life check | | $241.00 | $285.00 |

Lionel Bennett, Attorney

Thomas S. Simpkins, et al.,
Plaintiffs

vs

Viola French, et al.,
Defendants

In Equity No. 8193 in the Circuit Court for Somerset County, Maryland

## Order Nisi

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary be shown on or before the 14th day of March, 1966, provided a copy of this order be printed in some weekly newspaper in Somerset County once in each of three successive weeks before the 28th day of February 1966.

The report states the amount of sale to be $1,000.00.

I. T. Phoebus, Clerk

2-11-3t

CRISFIELD, MD., March 7, 1966

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of February 11 1966 and ending February 25 1966.

LIBER 041 PAGE 281

E. L. Dorsey
Publisher, THE CRISFIELD TIMES

| | |
|---|---|
| Thomas S. Simpkins, et al., | In Equity No. 8193 |
| Plaintiffs | In the Circuit Court for |
| vs | Somerset County, Maryland |
| Viola French, et al., | |
| Defendants | |

PETITION AND ORDER APPOINTING AUDITOR

The petition of Lionel Bennett, respectfully shows to this Court as follows:

That he is the trustee appointed by order of this Court herein, under which he sold certain real property, as more fully appears by his report of sale filed herein.

That the auditor for this Court is not available, and petitioner prays for the appointment of a special auditor to whom such report of sale may be referred to state an account, pursuant to Rule BR 6 b 5.

And your petitioner will ever pray.

Lionel Bennett

Lionel Bennett

ORDER

Upon the foregoing petition, it is this 17th day of February, 1966, by the Circuit Court for Somerset County, in Equity, ordered that Lula Mae Dize be, and she is hereby appointed a special auditor to whom the report of sale herein shall be referred to state an account.

E. McMaster Duer

E. McMaster Duer
Judge

Thomas S. Simpkins, et al.,
Plaintiffs

vs

Viola French, et al.,
Defendants

In Equity No. 8193
In the Circuit Court for
Somerset County, Maryland

## AUDIT

The report of the special auditor stating the account in the within mentioned case respectfully represents:

That your special auditor has charged the trustee with the whole amount of the sale of the real property as reported by the trustee in his report of sale; the said trustee has been allowed commissions on said sale and a special attorney's fee, as per the Chancery Rules of this Court, and his costs and expenses, not personal.

The balance of the funds in the hands of the trustee has been distributed to the plaintiffs.

Respectfully submitted:

Lula Mae Dize

Lula Mae Dize
Special Auditor

Dated: March 28, 1966

| | | | | |
|---|---|---|---|---|
| March 28, 1966 - | By the whole amount of the sale of the real property as reported by the Trustee in his report of sale | | | $1,100.00 |
| March 28, 1966 - | To the Trustee for commission, as per the Chancery Rules of this Court | $110.00 | | |
| | To Special Attorney's fee | 25.00 | $135.00 | |
| | To the Trustee for his costs and expenses, not personal: | | | |
| | To Solicitor | $ 10.00 | | |
| | To Bradshaw & Sons, as per order herein dated Feb. 16, 1966 | 285.00 | | |
| | To Clerk's costs | 68.25 | | |
| | To advertising sale and order nisi | 32.50 | | |
| | To premium on bond | 10.00 | | |
| | To testimony | 10.00 | | |
| | To auctioneer | 25.00 | | |
| | To special auditor stating this account | 15.00 | | |
| | To D. Y. Perdew, Sheriff Service of order of publication | 3.00 | | |
| | To Notary Fee | 2.00 | | |
| | To 1964 & 1965 State and County Taxes | 18.82 | 479.57 | 614.57 |
| | Balance of funds in the hands of the Trustee distributed to plaintiffs | | | $485.43 |

Thomas S. Simpkins, et al.,
Plaintiffs

vs

Viola French, et al.,
Defendants

In Equity No. 8193
In the Circuit Court for
Somerset County, Maryland

NOTICE OF FILING AUDITOR'S ACCOUNT

Take notice that the account herein was filed on March 30, 1966; that exceptions thereto must be filed within fifteen days of said date, and if no exceptions are filed within such fifteen day period, the account may thereupon be ratified.

Lula Mae Dize
Lula Mae Dize
Special Auditor

I certify that on March 30, 1966, I mailed a copy of the above to Somerset County Welfare Board, Princess Anne, Maryland; Viola French, Mary Brown, Alice Dize, Otis French, and Louise Taylor, all of Rumbley, Maryland; Edna Jones and Dorothy Hall, both of Fairmount, Maryland; Lawson French, 135 Mimosa Lane, Paducah, Kentucky; and Bradshaw & Sons, Crisfield, Maryland, by first class mail.

Lula Mae Dize
Lula Mae Dize
Special Auditor

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this ..30th.... day of March ...1966.. that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the..14th.....day of..April.....1966.*

..S. Theodore Sheckels.. Clerk

No. 8193 Chancery Vs.....

IN THE CIRCUIT COURT FOR SOMERSET COUNTY.

[illegible] have been filed in the above proceedings to the final ratification of the Auditor's Report, and that the costs, properly noted, exhibited have been paid by the trustee as required by law.

Date..April 15, 1966.....

.....S. Theodore Sheckels.....Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, it is ordered by the Circuit Court for Somerset County, in Equity, this ...15... day of April.....1966 that the Report of the Auditor be and the same is hereby Ratified and Confirmed.*

S. Theodore Sheckels.....

Exd.

MAY 15 1967

Book 90 Page 200

IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR ST. JOHNS COUNTY. IN CHANCERY.

NO. 22476

MAE DRYDEN,

Plaintiff,

vs.

FREDRICK V. DRYDEN,

Defendant.

---

FINAL DECREE OF DIVORCE.

This cause came on to be finally heard before me this day upon the pleadings and the testimony taken herein, and it appearing to the Court that the Court has jurisdiction of the parties and the subject matter of the cause, and the Court finding that the equities in the premises are with the plaintiff and against the defendant, and that she is entitled to the relief as prayed for in and by her complaint, and the Court being fully advised in the premises, it is thereupon,

ORDERED, ADJUDGED AND DECREED that the plaintiff, MAE DRYDEN, be, and she is hereby granted a divorce from the defendant, FREDRICK V. DRYDEN, a vinculo matrimonii, and the bonds of matrimony heretofore existing between the said plaintiff and the defendant, be, and the same are hereby dissolved.

DONE AND ORDERED in Chambers, at St. Augustine, St. Johns County, Florida, this 17th day of August, A. D. 1965.

Reed W. Jackson
JUDGE

FILED AND RECORDED IN PUBLIC RECORDS OF ST. JOHNS COUNTY, FLA.
Aug 17 12 48 PM '65
CLERK CIRCUIT COURT

VERIFIED BY MO

Paper No. 6 Case No. 22476

LIBER 641 PAGE 287

State of Florida
County of St. Johns

I, OLIVER LAWTON, Clerk Circuit Court, Seventh Judicial Circuit of Florida, in and for St. Johns County, Florida, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of FINAL DECREE in the suit of MAE DRYDEN, Plaintiff, vs. FREDRICK V. DRYDEN, Defendant (Case No. 22,476), as the same appears of record in the office of the Clerk of the Circuit Court in CHANCERY ORDER BOOK NUMBER 90, page 230, public records of St. Johns County, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed hereto the seal of said Court this 21st day of April, A. D., 19 67.

(SEAL CIRCUIT COURT, ST. JOHNS COUNTY, FLORIDA)

OLIVER LAWTON
Clerk Circuit Court
By Mildred Curtis
Deputy Clerk

MAY 15 1967

Edwards Abstr. Co.
Jones Jones.
Pr. Annc. and

FILED
MAY 3 11 00 AM '67
Chg. 41 P 287
CB.

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EX PARTE | : | NO. 5194 CHANCERY |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| LESTER A. JOHNSON AND THELMA POLK UNTO | : | SOMERSET COUNTY, MARYLAND |
| EVELYN P. BENNETT | : | |

MR. CLERK:

PLEASE DOCKET SUIT AS ABOVE AND FILE THE ORIGINAL MORTGAGE AMONG THE PAPERS THEREIN.

THOMAS S. SIMPKINS,
ATTORNEY, EX PARTE

FOR MORTGAGE SEE MORTGAGE RECORD BOOK G.J.B. NO. 202, FOLIO 443.

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCE WILLIAM STREET
PRINCESS ANNE, MD.
TELEPHONES 397 / 697

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EX PARTE | : | NO. 8194 CHANCERY |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| LESTER A. JOHNSON AND THELMA POLK UNTO | : | SOMERSET COUNTY |
| EVELYN P. BENNETT | : | STATE OF MARYLAND |

## MILITARY AFFIDAVIT

STATE OF MARYLAND
COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 4th DAY OF AUGUST, 1965, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED THOMAS S. SIMPKINS AND HE MADE OATH IN DUE FORM OF LAW THAT THE ABOVE NAMED MORTGAGORS ARE NOT IN THE MILITARY SERVICE OF THE UNITED STATES OF AMERICA AS HEREINAFTER SET FORTH AND THAT THEY HAVE NOT BEEN IN MILITARY SERVICE WITHIN THIRTY DAYS PRIOR TO THE MAKING OF THIS AFFIDAVIT, SUCH MILITARY SERVICE BEING AS FOLLOWS:

1. THE MILITARY SERVICE OF THE UNITED STATES OF AMERICA OR OF THE ENLISTED RESERVE CORPS THEREOF.

2. ORDERED TO REPORT FOR INDUCTION UNDER THE SELECTIVE TRAINING AND SERVICE ACT OF 1940, AS AMENDED.

3. THE MILITARY SERVICE OF ANY NATION WITH WHICH THE UNITED STATES OF AMERICA MAY BE ALLIED IN THE PROSECUTION OF WAR.

IN TESTIMONY WHEREOF, I HEREUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTARIAL SEAL ON THE DAY AND YEAR ABOVE WRITTEN.

Virginia B. Miller
NOTARY PUBLIC

MY COMMISSION EXPIRES
JULY 1, 1967

VIRGINIA B. MILLER NOTARY PUBLIC SOMERSET COUNTY

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCE WILLIAM STREET
PRINCESS ANNE, MD.
TELEPHONES 397 / 897

THOMAS S. SIMPKINS, ATTORNEY : NO. 8194 CHANCERY
EX PARTE
UNDER POWER CONTAINED IN : IN THE CIRCUIT COURT FOR
MORTGAGE FROM
LESTER A. JOHNSON AND : SOMERSET COUNTY
THELMA POLK UNTO
EVELYN P. BENNETT : STATE OF MARYLAND

## AFFIDAVIT

STATE OF MARYLAND,

County OF Anne Arundel, SS:

I HEREBY CERTIFY THAT ON THIS 30 DAY OF JULY, 1965, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND County AFORESAID, PERSONALLY APPEARED EVELYN P. BENNETT, WHO AFTER BEING DULY SWORN BY ME ACCORDING TO LAW, DEPOSES AND SAYS:

THAT SHE IS THE MORTGAGEE IN THE ABOVE PROCEEDINGS AND THAT AS SUCH SHE HAS KNOWLEDGE OF THE FACTS HEREINAFTER SET FORTH AND THAT SHE IS COMPETENT TO TESTIFY THERETO.

THAT THERE IS JUSTLY DUE AND OWING ON THE AFORESAID MORTGAGE THE SUM OF Four Hundred and Fifteen Dollars and Ninety-Four Cents ($415.94) PRINCIPAL BALANCE; AND THE SUM OF Twenty-Four Dollars & Ninety-Six Cents ($ 24.96) INTEREST ON SAID PRINCIPAL BALANCE, FOR A TOTAL OF Four Hundred Forty Dollars and Ninety Cents ($ 440.90) NOW DUE AND PAYABLE.

IN WITNESS WHEREOF, I HEREUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTARIAL SEAL ON THE DAY AND YEAR FIRST ABOVE WRITTEN.

Helen L. Pusey
NOTARY PUBLIC

MY COMMISSION EXPIRES
JULY 1, 1967

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCE WILLIAM STREET
PRINCESS ANNE, MD.
TELEPHONES 397 / 897

FOR BOND SEE BOND BOOK 9, Folio 70.

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EX PARTE | : | No. 8194 CHANCERY |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT |
| LESTER A. JOHNSON AND THELMA POLK, UNTO | : | FOR SOMERSET COUNTY |
| EVELYN P. BENNETT | : | STATE OF MARYLAND |

AFFIDAVIT OF PURCHASE

STATE OF MARYLAND,
COUNTY OF SOMERSET:

I HEREBY CERTIFY, THAT ON THIS 30th DAY OF SEPTEMBER, 1965, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED LLOYD L. SIMPKINS, AND MADE OATH IN DUE FORM OF LAW THAT HE WAS THE PURCHASER OF THE REAL ESTATE DESCRIBED IN THIS CAUSE AT THE SALE THEREOF, AND THAT

(A) HE WAS ACTING AS AGENT OF SIMPKINS AND SIMPKINS, BEING A CO-PARTNER THEREOF; AND

(B) NO ONE WAS EITHER DIRECTLY OR INDIRECTLY DISCOURAGED FROM BIDDING FOR SAID PROPERTY.

IN WITNESS WHEREOF, I HEREUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTARIAL SEAL ON THE DAY AND YEAR ABOVE WRITTEN.

Virginia B. Miles
VIRGINIA B. MILES
NOTARY PUBLIC

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCE WILLIAM STREET
PRINCESS ANNE, MD.
TELEPHONES 397 / 897

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EX PARTE | : | No. 8194 CHANCERY |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| LESTER A. JOHNSON AND THELMA POLK, UNTO | : | SOMERSET COUNTY |
| EVELYN P. BENNETT | : | STATE OF MARYLAND |

## REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT OF THOMAS S. SIMPKINS, ASSIGNEE OF A MORTGAGE FROM LESTER A. JOHNSON AND THELMA POLK TO EVELYN P. BENNETT, RESPECTFULLY SHOWS:

THAT HAVING GIVEN BOND WITH APPROVED SECURITY FOR THE FAITHFUL PERFORMANCE OF THE TRUST REPOSED IN HIM, AND HAVING COMPLIED WITH ALL OTHER PREREQUISITES OF LAW AND THE TERMS OF THE SAID MORTGAGE, INCLUDING THE GIVING OF NOTICE OF THE TIME, PLACE, MANNER AND TERMS OF SALE, BY ADVERTISEMENT INSERTED IN THE MARYLANDER AND HERALD, A NEWSPAPER PUBLISHED IN SOMERSET COUNTY, MARYLAND, AT LEAST TWENTY DAYS BEFORE THE DATE OF SALE, AS WILL MORE FULLY APPEAR BY REFERENCE TO THE CERTIFICATE OF PUBLICATION OF THE ADVERTISEMENT, ATTACHED HERETO AS A PART HEREOF, HE DID, PURSUANT TO SAID NOTICE, ATTEND AT THE COURT HOUSE, PRINCESS ANNE, MARYLAND, ON TUESDAY, AUGUST 31, 1965, AT TWO O'CLOCK P.M., AND THEN AND THERE PROCEEDED TO SELL THE PROPERTY DESCRIBED IN SAID MORTGAGE, AS FOLLOWS:

ALL THAT LOT OR PARCEL OF LAND SITUATE, LYING AND BEING IN ST. PETERS ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE PUBLIC ROAD LEADING FROM THE VILLAGE OF ORIOLE TO WYATT'S CORNER, AND CONTAINING ONE ACRE OF LAND, MORE OR LESS. AND BEING THE SAME LAND WHICH WAS CONVEYED UNTO LESTER A. JOHNSON AND THELMA POLK BY ROBERT L. RICKETTS, BY DEED DATED FEBRUARY 1,

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCE WILLIAM STREET
PRINCESS ANNE, MD.
TELEPHONES 397 / 897

1961, AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER GJB No. 201, FOLIO 599.

AND HE SOLD SAID PROPERTY TO LLOYD L. SIMPKINS, AGENT FOR SIMPKINS AND SIMPKINS, AT AND FOR THE SUM OF TWO HUNDRED DOLLARS ($200.00), HE BEING THE HIGHEST BIDDER THEREFOR; AND SAID PURCHASER WILL COMPLY WITH THE TERMS OF SALE UPON FINAL RATIFICATION THEREOF.

AND THIS ASSIGNEE PROPOSES TO DISTRIBUTE THE PROCEEDS OF THE SALE AS FOLLOWS:

| | | |
|---|---|---|
| TO AMOUNT OF SALE, AS PER REPORT | | $200.00 |
| DISTRIBUTION: | | |
| THEODORE PHOEBUS, CLERK OF COURT, COST | $ 38.00 | |
| STATE AND COUNTY REAL ESTATE TAXES | 41.18 | |
| MARYLANDER & HERLAD, ADV. OF SALE | 30.00 | |
| MARYLANDER & HERALD, ORDER NISI | 10.00 | |
| BOND PREMIUM | 10.00 | |
| NOTARY PUBLIC | 2.00 | |
| EDWIN B. MUIR, AUCTIONEER | 15.00 | |
| AUDITOR | 25.00 | |
| ATTORNEY'S FEES IN LIEU OF COMMISSION | 28.82 | |
| | $20 0.00 | |
| TOTAL DISTRIBUTION | | 200.00 |
| BALANCE | | NONE |

RESPECTFULLY SUBMITTED,

THOS. S. SIMPKINS, ASSIGNEE

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCE WILLIAM STREET
PRINCESS ANNE, MD.
TELEPHONES 397 / 897

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EX PARTE | : | No. 8194 CHANCERY |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| LESTER A. JOHNSON AND THELMA POLK, UNTO | : | SOMERSET COUNTY, MARYLAND |
| EVELYN P. BENNETT | : | |

ORDER NISI

ORDERED, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, THIS 1st DAY OF October, IN THE YEAR NINETEEN HUNDRED AND SIXTY-FIVE, THAT THE SALE OF THE PROPERTY AND DISTRIBUTION OF PROCEEDS MENTIONED IN THIS PROCEEDINGS, MADE AND REPORTED BY THOMAS S. SIMPKINS, ASSIGNEE, BE RATIFIED AND CONFIRMED UNLESS CAUSE TO THE CONTRARY THEREOF BE SHOWN ON OR BEFORE THE 3rd DAY OF November, 1965; 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 26th DAY OF October, 1965.

THE REPORT STATES THE AMOUNT OF SALE TO BE TWO HUNDRED DOLLARS ($200.00).

S. Theodore Shockley
CLERK OF COURT

FINAL ORDER OF RATIFICATION

IT IS HEREBY ORDERED, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, THIS 11th DAY OF January, 1966, THAT THE SALE OF REAL ESTATE AND DISTRIBUTION OF PROCEEDS MENTIONED IN THE AFOREGOING REPORT, MADE BY THOMAS S. SIMPKINS, ASSIGNEE, BE AND THE SAME IS HEREBY FINALLY RATIFIED AND CONFIRMED, NO CAUSE TO THE CONTRARY THEREOF HAVING BEEN SHOWN, ALTHOUGH DUE NOTICE THEREOF HAS BEEN GIVEN IN ACCORDANCE WITH THE ORDER NISI, PASSED IN THIS CAUSE.

E. Norris Dorsey
JUDGE

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCE WILLIAM STREET
PRINCESS ANNE, MD.
TELEPHONES 397 / 697

LIBER 041 PAGE 298

PRINCESS ANNE, MD., Jan. 6, 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted Oct. 7, 14, 21, 1965

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8194 Chancery
In the Circuit Court for
Somerset County, Maryland

THOMAS S. SIMPKINS,
Attorney EX PARTE
Under Power contained in
Mortgage from
Lester A. Johnson and
Thelma Polk, unto
Evelyn P. Bennett

ORDERED, by the Circuit Court for Somerset County, Maryland, this 1st day of October, in the year nineteen hundred and sixty-five, that the sale of the property and distribution of proceeds mentioned in this proceedings, made and reported by Thomas S. Simpkins, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of November, 1965; provided a copy of this Order by inserted in some newspaper published in Somerset County, Maryland, once in each of three successive weeks before the 26th day of October, 1965.

The report states the amount of sale to be Two Hundred Dollars ($200.00).

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Md.
True Copy,
Test: I. Theodore Phoebus, Clk.
23-3tc

Rec'd
MAY 22 1967

E8601

| | | |
|---|---|---|
| Mildred Franzenia Johnson<br>Route 1, Box 32, Princess Anne, Maryland | : | No. 8196 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Louis Edward Dennis<br>520 W. 158th Street<br>New York City, New York | : | |
| Rose F. Deaton<br>1939 N. Gratz Street, Philadelphia,<br>Pennsylvania | : | |
| Andrew S. Dennis<br>Route 1, Box 32, Princess Anne, Maryland | : | |
| Mary Alice Ballard<br>267 Beckford Avenue<br>Princess Anne, Maryland | : | |

To the Clerk of the Circuit Court for Somerset County.

Dear Mr. Clerk:

Please file the within bill of complaint and issue an order of publication for the non-resident defendants named therein and issue the writ of subpoena for the resident defendants named therein.

JONES & JONES

By

Solicitors for Complainant
Princess Anne, Maryland
Telephone 651-2747

| | | |
|---|---|---|
| Mildred Franzenia Johnson<br>Route 1, Box 32, Princess Anne, Maryland | : | No. 8196 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Louis Edward Dennis<br>520 W. 158th Street<br>New York City, New York | : | |
| Rose F. Deaton<br>1939 N. Gratz Street, Philadelphia, Pennsylvania | : | |
| Andrew S. Dennis<br>Route 1, Box 32, Princess Anne, Maryland | : | |
| Mary Alice Ballard<br>267 Beckford Avenue<br>Princess Anne, Maryland | : | |

To the Honorable, the Judge of said Court:

Your Orator, complaining says:

1. That the said Mildred Franzenia Johnson, Louis Edward Dennis, Rose F. Deaton, Andrew S. Dennis and Mary Alice Ballard are seized and possessed, as tenants in common, of the hereinafter described real estate in the shares hereinafter set forth:

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the west side of the state road leading from Princess Anne to Loretto, beginning at a stone set up at the southeast corner of the land herein described on the said stone road at the mouth of a ditch; thence in a westerly direction by and with said ditch and thence continuing in a straight line to the railroad; thence in a northerly direction by and with said railroad to the land of Martha Hayman; thence by and with the land of Martha Hayman in an easterly direction to the said state road; thence by and with said state road in a southerly direction to the place of beginning and containing 10 acres, more or less, and being the same land conveyed unto Lewis S. Dennis and Rose B. Dennis by Samuel B. Dennis by deed dated October 30, 1928 and recorded among the Land Records of Somerset County in Liber G.W.L. No. 97, folio 153.

2. Upon the death of the said Lewis S. Dennis on January 29, 1965, title to the above described property vested in the said Rose B. Dennis as surviving spouse; upon the death of the said Rose B. Dennis, intestate, on May 13, 1965, the above described property descended, an undivided one-fifth interest unto Mildred Franzenia

Johnson, an undivided one-fifth interest unto Louis Edward Dennis, an undivided one-fifth interest unto Rose F. Deaton, an undivided one-fifth interest unto Andrew S. Dennis, and an undivided one-fifth interest unto Mary Alice Ballard, the children and only heirs at law of the said Rose B. Dennis.

3. That the above described property is improved by a small dwelling and outbuildings, and is not susceptible to partition without material loss and injury to the parties entitled to interest therein.

4. That all parties to this proceeding are all adults over the age of twenty-one years.

To the end, therefore,

a. That a decree may be passed by this Court for the sale of the real estate described in the above petition and a division of the money arising from said sale may be made among the parties according to their respective rights.

b. That your orator may have such other and further relief as her case may require.

May it please your Honor to grant unto your orator the writ of subpoena directed to the said Andrew S. Dennis, residing at Route 1 Princess Anne, Maryland, and to Mary Alice Ballard, residing at 267 Beckford Avenue, Princess Anne, 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 to grant unto your orator the order of publication, giving notice to the said Louis Edard Dennis, residing at 520 W. 158th Street, New York City, New York, and Rose F. Deaton, residing at 1939 N. Gratz Street, Philadelphia, Pennsylvania, who are non-residents of this State, of the object and substance of this bill and warning them to appear in this court in person, or by solicitor, on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound,

JONES & JONES

By _____
Solicitors for Complainant
Princess Anne, Maryland
Telephone 651-2747

JONES & JONES
Attorneys

ORDER OF PUBLICATION

| | | |
|---|---|---|
| Mildred Franzenia Johnson<br>Route 1, Box 32, Princess Anne, Maryland | : | No. 5196 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Louis Edward Dennis<br>520 W. 158th Street<br>New York City, New York | : | |
| Rose F. Deaton<br>1939 N. Gratz Street, Philadelphia, | : | |
| Pennsylvania | : | |
| Andrew S. Dennis<br>Route 1, Box 32, Princess Anne, Maryland | : | |
| Mary Alice Ballard<br>267 Beckford Avenue<br>Princess Anne, Maryland | : | |

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, formerly owned by Rose B. Dennis, late of Somerset County, deceased, for a division of the money arising from said sale among the parties hereto according to their respective rights.

The bill of complaint recites that Rose B. Dennis, late of Somerset County, deceased, died intestate on May 13, 1965 and at the time of her death was the owner of the following described real estate:

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the west side of the state road leading from Princess Anne to Loretto, beginning at a stone set up at the southeast corner of the land herein described on the said stone road at the mouth of a ditch; thence in a westerly direction by and with said ditch and thence continuing in a straight line to the railroad; thence in a northerly direction by and with said railroad to the land of Martha Hayman; thence by and with the land of Martha Hayman in an easterly direction to the said state road; thence by and with said state road in a southerly direction to the place of beginning and containing 10 acres, more or less, and being the same land conveyed unto Lewis S. Dennis and Rose B. Dennis by Samuel B. Dennis by deed dated October 30, 1928 and recorded among the Land Records of Somerset County in Liber G.W.L. No. 97, folio 153; upon the death of the said Lewis S. Dennis on January 29, 1965, title to the above described property vested

in the said Rose B. Dennis as surviving spouse; upon the death of the said Rose B. Dennis, intestate, the above described property descended, an undivided one-fifth interest unto Mildred Franzenia Johnson, an undivided one-fifth interest unto Louis Edward Dennis, an undivided one-fifth interest unto Rose F. Deaton, an undivided one-fifth interest unto Andrew S. Dennis, and an undivided one-fifth interest unto Mary Alice Ballard, the children and only heirs at law of the said Rose B. Dennis, and that they now own the said land as tenants in common; that it is not susceptible of partition without material loss and injury to the parties entitled to interest 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 interest. The bill further states that the above named defendants are all adults, and the said Louis Edward Dennis, residing at 520 W. 158th Street, New York City, New York, and Rose F. Deaton, residing at 1939 N. Gratz Street, Philadelphia, Pennsylvania, are non-residents of the State of Maryland.

It is thereupon, this 11th day of August, 1965, ordered by the Circuit Court of 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 on or before the 10th day of September, 1965, giving notice to the said non-resident defendants, Louis Edward Dennis and Rose F. Deaton, of the object and substance of this bill, warning them to appear in this Court in person or by solicitor, on or before the 11th day of October, 1965, to show cause, if any they have, why a decree ought not to be passed as prayed.

I. Theodore Phoebus

I. THEODORE PHOEBUS
Clerk of the Circuit Court for
Somerset County

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**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Andrew S. Dennis
and
Mary Alice Ballard

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of September next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Mildred Franzenia Johnson
versus
Louis Edward Dennis, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 11th day of August, 19 65.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 21st day of September, 19 65. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones
Name

Princess Anne, Maryland
Address

Theodain Fraelner
Clerk

Sheriff's Return
Summoned and copy of Subpoena, Order to docket suit and bill for Partition left with Andrew S. Dennis and Mary Alice Ballard, two of the defendants this 17th day of August, 1965.
Isaac H. Dorsey, Sheriff
Edwin L. Sterling, Deputy

| | | |
|---|---|---|
| MILDRED FRANZENIA JOHNSON | : | No. 8196 CHANCERY |
| PLAINTIFF | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| LOUIS EDWARD DENNIS, ET AL | : | STATE OF MARYLAND |
| DEFENDANTS | : | |

THE DEFENDANTS IN THE ABOVE ENTITLED CAUSE, BY SIMPKINS AND SIMPKINS, THEIR ATTORNEYS, FOR ANSWER TO THE BILL OF COMPLAINT HEREINBEFORE FILED AGAINST THEM, SAY:

1. ANSWERING THE FIRST PARAGRAPH OF THE SAID BILL OF COMPLAINT, THEY ADMIT THE ALLEGATIONS CONTAINED THEREIN.

2. AND THAT THEY ADMIT THE ALLEGATIONS CONTAINED IN THE SECOND PARAGRAPH THEREOF.

3. AND THAT THEY ADMIT THE ALLEGATIONS CONTAINED IN THE THIRD PARAGRAPH THEREOF.

4. AND THAT THEY ADMIT THE ALLEGATIONS CONTAINED IN THE FOURTH PARAGRAPH THEREOF.

AND, AS IN DUTY BOUND, ETC.

SIMPKINS AND SIMPKINS

BY _____
ATTORNEYS FOR THE DEFENDANTS

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MARYLAND
TELEPHONE: 651-1400

I HEREBY CERTIFY, THAT ON THIS 2nd DAY OF SEPTEMBER, 1965, I DID MAIL A COPY OF THE AFOREGOING ANSWER BY REGULAR U. S. MAIL WITH PROPER POSTAGE THERETO AFFIXED, TO MESSRS. JONES & JONES, ATTORNEYS FOR THE PLAINTIFF, TO THEIR OFFICES IN PRINCESS ANNE, MD.

_____
ONE OF ATTORNEYS FOR DEFENDANTS

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCE WILLIAM STREET
PRINCESS ANNE, MD.
TELEPHONES 397 / 897

| | | |
|---|---|---|
| Mildred Franzenia Johnson<br>Plaintiff | : | No. 8196 Chancery |
| vs | : | In the Circuit Court for |
| Louis Edward Dennis, et al<br>Defendants | : | Somerset County, Maryland |

STIPULATION

It is stipulated and agreed that two competent appraisers be selected by mutual agreement for the purpose of inspecting, appraising and evaluating the land subject of this proceeding and that the appraisal of these appraisers be filed in this proceeding by formal affidavits under oath for the guidance of the Court, and that said appraisers shall be Edward J. Price, President of Bank of Somerset and Robert H. Truitt, Cashier of the Bank of Somerset.

JONES & JONES

By _____
Attorneys for Complainant

SIMPKINS & SIMPKINS

By _____
Attorneys for Respondents

ORDER OF COURT

The foregoing stipulation having been read and considered, it is hereby ORDERED this 16th day of November, in the year nineteen hundred and sixty-five, by the Circuit Court for Somerset County, in Equity, the said stipulation be and the same is hereby approved and ordered to be filed among the proceedings in this case, and binding upon the parties thereto.

_____
Judge

AFFIDAVIT OF EDWARD J. PRICE

I, Edward J. Price, do hereby make oath in due form of law that I am the President of the Bank of Somerset, Princess Anne, Maryland, that I am familiar with the value of property in Somerset County, Maryland, that I have personally inspected the property owned by the heirs Rose B. Dennis in East Princess Anne Election District, Somerset County, Maryland, containing 10 acres, more or less, being the same land conveyed unto Lewis S. Dennis and Rose B. Dennis by Samuel B. Dennis by deed dated October 30, 1928 and recorded among the Land Records of Somerset County in Liber G.W.L. No. 97, folio 153. Upon the death of the said Lewis S. Dennis on January 29, 1965, title to the above described property vested in the said Rose B. Dennis as surviving spouse. My apprasial and examination of the property indicates that it does not extend to the railroad, but adjoins the property of Frank and Beatrice Martin on the West, and that in my opinion this property has a market value of $ 2500.00 .

Edward J. Price
Edward J. Price

Subscribed and sworn to before me this
19th day of November, 1965.

Patsy L. Tull
Notary Public

AFFIDAVIT OF ROBERT H. TRUITT

I, Robert H. Truitt, do hereby make oath in due form of law that I am Cashier of the Bank of Somerset, Princess Anne, Maryland, that I am familiar with the value of property in Somerset County, Maryland, that I have personally inspected the property owned by the heirs of Rose B. Dennis in East Princess Anne Election District, Somerset County, Maryland containing 10 acres, more or less, being the same land conveyed unto Lewis S. Dennis and Rose B. Dennis by Samuel B. Dennis by deed dated October 30, 1928 and recorded among the Land Records of Somerset County in Liber G.W.L. No. 97, folio 153. Upon the death of the said Lewis S. Dennis on January 29, 1965, title to the above described property vested in the said Rose B. Dennis as surviving spouse. My apprasial and examination of the property indicates that it does not extend to the railroad, but adjoins the property of Frank and Beatrice Martin on the West, and that in my opinion this property has a market value of $2500.00 ___.

Robert H. Truitt

Subscribed and sworn to before me this 19th day of November, 1965.

Notary Public

| | | |
|---|---|---|
| Mildred Franzenia Johnson<br>Plaintiff | : | No. 8196 Chancery |
| vs | : | In the Circuit Court for |
| Louis Edward Dennis, et al<br>Defendants | : | Somerset County, Maryland |

This cause standing ready for hearing and being submitted on the bill of complaint and answer, the proceedings were read and considered:

It is thereupon, this 22nd day of November, in the year nineteen hundred and sixty-five, by the Circuit Court for Somerset County, Maryland, ADJUDGED, ORDERED and DECREED that the property mentioned in the proceedings to be sold; that Alexander G. Jones and Thomas S. Simpkins 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 $2500.00, 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 weekly newspaper or newspapers 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 to be paid upon the ratification of sale, or all cash, at the option of the purchaser or purchasers, the credit portions to bear interest and to be secured to the satisfaction of the trustees, and, as soon as may be convenient after such sale or 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 trust 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, plaintiff and defendants, and those claiming by,

from or under them or either of them; and the said trustees shall bring into this court the money arising from said sale, to be distributed under the direction of this court, after deducting the costs of 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.

E. McMaster Duer
Judge

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 93.

| | | |
|---|---|---|
| Mildred Franzenia Johnson<br>Plaintiff | : | No. 8196 Chancery |
| vs | : | In the Circuit Court for |
| Louis Edward Dennis, et al<br>Defendants | : | Somerset County, Maryland |

To the Honorable, the Judge of said Court:

The report of Alexander G. Jones and Thomas S. Simpkins, Trustees appointed by a decree of this Court, passed in the above entitled cause, dated the 22nd day of November, in the year nineteen hundred and sixty-five, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of their trust, and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement inserted in the "Marylander and Herald", a weekly newspaper published in Somerset County, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, they did, pursuant to said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 28th day of December, 1965, at 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:

Your trustees offered at public sale to the highest bidder the property mentioned in said decree, and described as follows:

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the west side of Maryland Route No. 529, known as the Loretto Road, leading from Princess Anne to Loretto and on the east side of but not adjacent to U.S. Route 13 and the Pennsylvania Railroad property, bounded on the north in part by the land of Francis L. Martin and wife, bounded also on the north by the land owned or formerly owned by George S. Hayman and the land owned or formerly owned by Clarence A. Hayman, bounded on the east by the aforesaid Route 529, bounded on the south by the land owned or formerly owned by Louis G. Austin, and bounded on the west by the land of Francis L. Martin and wife, containing 10 acres, more or less, and being the same land conveyed unto Lewis S. Dennis and Rose B. Dennis by Samuel B. Dennis by deed dated October 30, 1928 and recorded among the Land Records of Somerset County in Liber G.W.L. No. 97,

LIBER 041 PAGE 309

folio 153; upon the death of the said Lewis S. Dennis on January 29, 1965, title to the above described property vested in the said Rose B. Dennis as surviving spouse; upon the death of the said Rose B. Dennis, intestate, the above described property descended unto Mildred Franzenia Johnson, Louis Edward Dennis, Rose F. Deaton, Andrew S. Dennis and Mary Alice Ballard, the children and only heirs at law of the said Rose B. Dennis; and sold the same to Mary Alice Ballard, at and for the sum of sixteen hundred dollars ($1600.00), she being at said sum the highest bidder therefor.

Your Trustees furthe report that the said Mary Alice Ballard has complied fully with the terms of sale.

Respectfully submitted,

Alexander G. Jones

Thomas S. Simpkins
Trustees

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 28th day of December, in the year nineteen hundred and sixty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones and Thomas S. Simpkins, Trustees, named in the above report of sale, and each made oath in due form of law that the matters and facts 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.

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

Eunice Richard
Notary Public

| | | |
|---|---|---|
| Mildred Franzenia Johnson<br>Plaintiff | : | No. 8196 Chancery |
| vs | : | In the Circuit Court for |
| Louis Edward Dennis, et al<br>Defendant | : | Somerset County, Maryland |

.. .. .. .. .. ..

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 28th day of December, 1965, before me, the subscriber, a Notary Public of the State of Maryland and county aforesaid, personally appeared Mary Alice Ballard, the purchaser of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase she was not acting as agent for anyone.

2. That others interested in said purchase, as principals, are none.

3. That she did not directly or indirectly discourage anyone from bidding for the said property.

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

PATSY T. NOTARY PUBLIC SOMERSET COUNTY

Notary Public

Order Nisi

| | | |
|---|---|---|
| Mildred Franzenia Johnson<br>Plaintiff | : | No. 8196 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Louis Edward Dennis, et al<br>Defendants | : | |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones and Thomas S. Simpkins, Trustees 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 1st day of February, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 28th day of January, 1966.

The report states the amount of sale to be sixteen hundred dollars ($1600.00).

Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 2nd day of February, 1966, that the sale made and reported by the Trustees aforesaid, be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the order nisi passed in said cause; and the Trustees are allowed the usual commissions and such proper expenses as they shall produce vouchers for to the auditor.

Judge

# ORDER NISI

No. 8196 Chancery

In the Circuit Court for
Somerset County, Maryland
Mildred Franzenia Johnson
Plaintiff
vs
Louis Edward Dennis, et al
Defendants

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones and Thomas S. Simpkins, Trustees 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 1st day of February, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 28th day of January, 1966.

The report states the amount of sale to be sixteen hundred dollars ($1600.00).

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
True Copy,
Test: I. Theodore Phoebus, Clk.
86-5tc

PRINCESS ANNE, MD., Feb 2 1966

This is to certify that the annexed Order

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to terms and requirements contained in said Order

Dates Inserted: 1/6 - 1/13 1/20 1/27

Clarence L. Boyd
Business Manager MARYLANDER and HERALD

LIBER 041 PAGE 313

| | | |
|---|---|---|
| Mildred Franzenia Johnson<br>Plaintiff | : | No. 8196 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Louis Edward Dennis, et al<br>Defendants | : | |

A U D I T

To the Honorable, the Judges of the Circuit Court, in Equity:

The report of the Auditor stating the account in the within mentioned cause, respectfully represents:

That your Auditor has charged the Trustees with the whole amount of the sale of the real estate, as reported by the Trustees in their report of sale. The said Trustees have been allowed commissions on said sale and a special attorney's fee as per the Chancery Rules of this Court and their costs and expenses not personal.

The balance of the funds in the hands of the Trustees has been distributed to the parties in the above entitled action.

| | | |
|---|---|---|
| By the whole amount of sale of the real estate as reported by the Trustees | | $1,600.00 |
| To: Trustees for their commissions | $160.00 | |
| Special Attorney's fee | 25.00 | |
| To: Trustees for their costs and expenses, not personal: | | |
| Plaintiff's Solicitor | 10.00 | |
| Defendant's Solicitor | 10.00 | |
| Clerk's costs, accrued and to accrue | 24.50 | |
| Recording | 15.00 | |
| Advertising Order of Publication | 78.75 | |
| Advertising sale | 39.00 | |
| Order nisi | 10.00 | |
| Bond premium | 10.00 | |
| Auctioneer | 25.00 | |
| Auditor stating this account | 10.00 | |
| Appraisers | 10.00 | |
| Advance for registered mail | 2.00 | |
| 1965 State and County taxes | 33.51 | |
| Mary Alice Ballard, Administratrix of the Estate of Rose Isabelle Dennis for costs and claims filed in the Orphans Court for Somerset County | 619.67 | |
| The balance of the funds in the hands of the Trustees is distributed as follows: | | |
| To: Mildred Franzenia Johnson, 1/5th | 103.51 | |
| Louis Edward Dennis, 1/5th | 103.51 | |
| Rose F. Deaton, 1/5th | 103.51 | |
| Andrew S. Dennis, 1/5th | 103.52 | |
| Mary Alice Ballard, 1/5th | 103.52 | |
| | $1,600.00 | $1,600.00 |

Respectfully submitted,

Harry C. Dashiell, Auditor

LIBER 041 PAGE 315

LIBER 041 PAGE 010

3rd February 1966

the 7th day of March 1966

Theodore Shaeber

No. 8196 Ch

Feb the ions having been

in the above proceeding

Auditor's Report

exhibited have been paid

Date March 8, 1966

Theodore Shaeber

An exception has been filed

been shown

Sec. March 66

Confirmed

Theodore Shaeber

Ex'd

MAY 22 1967

| | | |
|---|---|---|
| Edgar A. Jones, Attorney, Ex Parte | : | No. 5262 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Harrison J. R. Ballard, widower, to C. | : | Somerset County, Maryland |
| **Foster Matthews, assigned to Allen Foster Matthews.** | : | |

The Clerk of the Circuit Court for Somerset County will please docket the above entitled suit and file the original mortgage among the papers therein.

Edgar A. Jones
Princess Anne, Maryland
Telephone 651-2747

FOR ORIGINAL MORTGAGE SEE MORTGAGE BOOK NO. 156, FOLIO 376.

LIBER 041 PAGE 317

| | | |
|---|---|---|
| Edgar A. Jones, Attorney, Ex Parte | : | No. 5207 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Harrison J. R. Ballard, widower, to **C. Foster Matthews, assigned to Allen Foster Matthews.** | : | Somerset County, Maryland |

State of Maryland, Somerset County, to wit :

I hereby certify, that on this 31st day of August, 1965, before me, the undersigned officer, personally appeared Allen Foster Matthews, and made oath in due form of law as follows: That the principal amount owing on the above mortgage is $125.00, with interest from November 19, 1961, and also made oath in due form of law that the defendant is not in the military service as hereinafter set forth and that he has not been in such military service referred to being as follows:

1. The military service of the United States of America or of the enlisted reserve corps thereof;
2. Ordered to report for induction under the Selective Training and Service Act of 1940 as amended;
3. The military service of any nation with which the United States of America may be allied in the prosecution of war.

Eunice Pilchard
Notary Public

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 72

| | | |
|---|---|---|
| Edgar A. Jones, Attorney, Ex Parte | : | No. 8207 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Harrison J. R. Ballard, widower, to | : | Somerset County, Maryland |
| Allen Foster Matthews | : | |

To the Honorable, the Judge of said Court:

The report of sales of Edgar A. Jones, Attorney named in a certain mortgage made and executed by Harrison J.R. Ballard, widower, to C. Foster Matthews, dated May 19, 1952 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 156, folio 376, said mortgage having been assigned to Allen Foster Matthews by Frances M. Miles, Administratrix of the Estate of C. Foster Matthews, on July 23, 1953, 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 and 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, 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 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 28th day of September, 1965, at 2:00 o'clock 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 Westover Election District, Somerset County, Maryland, and described in 1905 as beginning at a gum at the northeast corner of John H. Cottman's land, and thence running by and with said Cottman land and ditch South 69° 30' West 4 04/100 chains to the north side of the county road leading from Westover to Cottage Grove; thence by and with the north side of said road and binding thereon North 40° 30' West 6 45/100 chains to the east side of L. W. Ballard's and Sarah A. Cottman's road or land; thence by and with the east side of said road or land North 50° East 3 32/100 chains to the land of L. W. Ballard; thence with said Ballard land South 44° East 7 91/100 chains to the place of beginning, containing

2½ acres, more or less, being the same and all the land which was conveyed unto the said Harrison J. R. Ballard by L. W. Beauchamp and Grace Beauchamp by deed dated November 6, 1905 and recorded among the aforesaid Land Records in Liber O.T.B. No. 41, folio 515, and sold the same to Allen Foster Matthews at and for the sum of three hundred and eighty-five dollars ($385.00), 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 and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total sales | | $385.00 |
| To Clerk of the Circuit Court for costs | $38.00 | |
| To Marylander and Herald, advertising & order nisi | 49.39 | |
| To Auctioneer | 15.00 | |
| To 1962 State and County taxes | 12.44 | |
| To 1963 State and County taxes | 11.81 | |
| To 1964 State and County taxes | .82 | |
| To 1965 State and County taxes | 10.92 | |
| To Solicitor's fee | 25.00 | |
| To Edward L. Fontaine, Rep.W.S.Co. | 28.50 | |
| To Attorney as commission | 38.50 | |
| To balance to be distributed | 154.62 | |
| | $385.00 | $385.00 |
| Balance to be distributed | | $154.62 |
| To Allen Foster Matthews, mortgage principal | $125.00 | |
| To Allen Foster Matthews, interest | 29.62 | |
| | $154.62 | $154.62 |

Respectfully submitted,

Attorney

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 28th day of September, in the year nineteen hundred and sixty-five, 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 aforegoing 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.

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

Eunice Pilchard
Notary Public

EUNICE PILCHARD NOTARY PUBLIC SOMERSET COUNTY, MD.

Order Nisi

| | | |
|---|---|---|
| Edgar A. Jones, Attorney, Ex Parte | : | No. 8207 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Harrison J. R. Ballard, widower, to | : | Somerset County, Maryland |
| Allen Foster Matthews | : | |

Ordered this 29th day of September, in the year nineteen hundred and sixty-five, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein 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 2nd day of November, 1965, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 28th day of October, 1965.

The report states the amount of sales to be $385.00.

Clerk of the Circuit Court

| | | |
|---|---|---|
| Edgar A. Jones, Attorney, Ex Parte | : | No. 8207 Chancery |
| under power contained in mortgage from | : | In the Circuit Court for |
| Harrison J. R. Ballard, widower, to | : | Somerset County, Maryland |
| Allen Foster Matthews | : | |

Ordered by the Circuit Court for Somerset County, in Equity, this 9th day of November, in the year nineteen hundred and sixty-five, that the sale of the real estate mentioned in these proceedings made and reported by Edgar A. Jones, Attorney mentioned in said mortgage, 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.

Judge

LEGAL NOTICES

Jones & Jones, Attorneys

# ATTORNEY'S SALE

OF VALUABLE

## RESIDENTIAL PROPERTY

Under and by virtue of the power of sale contained in a mortgage from Harrison J. R. Ballard, widower, dated May 19, 1952, recorded among the Land Records of Somerset County in Liber B.L.B. No. 156, folio 376, default having occurred in said mortgage, the undersigned, as attorney named in said mortgage, will offer at public sale the hereinafter described property in front of the Court House door in Princess Anne, Maryland, on

**Tues., Sept. 28, '65**

at or about the hour of 2:00 o'clock P.M.,

all that lot or parcel of land situate in Westover Election District, Somerset County, Maryland, and described in 1905 as beginning at a gum at the northeast corner of John H. Cottman's land, and thence running by and with said Cottman land and ditch South 69° 30' West 4 04/100 chains to the north side of the county road leading from Westover to Cottage Grove; thence by and with the north side of said road and binding thereon North 40° 30' West 6 45/100 chains to the East side of L. W. Ballard's and Sarah A. Cottman's road or land; thence by and with the East side of said road or land North 50° East 3 32/100 chains to the land of L. W. Ballard; thence with said Ballard Land South 44° East 7 91/100 chains to the place of beginning, containing 2½ acres, more or less. being the same and all the land which was conveyed unto the said Harrison J. R. Ballard by L. W. Beauchamp and Grace Beauchamp by deed dated November 6, 1905 and recorded among the aforesaid Land Records in Liber O.T.B. No. 41, folio 515.

This property is improved by a two story frame house.

Terms of Sale: Cash.

Title papers and revenue stamps at purchaser's expense.

EDGAR A. JONES
Attorney

18-4tc

FILED
NOV 9 10

PRINCESS ANNE, MD., November 9, 1965

This is to certify that the annexed Attorneys Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Sept 29 & 23 1965

Clarence L. Bupp
Business Manager MARYLANDER and HERALD

PRINCESS ANNE, MD., 11-8- 1965

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Oct 22 & 29 1965

Clarence L. Bupp
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8207 Chancery
In the Circuit Court for
Somerset County, Maryland

Edgar A. Jones, Attorney, Ex Parte under power contained in Mortgage from Harrison J. R. Ballard, widower, to Allen Foster Matthews

Ordered this 29th day of September, in the year nineteen hundred and sixty-five, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein 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 2nd day of November, 1965, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 28th day of October, 1965.

The report states the amount of sales to be $385.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Md.

True Copy,
Test: I. Theodore Phoebus, Clk.

22-4tc

Filed
MAY 22 1967

LIBER 041 PAGE 023

#12082



| | | |
|---|---|---|
| FAIRVIEW FEDERAL SAVINGS AND LOAN ASSOCIATION, a body corporate<br>2013-2015 Frederick Avenue<br>Baltimore 23, Maryland<br>Plaintiff | : | No. 8238 Chancery |
| Vs. | : | In the Circuit Court for |
| GRANVILLE G. TYLER and<br>EDNA MAE TYLER, his wife<br>Crisfield, Maryland<br>Defendants | : | Somerset County, Maryland |

* * * * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Plaintiff respectfully represents that on the twenty-fifth day of June, A.D., 1959, the Defendants executed and delivered to Fairview Federal Savings and Loan Association, a corporation organized and existing under the laws of the United States, a mortgage upon certain fee simple property in Somerset County, Maryland, therein described, to secure the payment of the mortgage debt of FIVE THOUSAND DOLLARS ($5,000) and interest as therein mentioned, wherein said mortgagors assented to the passage of a decree for the sale of said mortgage property, to take place at any time after any default in any covenant or condition of said mortgage; all of which will appear from said mortgage, marked "Petitioner's Exhibit No. 1", and filed herewith as part of this petition.

AND, WHEREAS a default has occurred in the payment of the principal and interest, as provided in said mortgage.

AND your Petitioner prays that a decree may be passed for the sale of the said property, in accordance with the terms of said mortgage.

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.

AND, as in duty bound, etc.

HEARNE, FOX & BAILEY

By _____
Attorneys for Plaintiff

FOR MORTGAGE SEE MORTGAGE RECORD BOOK NO. 193, FOLIO 414.

STATEMENT OF MORTGAGE CLAIM

| | |
|---|---|
| FAIRVIEW FEDERAL SAVINGS AND LOAN ASSOCIATION<br>vs.<br>GRANVILLE G. TYLER and EDNA MAE TYLER, his wife | IN THE<br>CIRCUIT COURT<br>FOR<br>~~YORK~~<br>SOMERSET COUNTY<br>~~BALTIMORE CITY~~<br>( IN EQUITY ) |

# STATEMENT OF MORTGAGE DEBT

| | |
|---|---|
| Amount of Mortgage dated June 25, 1959 | $ 5,000.00 |
| Less payments thereon | 258.01 |
| Balance as of November 30, 1965 | 4,741.99 |

STATE OF MARYLAND, CITY OF BALTIMORE, Sct.

I HEREBY CERTIFY, That on this nineteenth day of November, in the year nineteen hundred and sixty-five, before me, a Notary Public of the State of Maryland, in and for said City of Baltimore, personally appeared Jerome C. Neuman, President of Fairview Federal Savings and Loan Association,

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.

As witness my hand and Notarial Seal,

My commission expires
July 1, 1967

Helena Reymann

Helena Reymann Notary Public.

**Military Affidavit under Soldiers' and Sailors' Civil Relief Act of 1940 and Amendment thereto of October 6, 1942**

| | |
|---|---|
| FAIRVIEW FEDERAL SAVINGS AND LOAN ASSOCIATION<br>*vs.*<br>GRANVILLE G. TYLER and EDNA MAE TYLER, his wife | IN THE<br>**CIRCUIT COURT**<br>FOR<br>~~XXX~~<br>SOMERSET COUNTY<br>~~BALTIMORE CITY~~<br>( IN EQUITY )<br><br>Docket ..... Folio ..... |

**Military Affidavit**

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State, in and for said City, personally appeared Jerome C. Neuman, President of Fairview Federal Savings and Loan Association,

and made oath in due form of law that he (she) knows the defendant herein, and that to the best of his (her) information, knowledge and belief

(1) said defendant is not in the military service of the United States,

(2) said defendant is not in the military service of any nation allied with the United States,

(3) said defendant has not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended,

(4) said defendant is not a member of the Enlisted Reserve Corps who has been ordered to report for military service.

Jerome C. Neuman
*Affiant.*
Jerome C. Neuman, President

Subscribed and sworn to before me

this 19th day of November, 1965

Helena Reymann
*Notary Public* Helena Reymann
My commission expires July 1, 1967

| | | |
|---|---|---|
| FAIRVIEW FEDERAL SAVINGS AND LOAN ASSOCIATION, a body corporate<br>2013-2015 Frederick Avenue<br>Baltimore 23, Maryland<br>Plaintiff | : | No. 8238 Chancery |
| Vs. | : | In the Circuit Court for |
| GRANVILLE G. TYLER and<br>EDNA MAE TYLER, his wife<br>Crisfield, Maryland<br>Defendants | : | Somerset County, Maryland |

* * * * * * * *

DECREE FOR SALE OF MORTGAGED PREMISES

The Petition and Exhibit in the above cause having been submitted, the proceedings therein were by the Court read and considered:

It is, thereupon, this 23 day of November, in the year Nineteen Hundred and Sixty-five by the Circuit Court of Somerset County, Maryland, ADJUDGED, ORDERED AND DECREED, that the mortgaged property in the proceedings mentioned to be sold, at or after any one of the periods limited in the mortgage filed for the forfeiture of said mortgage; that Paul Beall and James P. Bailey be and they are hereby appointed Trustees to make said sale, and that the courses and manner of their proceedings shall be as follows: They shall first file with the Clerk of the Court, a bond to the State of Maryland, executed by themselves, and a corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of Five Thousand Dollars ($5,000.00) conditioned for the faithful performance of the trust reposed in them by this Decree, or to be reposed in them by any further Decree or order in the premises: They shall then proceed to make said sale, having given at least three weeks' notice by advertisement, inserted in such weekly newspaper or newspapers published in Somerset County as they shall think proper, of the time, place, manner, and terms of said sale which shall be one-third (1/3) cash on day of sale, balance to bear interest

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.

from the date of sale and to be paid upon ratification of sale; and as soon as may be convenient after any such sale or sales, the said Trustees shall return to this Court a full and particular account of their proceedings relative to such sale; with an 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 (and not before), the said Trustees shall by a good and sufficient deed to be executed, acknowledged, and recorded, according to law, convey to the purchaser or purchasers, his, her, or their heirs, the property and estate to him, her, or them sold, free, clear, and discharged from all claims of the parties hereto, Petitioner and Mortgagors, 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 cost of this suit, and such commissions to the said Trustees as this Court shall think proper to allow in consideration of the skill, attention, and fidelity wherewith they shall have appeared to have discharged their trust, provided that, before the sale hereinbefore decreed shall be made, a statement of the mortgage claim, duly verified by affidavit, as required by law, be filed in said cause.

E. McMaster Duncan.
JUDGE

FOR BOND SEE BOND BOOK I.T.P NO. 9, FOLIO 82.

HEARN, FOX & BAILEY
AND
PAUL BEALL

SOLICITORS

# TRUSTEES' SALE

## Of Valuable

# Residential Property

LOCATED AT 106

CHESAPEAKE AVENUE

* * * * * *

By virtue of a Decree of the Circuit Court for Wicomico County, Maryland, in No. 8224 Chancery, the undersigned Trustees will sell at public auction at the front door of the Court House in Princess Anne, Somerset County, Maryland, on

## Tues., Dec. 21, 1965

## At 2:00 P. M.

All that lot or parcel of land situate, lying and being in the Seventh District of Somerset County and State of Maryland, beginning for the same at the corner of West Chesapeake Avenue and North First Street; thence running North forty-seven degrees west ninety and five-tenths feet (N 47 degrees W 90.5') to an iron stob; thence binding with land of Francis Somers, North seven degrees and thirty minutes east fifty-four feet (N 7 degrees 30' 54'); thence binding with land of Morris Evans, South seventy-nine degrees east eighty-eight and five tenths feet (S 79 degrees E 88.5') to North First Street; thence by and with North First Street South six degrees west sixty-one and five-tenths feet (S 6 degrees W 61.5') to the place of beginning, according to survey of Roy E. Moore, Surveyor, dated May 27, 1959.

Being the same lot of ground which, by deed dated March 5, 1959, and recorded among the Land Records of Somerset County in Liber GJB No. 192, folio 96, was granted and conveyed by Harry T. Phoebus, Jr., Assignee, and Lawrence W. Tyler, to the herein named Mortgagors.

Being also the same lot of ground which, by confirmatory deed dated April 11, 1959, and recorded among the Land Records aforesaid in Liber GJB No. 192, folio 302, was granted and conveyed by Harry T. Phoebus, Assignee, Lawrence W. Tyler and Nellie K. Tyler, his wife, and the Bank of Crisfield, to the herein named Mortgagors.

This property is improved by a frame dwelling.

Terms of Sale: One-Third (⅓) Cash to be paid at time of sale, unpaid balance to be secured to the satisfaction of the Trustees and to bear interest at the rate of six per centum per annum, balance to be paid in full upon ratification or all cash at option of purchaser. Taxes and other public charges to be adjusted to date of sale. Title papers and revenue stamps at the expense of the purchaser.

**PAUL BEALL AND**
**JAMES P. BAILEY,**
**TRUSTEES**
**Colonial Building**
**Salisbury, Maryland**
**Telephone Pioneer 5-5144**

11-26-4t

LIBER 641 PAGE 330

CRISFIELD, MD., Dec. 27 1965

THIS is to certify that the annexed Trustees' Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Trustees' Sale for 4 weeks beginning with the issue of November 26 1965 and ending December 17 1965.

Publisher, THE CRISFIELD TIMES

| | | |
|---|---|---|
| FAIRVIEW FEDERAL SAVINGS AND LOAN ASSOCIATION | : | NO. 8238 CHANCERY |
| | : | |
| VS | | IN THE CIRCUIT COURT FOR |
| | : | |
| GRANVILLE G. TYLER and EDNA MAE TYLER, his wife | : | SOMERSET COUNTY, MARYLAND |
| | : | |

* * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of Paul Beall and James P. Bailey, Trustees appointed by the decree in the above entitled cause to make sale of fee simple property located in Somerset County, Maryland, in the proceedings in said cause mentioned, respectfully shows, that after given bond with security for the faithful discharge of their trust as prescribed by said decree, which was duly approved, and having given notice of the time, place, manner and terms of sale by advertisements inserted in The Crisfield Times, a newspaper published in said Somerset County, for more than three successive weeks preceding the day of sale, said Trustees did, pursuant to said notice, on Tuesday, December 21, 1965, at 2:00 o'clock P.M., attend at the front door of the Court House in Princess Anne, Somerset County, Maryland, and did then and there proceed to sell said property mentioned in said mortgage in the manner following, that is to say:

The said Trustees under and by virtue of said decree of this Court offered at public sale to the highest bidder the hereinafter described property:

All that lot or parcel of land situate, lying and being in the Town of Crisfield, Seventh District of Somerset County and State of Maryland, beginning for the same at the corner of West Chesapeake Avenue and North First Street; thence running North forty-seven degrees west ninety and five-tenths feet (N 47 degrees W 90.5') to an iron stob; thence binding with land

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.

of Francis Somers, North seven degrees and thirty minutes east fifty-four feet (N 7 degrees 30' E 54') thence binding with land of Morris Evans, South seventy-nine degrees east eighty-eight and five-tenths feet (S 79 degrees E 88.5') to North First Street; thence by and with North First Street South six degrees west sixty-one and five-tenths feet (S 6 degrees W 61.5') to the place of beginning, according to survey of Roy E. Moore, Surveyor, dated May 27, 1959; and being the same lot of ground that was conveyed unto Granville G. Tyler and Edna Mae Tyler, his wife, by Harry T. Phoebus, Jr., Assignee, and Lawrence W. Tyler, by deed dated March 5, 1959 and recorded among the Land Records of Somerset County, Maryland in Liber G.J.B. No. 192, folio 96; being also the same lot of ground that was conveyed unto Granville G. Tyler and Edna Mae Tyler, his wife, by Harry T. Phoebus, Assignee, Lawrence W. Tyler and Nellie K. Tyler, his wife, and the Bank of Crisfield, by confirmatory deed dated April 11, 1959 and recorded among the Land Records aforesaid in Liber G.J.B. No. 192, folio 302, and sold the same unto Fairview Federal Savings and Loan Association, at and for the sum of FOUR THOUSAND DOLLARS ($4,000.00), it being at that sum the highest bidder therefor, and the said Purchaser has complied with the terms of sale.

AND the said Trustees further report and pray ratification of the distribution of the funds in their hands arising from said sale as follows:

RECEIPTS:

| | | |
|---|---|---|
| To Proceeds of Sale as reported | | $4000.00 |

DISBURSEMENTS:

| | | |
|---|---|---|
| I.T. Phoebus, Clerk, court costs | 38.00 | |
| City of Crisfield, sewer charges | 17.25 | |
| Crisfield Times, advertising and order nisi | 58.75 | |
| Edwin Muir, Auctioneer | 15.00 | |

| | | |
|---|---|---|
| Fidelity and Deposit Co. of Maryland, bond premium | 20.00 | |
| Paul Beall and James P. Bailey Trustees, fee in lieu of commission | 150.00 | |
| Balance due Fairview Federal | 4758.58 | |
| TOTAL DISBURSEMENTS TO BE MADE | | 5057.58 |
| AMOUNT OF DEFICIENCY | | 1057.58 |

Respectfully submitted,

Paul Beall

James P. Bailey
- TRUSTEES-

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 28th day of December, A.D., 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared James P. Bailey, one of the Trustees hereinbefore referred to, and made oath in due form of law that the matters and things stated in the aforegoing Report of Sale and Distribution of Proceeds thereof are true 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.

RUTH T. DONAWAY NOTARY PUBLIC Wicomico County, Md.

Notary Public

STATE OF MARYLAND, BALTIMORE CITY, to-wit:

I HEREBY CERTIFY, That on this 28th day of December, A.D., 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Paul Beall, one of the Trustees hereinbefore referred to, and made oath in due form of law that the matters and things stated in the aforegoing Report of Sale and Distribution of Proceeds thereof are true and correct 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.

ANTOINETTE M. GRANESE NOTARY PUBLIC BALTIMORE MD.

Notary Public
Antoinette M. Granese
My commission expires July 1, 1967.

AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 23rd day of December, A.D., 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared James P. Bailey, Agent for Fairview Federal Savings and Loan Association, and made oath in due form of law that:

(1) That he is the duly authorized agent for Fairview Federal Savings and Loan Association;

(2) That Fairview Federal Savings and Loan Association is the only firm financially interested or involved in said purchase;

(3) That he has not directly or indirectly discouraged anyone from bidding on said property.

AS WITNESS my hand and Notarial Seal.

RUTH T. DONAWAY NOTARY PUBLIC Wicomico County, Md.

Notary Public

| | | |
|---|---|---|
| Fairview Federal Savings and Loan Association | : | No. 8238 Chancery In the Circuit Court for |
| | : | |
| VS | | |
| | : | |
| Granville G. Tyler and Edna Mae Tyler, his wife | : | Somerset County and State of Maryland |
| | : | |

* * * * * * *

ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 3rd day of January, A.D., 1966, that the sale of the property mentioned in these proceedings and the distribution of the funds arising from said sale, made and reported by Paul Beall and James P. Bailey, Trustees, by virtue of a Decree of this Court, be ratified and confirmed, unless cause to the contrary be shown on or before the 4th day of February, A.D., 1966, provided a copy of this Order be inserted in some weekly newspaper published in said Somerset County once in each of three successive weeks before the 25th day of January, A.D., 1966.

The report states the amount of sale to be FOUR THOUSAND DOLLARS ($4,000.00).

Theodore Gaschen
CLERK

LIBER 041 PAGE 336

FINAL ORDER OF RATIFICATION

ORDERED, this 23rd day of February, A.D., 1966, by the Circuit Court for Somerset County, Maryland, in Equity, that the sale and distribution of the funds arising from said sale, made and reported by Paul Beall and James P. Bailey, Trustees, 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 BE IT FURTHER ORDERED that the papers of this proceeding need not be referred to the Court Auditor to state an account therein.

Wilson W. Townsend
JUDGE

Fairview Federal Savings and Loan Association

VS

Granville G. Tyler and Edna Mae Tyler, his wife

No. 8238 Chancery in the Circuit Court for Somerset County and State of Maryland.

* * * * * *

## ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 3rd day of January, A.D., 1966, that the sale of the property in these proceedings and the distribution of the funds arising from said sale, made and reported by Paul Beall and James P. Bailey, Trustees, by virtue of a Decree of this Court, be ratified and confirmed, unless cause to the contrary be shown on or before the 7th day of February, A.D., 1966, provided a copy of this Order be inserted in some weekly newspaper published in said Somerset County once in each of three successive weeks before the 15th day of January, A.D., 1966.

The report states the amount of sale to be FOUR THOUSAND DOLLARS ($4,000.00).

True Copy,
Test: I. Theodore Phoebus,
Clerk of Court
Somerset County, Md.

1-7-3t

CRISFIELD, MD., Feb. 27 1966

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of January 7 19 66 and ending January 21 19 66.

E. L. Pruitt
Publisher, THE CRISFIELD TIMES

Eld
MAY 22 1967

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EX PARTE | : | NO. 8248 CHANCERY |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| EDWARD RANSHAW AND LUCILLE M. RANSHAW, HIS WIFE | : | SOMERSET COUNTY |
| UNTO J. FRANK JOYNES, JR. AND VIRGINIA JOYNES | : | STATE OF MARYLAND |

***

MR. CLERK:

PLEASE DOCKET SUIT AS ABOVE AND FILE THE ORIGINAL MORTGAGE AMONG THE PAPERS THEREIN.

THOMAS S. SIMPKINS
ATTORNEY, EX PARTE

FOR MORTGAGE SEE MORTGAGE RECORD LIBER G.J.B. NO.214, FOLIO 466.

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 89.

Liber 041 Page 007

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.

TELEPHONE 651-1400

LIBER 044 PAGE 008

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EX PARTE | : | NO. 8248 CHANCERY |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| EDWARD RANSHAW, JR. AND LUCILLE M. RANSHAW, HIS WIFE | : | SOMERSET COUNTY |
| UNTO J. FRANK JOYNES, JR. AND VIRGINIA JOYNES | : | STATE OF MARYLAND |

## MILITARY AFFIDAVIT

STATE OF MARYLAND,
COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 8th DAY OF DECEMBER, IN THE YEAR NINETEEN HUNDRED AND SIXTY-FIVE, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED THOMAS S. SIMPKINS, AND HE MADE OATH IN DUE FORM OF LAW THAT THE ABOVE NAMED MORTGAGORS ARE NOT IN THE MILITARY SERVICE OF THE UNITED STATES OF AMERICA, AS HEREINAFTER SET FORTH, AND THAT THEY HAVE NOT BEEN IN SUCH MILITARY SERVICE WITHIN THIRTY DAYS PRIOR TO THE MAKING OF THIS AFFIDAVIT, SUCH MILITARY SERVICE BEING AS FOLLOWS:

1. THE MILITARY SERVICE OF THE UNITED STATES OF AMERICA OR OF THE ENLISTED RESERVE CORPS THEREOF.

2. ORDERED TO REPORT FOR INDUCTION UNDER THE SELECTIVE SERVICE AND TRAINING ACT OF 1940, AS AMENDED.

3. THE MILITARY SERVICE OF ANY NATION WITH WHICH THE UNITED STATES OF AMERICA MAY BE ALLIED IN THE PROSECUTION OF WAR.

IN TESTIMONY WHEREOF, I HEREUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTARIAL SEAL ON THE DAY AND YEAR ABOVE WRITTEN.

Virginia B. Miles
VIRGINIA B. MILES
NOTARY PUBLIC

MY COMMISSION EXPIRES JULY 1, 1967

VIRGINIA B. MILES · NOTARY PUBLIC · SOMERSET COUNTY, MARYLAND

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

R# 12364

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EX PARTE | : | NO. 8248 CHANCERY |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| EDWARD RANSHAW, JR. AND LUCILLE M. RANSHAW, HIS WIFE | : | SOMERSET COUNTY |
| UNTO J. FRANK JOYNES, JR. AND VIRGINIA JOYNES | : | STATE OF MARYLAND |

## AFFIDAVIT

STATE OF MARYLAND,
COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 8th DAY OF DECEMBER, IN THE YEAR NINETEEN HUNDRED AND SIXTY-FIVE, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED J. FRANK JOYNES, JR. AND VIRGINIA JOYNES, WHO AFTER BEING DULY SWORN BY ME ACCORDING TO LAW, DEPOSE AND SAY:

THAT THEY ARE THE MORTGAGEES IN THE ABOVE PROCEEDINGS AND THAT AS SUCH THEY HAVE KNOWLEDGE OF THE FACTS HEREINAFTER SET FORTH AND THAT THEY ARE COMPETENT TO TESTIFY THERETO.

THAT THERE IS JUSTLY DUE AND OWING ON THE AFORESAID MORTGAGE THE SUM OF FOUR THOUSAND DOLLARS ($4000.00) PRINCIPAL BALANCE, AND THE SUM OF ONE HUNDRED FORTY DOLLARS ($140.00) INTEREST ON SAID PRINCIPAL BALANCE, FOR A TOTAL OF FOUR THOUSAND, ONE HUNDRED AND FORTY DOLLARS ($4,140.00) NOW DUE AND PAYABLE.

IN WITNESS WHEREOF, I HEREUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTARIAL SEAL ON THE DAY AND YEAR FIRST ABOVE WRITTEN.

Virginia B. Miles
VIRGINIA B. MILES
NOTARY PUBLIC

MY COMMISSION EXPIRES JULY 1, 1967

VIRGINIA B. MILES NOTARY PUBLIC SOMERSET COUNTY, MARYLAND

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 042 PAGE 040

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EXPARTE | : | NO. 8248 CHANCERY CASES |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| EDWARD RANSHAW AND | : | SOMERSET COUNTY |
| LUCILLE M. RANSHAW, HIS WIFE, UNTO J. FRANK JOYNES, JR. AND VIRGINIA JOYNES, HIS WIFE | : | STATE OF MARYLAND |
| | : | |

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT OF THOMAS S. SIMPKINS, ASSIGNEEE OF A MORTGAGE FROM EDWARD RANSHAW AND LUCILLE M. RANSHAW, HIS WIFE, TO J. FRANK JOYNES, JR. AND VIRGINIA JOYNES, HIS WIFE, RESPECTFULLY SHOWS:

THAT HAVING GIVEN BOND WITH APPROVED SECURITY FOR THE FAITHFUL PERFORMANCE OF THE TRUST REPOSED IN HIM, AND HAVING COMPLIED WITH ALL OTHER PRE-REQUISITES OF LAW AND THE TERMS OF THE SAID MORTGAGE, INCLUDING THE GIVING OF NOTICE OF THE TIME, PLACE, MANNER AND TERMS OF SALE, BY ADVERTISEMENT INSERTED IN THE MARYLANDER AND HERALD, A NEWSPAPER PUBLISHED IN SOMERSET COUNTY, AT LEAST TWENTY DAYS BEFORE THE DATE OF SALE, AS WILL MORE FULLY APPEAR BY REFERENCE TO THE CERTIFICATE OF PUBLICATION OF THE ADVERTISEMENT, ATTACHED HERETO AS A PART HEREOF, HE DID, PURSUANT TO SAID NOTICE, ATTEND AT THE COURT HOUSE, IN PRINCESS ANNE, MARYLAND, ON TUESDAY, JANUARY 11, 1966, AT TWO O'CLOCK P.M., AND THEN AND THERE PROCEEDED TO SELL THE PROPERTY DESCRIBED IN SAID MORTGAGE, AS FOLLOWS:

ALL THAT LOT OF LAND SITUATE IN THE TOWN OF PRINCESS ANNE, WEST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE EASTERLY SIDE OF AND BINDING UPON BECKFORD AVENUE; AND BEING THE SAME LAND WHICH WAS CONVEYED UNTO EDWARD J. RANSHAW AND LUCILLE M. RANSHAW BY JAMES S. PILCHARD, ET AL, BY DEED DATED MAY 14, 1963, AND RECORDED AMONG THE LAND RECORDS OF SOMERSET

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

COUNTY, MARYLAND IN LIBER No. 215, FOLIO 557.

AND HE SOLD THE SAID PROPERTY TO J. FRANK JOYNES, JR. AND VIRGINIA JOYNES, HIS WIFE, AT AND FOR THE SUM OF ONE THOUSAND, FIVE HUNDRED DOLLARS ($1,500.00), THEY BEING THE HIGHEST BIDDER THEREFOR; AND SAID PURCHASERS WILL COMPLY WITH THE TERMS OF SALE UPON FINAL RATIFICATION THEREOF.

AND THIS ASSIGNEE PROPOSES TO DISTRIBUTE THE PROCEEDS OF THE SALE AS FOLLOWS:

| | |
|---|---|
| TO AMOUNT OF SALE, AS PER REPORT | $ 1,500.00 |

DISTRIBUTION:

| | | |
|---|---|---|
| I. THEODORE PHOEBUS, CLERK OF COURT, COST | $ 38.00 | |
| STATE AND COUNTY REAL ESTATE TAXES | 206.05 | |
| TOWN OF PRINCESS ANNE REAL ESTATE TAXES | 61.26 | |
| SOMERSET COUNTY SANITARY DISTRICT | 68.90 | |
| PRINCESS ANNE SEWER AND WATER AUTHORITY | 27.00 | |
| MARYLANDER AND HERALD, ADV. OF SALE | 30.00 | |
| MARYLANDER AND HERALD, ORDER NISI | 10.00 | |
| BOND PREMIUM | 25.00 | |
| NOTARY PUBLIC | 2.00 | |
| EDWIN B. MUIR, AUCTIONEER | 25.00 | |
| ATTORNEY'S FEE IN LIEU OF COMMISSION | 100.00 | |
| | $ 593.21 | |
| TOTAL DISTRIBUTION | | 593.21 |
| BALANCE | | $ 906.79 |

BALANCE DISTRIBUTED TO HOLDERS OF the mortgage $ 906.79

RESPECTFULLY SUBMITTED,

THOS. S. SIMPKINS, ASSIGNEE

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
81 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| THOS. S. SIMPKINS, ATTORNEY EX PARTE | : | NO. 8248 CHANCERY CASES |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| EDWARD RANSHAW AND LUCILLE M. RANSHAW, HIS WIFE | : | SOMERSET COUNTY |
| UNTO J. FRANK JOYNES, JR. AND VIRGINIA JOYNES, HIS WIFE | : | STATE OF MARYLAND |

## AFFIDAVIT OF PURCHASE

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 11TH DAY OF JANUARY, 1966, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY J. FRANK JOYNES AND VIRGINIA JOYNES, HIS WIFE, AND THEY MADE OATH IN DUE FORM OF LAW THAT THEY WERE THE PURCHASER OF THE REAL ESTATE DESCRIBEDIN THIS CAUSE AT THE SALE THEREOF, AND THAT NO ONE WAS EITHER DIRECTLY OR INDIRECTLY DISCOURAGED FROM BIDDING FOR SAID PROPERTY.

IN WITNESS WHEREOF, I HEREUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTARIAL SEAL ON THE DAY AND YEAR ABOVE WRITTEN.

Virginia B. Miles
VIRGINIA B. MILES
NOTARY PUBLIC

VIRGINIA B. MILES NOTARY PUBLIC SOMERSET COUNTY

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| THOMAS S. SIMPKINS, ATTORNEY EX PARTE | : | NO. 8248 CHANCERY CASES |
| UNDER POWER CONTAINED IN MORTGAGE FROM | : | IN THE CIRCUIT COURT FOR |
| EDWARD RANSHAW AND LUCILLE M. RANSHAW, HIS WIFE | : | SOMERSET COUNTY |
| UNTO J. FRANK JOYNES, JR. AND VIRGINIA JOYNES, HIS WIFE | : | STATE OF MARYLAND |

## ORDER NISI

ORDERED, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, THIS 12th DAY OF January, 1966, THAT THE SALE OF THE PROPERTY AND DISTRIBUTION OF PROCEEDS MENTIONED IN THIS PROCEEDING, MADE AND REPORTED BY THOMAS S. SIMPKINS, ASSIGNEE, BE RATIFIED AND CONFIRMED UNLESS CAUSE TO THE CONTRARY THEREOF BE SHOWN ON OR BEFORE THE 14th DAY OF February, 1966; 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 8th DAY OF February, 1966.

THE REPORT STATES THE AMOUNT OF SALE TO BE ONE THOUSAND, FIVE HUNDRED DOLLARS ($1,500.00).

S. Theodore Shockley
CLERK OF COURT

## FINAL ORDER OF RATIFICATION

IT IS HEREBY ORDERED, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, THIS 29th DAY OF March, 1966, THAT THE SALE OF REAL ESTATE AND DISTRIBUTION OF PROCEEDS MENTIONED IN THE AFOREGOING REPORT, MADE BY THOMAS S. SIMPKINS, ASSIGNEE, BE AND THE SAME IS HEREBY FINALLY RATIFIED AND CONFIRMED, NO CAUSE TO THE CONTRARY THEREOF HAVING BEEN SHOWN, ALTHOUGH DUE NOTICE THEREOF HAS BEEN GIVEN IN ACCORDANCE WITH THE ORDER NISI, PASSED IN THIS CAUSE.

E. McMaster Dryden
JUDGE

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

SIMPKINS AND SIMPKINS
Attorneys at Law

# ATTORNEY'S MORTGAGE FORECLOSURE SALE OF HOUSE AND LOT

Under and by virtue of the Power of Sale contained in a mortgage from Edward Ranshaw and Lucille M. Ranshaw, dated May 14, 1963, and duly recorded among the Land Records of Somerset County, Maryland, in Liber No. 214, folio 466, given to the undersigned for the purpose of foreclosure and collection after default having occurred in the covenants thereof, the undersigned attorney will offer for sale at public auction on

## JANUARY 11, 1966

at two o'clock P. M.

AT THE
COURT HOUSE DOOR
PRINCESS ANNE, MD.

the following described property:

All that lot of land situate in the Town of Princess Anne, West Princess Anne Election District, Somerset County, Maryland, on the easterly side of and binding upon Beckford Avenue; and being the same land which was conveyed unto Edward J. Ranshaw and Lucille M. Ranshaw from James S. Pilchard, et al, by deed dated May 14, 1963 and recorded among the Land Records of Somerset County in Liber No. 215, folio 557.

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

TERMS OF SALE: One-third cash on day of sale and the balance to be paid within thirty days, the credit portion to bear interest from the date of sale until paid and to be secured to the satisfaction of the undersigned attorney, or all cash at the option of the purchaser. Title search, revenue stamps, all documents and other expenses of the transaction and transfer of title are at the expense of the purchaser. Taxes and all other assessments to be adjusted to the day of sale.

Simpkins and Simpkins
Thomas S. Simpkins,
Attorney and Assignee

33-3tc

PRINCESS ANNE, MD. March 8, 1966

This is to certify that the annexed Attorney's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Dec. 16, 23, 30, 1965

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8248 Chancery Cases

In the Circuit Court for
Somerset County,
State of Maryland

Thomas S. Simpkins, Attorney
Ex Parte
Under power contained in Mortgage from Edward Ranshaw and Lucille M. Ranshaw, his wife unto J. Frank Joynes, Jr. and Virginia Joynes, his wife.

ORDERED, by the Circuit Court for Somerset County, Maryland this 12th day of January, 1966, that the sale of the property and distribution of proceeds mentioned in this proceeding, made and reported by Thomas S. Simpkins, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14th day of February, 1966; 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 8th day of February, 1966.

The report states the amount of sale to be One Thousand, five hundred dollars ($1,500.-00).

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Md.

True Copy,
Test: I. Theodore Phoebus, Clk.

PRINCESS ANNE, MD. March 8, 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Jan. 21, Feb. 5, 12, 1966

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

R# 12432

| | | |
|---|---|---|
| MARIE G. BROWN & HENRY BROWN, her husband, Wenona, Maryland | : | NO. 8249 CHANCERY |
| vs. | : | IN THE CIRCUIT COURT FOR |
| ADA E. WALTER & DEWEY WALTER, her husband, 107 North Milton Avenue Baltimore 24, Maryland | : | SOMERSET COUNTY, MARYLAND |

:::::::

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Complainants, Marie G. Brown and Henry G. Brown, by their Solicitor, Walter D. Webster, say:

1. That Marie G. Brown and Ada E. Walter are fee simple owners, as tenants in common, of the following real estate:

> ALL that lot, parcel or tract of land situate in Deal Island Election District, Somerset County, State of Maryland, bounded on the North by the County Road leading through the Village of Wenona, bounded on the East by the land of Cooper Thomas, bounded on the South by the land of Ernest Gibbons, and bounded on the West by the land of Clifton Webster, containing 1 acre of land, more or less, and being in all respects the same land conveyed unto the said Marie G. Brown and Ada E. Walter, by deed from Melvin L. Collier, dated April 9, 1955, and recorded among the Land Records for Somerset County, Maryland, in Liber B.L.B. No. 170, Folio 466.

2. That all parties hereto are adults residing in the State of Maryland.

3. That the said real estate is not susceptible of partition without material loss or injury to the parties rightfully entitled thereto, and that in order to make division of said interests it will be necessary that the said real estate be sold and the proceeds thereof divided among the parties rightfully entitled thereto.

TO THE END, THEREFORE:

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 5-7100

(a) That a decree may be passed appointing a trustee to sell the said real estate.

(b) That the proceeds of sale be first applied to the extinguishment of any liens or claims against sais property, and then to the costs of this proceeding; including a reasonable fee for the Solicitor for the Complainants and the expenses attending said sale, as well as Trustee's commissions and the balance distributed to the parties rightfully entitled thereto, according to their respective interests.

(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 Ada E. Walter and Dewey Walter, adult residents of the State of Maryland, and both residing at 107 North Milton Avenue, Baltimore 24, 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.

Walter D. Webster,
Solicitor for Complainants
104A N. Division Street
Salisbury, Maryland
Phone: PI 9-7100

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY. MD.
PI 9-7100

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Ada E. Walter
Dewey Walter

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of...January.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Marie G. Brown & Henry Brown
versus
Ada E. Walter & Dewey Walter

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...20th..day of.....December....., 19..65....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....18th....day of.....January....., 19..66.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Walter D. Webster.....
Name

Salisbury, Maryland.....
Address

Sheriff's Return: ....J. Theodore Gordon.....
Clerk

Summoned Ada E. Walter and Dewey Walter and a copy of the Process with a copy of the Bill of Complaint left with the Defendants on the 22nd day of December, 1965 in the presence of John E. Dekowski. Frank J.Pelz, Sheriff Fees $8.00.

LIBER 041 PAGE 048

| | | |
|---|---|---|
| MARIE G. BROWN &<br>HENRY BROWN, her husband<br>WENONA, MARYLAND | ! | No. 8249 CHANCERY |
| VS | ! | IN THE CIRCUIT COURT FOR |
| ADA E, WALTER &<br>DEWEY WALTER, her husband,<br>107 N. MILTON AVENUE<br>BALTIMORE, MARYLAND 21224 | ! | SOMERSET COUNTY, MARYLAND |

************************************************

ANSWER TO BILL OF COMPLAINT

Now comes Ada E. Walter and Dewey Walter, her husband, by E. Arthur Hurd and Harry W. Ferkler, their solicitors and for their answer to the Bill of Complaint, say:-

1. That they admit the allegations contained in paragraph 1 of said Bill of Complaint.

2. That they admit the allegations contained in paragraph 2 of said Bill of Complaint.

3. That they admit the allegations contained in paragraph 3 of said Bill of Complaint.

WHEREFORE HAVING FULLY ANSWERED THE BILL OF COMPLAINT, YOUR RESPONDENTS PRAY THAT THEY MAY BE HENCEFORTH DISMISSED WITH THEIR APPROPRIATE COSTS.

E. Arthur Hurd

E. Arthur Hurd

Harry W. Ferkler

Harry W. Ferkler, Solicitors
For The Respondents.
3340 E. Baltimore St.
Baltimore, Maryland, 21224
PE.2-7600

This is to certify that a copy of this Answer has been mailed to the office of Walter D. Webster, Esquire, at 104-a-Division Street, Salisbury, Maryland this 13th.,day of January nineteen hundred and sixty-six.

E. Arthur Hurd

| | | |
|---|---|---|
| MARIE G. BROWN & HENRY BROWN, her husband | : | NO. 8249 CHANCERY |
| vs. | : | IN THE CIRCUIT COURT FOR |
| ADA E. WALTER & DEWEY WALTER, her husband | : | SOMERSET COUNTY, MARYLAND |

PETITION FOR APPOINTMENT OF SPECIAL EXAMINER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Walter D. Webster, Solicitor for Marie G. Brown and Henry Brown, her husband, respectfully represents:

1. That Bill of Complaint for a sale and partition of certain property owned by Marie G. Brown and Ada E. Walter as tenants is common has heretofore been filed in these proceedings.

2. That the Defendants herein have been duly summoned by the Sheriff of Baltimore City, Maryland.

3. That your Petitioner desires to take the testimony of Marie G. Brown and Marion N. Darby, but is unable to do so because of the fact that Harry C. Dashiell, the Standing Examiner is physically incapacitated.

WHEREFORE, Your Petitioner prays this Honorable Court to pass an Order appointing and authorizing Virginia B. Miles Special Examiner for the taking of testimony in these proceedings.

Walter D. Webster
Solicitor for Complainants

ORDER OF COURT

THE AFOREGOING PETITION having been read and considered, it is, thereupon, this 25 day of January, 1966, ORDERED & DECREED by the Circuit Court for Somerset County, Maryland, that Virginia B. Miles, be and she is hereby appointed Special Examiner for the taking of testimony in these proceedings.

E. Worthington Duncan
Judge

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 5-7100

LIBER 041 PAGE 049

| | | |
|---|---|---|
| MARIE G. BROWN & HENRY BROWN, her husband | : | NO. 8249 CHANCERY |
| vs. | : | IN THE CIRCUIT COURT FOR |
| ADA E. WALTER & DEWEY WALTER, her husband | : | SOMERSET COUNTY, MARYLAND |

:::::::

I, VIRGINIA B. MILES, SPECIAL EXAMINER IN CHANCERY, APPOINTED BY THIS COURT, DO HEREBY CERTIFY THAT AT THE LAW OFFICES OF SIMPKINS AND SIMPKINS, IN PRINCESS ANNE, MARYLAND, AT THE HOUR OF TEN O'CLOCK A.M., TUESDAY, FEBRUARY 8, 1966, I DID TAKE THE FOLLOWING DEPOSITIONS, THAT IS TO SAY:

DEPOSITION OF MARION N. DARBY, ATTACHED HERETO

DEPOSITION OF MARIE G. BROWN, COMPLAINANT, ATTACHED HERETO

THERE BEING NO FURTHER WITHESSES PRODUCED TO ME, I HEREWITH, AT THE REQUEST OF THE COMPLAINANTS' SOLICITOR, RETURN THIS DEPOSITION TO COURT, CLOSED UNDER MYHAND AND SEAL, AND I CERTIFY THAT THE QUESTIONS WERE PROPOUNDED BY THE COMPLAINANTS' SOLICITOR AND WERE READ BY ME TO SAID WITNESSES AND THAT ALL THE REQUIREMENTS OF GENERAL EQUITY RULE 38A HAVE BEEN COMPLIED WITH; AND THAT THE WITNESSES DID WAIVE THE SIGNING OF THEIR TESTIMONY. I FURTHER CERTIFY THAT THE EXAMINER'S COST HAS BEEN PAID BY THE COMPLAINANT.

GIVEN UNDER MY HAND AND SEAL THIS 8TH DAY OF FEBRUARY, 1966.

Virginia B. Miles (SEAL)
VIRGINIA B. MILES,
SPECIAL EXAMINER

Then personally appeared Marie G. Brown, Complainant in the above entitled case, who being first duly sworn according to law, answereth, sweareth and deposeth, in the manner following, that is to say:

EXAMINATION BY WALTER D. WEBSTER, SOLICITOR FOR COMPLAINANT

Q. 1- Please state your full name, age, address and occupation.

A. - Marie G. Brown, Wenona, Maryland, 51 years old and I am a housewife.

Q. 2- Are you one of the Complainants in this suit for the sale of certain property in Wenona?

A. - Yes.

Q. 3- Are you one of the owners of this property?

A. - Yes, I am.

Q. 4- Who are the other owners, if any?

A. - My sister, Ada E. Walter, who lives in Baltimore.

Q. 5- How did you acquire this property?

A. - It was deeded to us by our father, Melvin L. Collier on April 9, 1955. Lloyd Simpkins fixed up the deed.

Q. 6- Who is Henry G. Brown?

A. - He is my husband.

Q. 7- I notice in your deed that it states the property is bounded on the North by the land of Paul Danids, is this correct?

A. - No, at one time Paul Daniels owned the land across the road from this property. The road itself has never changed in my lifetime and Paul Daniels never owned any land between us and the road. That was a mistake in the deed. The boundaries of this property have never changed in my lifetime.

Q. 8- Please describe the property?

A. - It is on the South side of the County Road that goes through Wenona. The deed says it is about 1 acre and that seems right. The house is a two story frame dwelling. It is in bad condition on the outside. The windows are bad and the doors are separated. It needs siding on the outside.

Q. 9- Is anyone now living in the house?

A. - Yes, my husband and me.

Q.10- Have you and your sister attempted to work out some voluntary arrangement to dispose of the house?

A. - Yes, but we were unable to reach any agreement.

Q.11- Do you have any ideas as to the value of the property?

A. - Yes. Property isn't worth much on Deal Island unless it is on the waterfront which this isn't. The house is in bad shape and the roof leaks. We just heat with space heaters. It doesn't have a bathroom. I don't think it would bring over $2000.00.

Q.12- Is this property susceptible of partition?

A. - No.

Q.13- Do you think it is in the best interests of the owners that the property be sold and the net proceeds divided among them?

A. - Yes, I do.

Q.14- Does anyone other than you and your sister, Ada E. Walter, have any ownership in this property?

A. - No.

Virginia B. Miles
Examiner

Then personally appeared Marion N. Darby, a witness on behalf of the Complainant, who being first duly sworn according to law, answereth, sweareth and deposeth, in the manner following, that is to say:

EXAMINATION BY WALTER D. WEBSTER, SOLICITOR FOR COMPLAINANT

Q. 1- Please state your full name, age, address and occupation.

A. - Marion N. Darby, Lincoln Avenue, Salisbury, Maryland, 42 and a real estate broker.

Q. 2- Are you aware of the fact that Marie G. Brown and her husband have filed a suit in the Circuit Court for Somerset County against Ada E. Walter and her husband for a partition sale of certain real property?

A. - Yes.

Q. 3- Do you know these parties personally?

A. - No.

Q. 4- Have you seen the deed to the property?

A. - Yes.

Q. 5- Please tell us how it now exists?

A. - The deed I have seen is from Melvin L. Collier to Ada E. Walter and Marie G. Brown, as tenants in common. It is dated April 9, 1955, and recorded among the Land Records for Somerset County in Liber B.L.B. No. 170, Folio 466.

Q. 6- Have you personally inspected the property?

A. - Yes, I have.

Q. 7- Where is it located?

A. - It is in the community of Wenona. Just before you get to the lower end of Deal Island it is on the left hand or south side of the road.

Q. 8- Please describe this property?

A. - The lot has over a hundred feet of frontage on the paved road and appears to be over 300 feet deep. Clifton Webster is on the West side and Cooper Thomas is on the East side. I believe Ernie Gibbons is on the South. The house is a two story frame dwelling and is quite run down. It needs a lot or work. It has no central heat and no bathroom.

Q. 9- Have you formed an opinion as to the value of the property?

A. - Yes, I have. I would say about $2000.00 would be about a top market price for it.

Q.10- Is this property susceptible of partition?

A. - No.

Q.11- Do you think it in the best interests of the owners that the property be sold and the net proceeds be divided among them?

A. - Yes, Mrs. Brown is now living in the property and I suppose she would not want to spend any money repairing it the way things are now.

Virginia B. Biles
Examiner

| | | |
|---|---|---|
| MARIE G. BROWN & HENRY BROWN, her husband | : | NO. 8249 CHANCERY |
| vs. | : | IN THE CIRCUIT COURT FOR |
| ADA E. WALTER & DEWEY WALTER, her husband | : | SOMERSET COUNTY, MARYLAND |

DECREE

The proceedings having been submitted to the Court on the Bill of Complaint, the Defendants having been duly summoned to appear and testimony taken and it appearing from the proceedings that the property mentioned in the Bill is not subject to division in kind without material loss to the owners thereof, it is, this 23rd day of February, A.D., 1966, ORDERED, ADJUDGED AND DECREED that the property in the proceedings mentioned be sold and that Walter D. Webster be and he is hereby appointed Trustee to make the sale and that the course and manner of the proceedings be as follows: He shall first file with the Clerk of the Circuit Court for Somerset County, Maryland, a bond to the State of Maryland executed by himself with private or corporate surety to be approved by this Court in the penalty of $2000.00 conditioned for the faithful performance of the trust reposed in him by this Decree or Order in the premises. He shall then proceed to make the said sale, having given at least three weeks notice by advertisment 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 shall be one-third 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 as soon as may be convenient after such sale the said Trustee shall return to the Court a full and particular report of his proceedings relative to said sale with an affidavit annexed of the

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 2-7100

trust thereof and the fairness of said sale and on obtaining the Court's ratification of said sale and on the payment of the whole 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 from all claims of the parties hereto, or any creditors of the parties hereto, and those claiming by, from or under them, or either of them, and the said Trustee shall bring in this Court the monies arising from said sale to be distributed under the direction of the Court after deducting costs of this sale and commissions to the said Trustee as this Court may think proper to allow, in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Wilmer W. Toovey
Judge

FOR BOND SEE BOND BOOK I.T.P. No. 9, FOLIO 106

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

LIBER 041 PAGE 357

PRINCESS ANNE, MD. April 1, 1966

This is to certify that the annexed Trustee's Sale

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said

Dates Inserted March 3, 10, 17, 24, 1966

Clarence L. Byrd

Business Manager MARYLANDER and HERALD

WALTER D. WEBSTER
Attorney at Law

# TRUSTEE'S SALE

OF VALUABLE

## HOUSE AND LOT

Under and by virtue of a Decree of the Circuit Court for Somerset County, Maryland passed in No. 8249 Chancery Cases on February 24, 1966, the undersigned Trustee will sell at public auction at the front door of the Court House in Princess Anne, Maryland, on

**Fri., March 25, 1966**

at or about the hour of 2:00 o'clock P.M. (E.S.T.)

the following described land with improvements:

ALL that lot, parcel or tract of land situate in Deal Island Election District, Somerset County, State of Maryland, bounded on the North by the County Road leading through the Village of Wenona, bounded on the East by the land of Cooper Thomas, bounded on the South by the land of Ernest Gibbons and bounded on the West by the land of Clifton Webster, containing 1 acre of land, more or less, and being in all respects the same land conveyed unto Marie G. Brown and Ada Walter by deed from Melvin L. Collier, dated April 9, 1955, and recorded among the Land Records for Somerset County, Maryland, in Liber BLB No. 170, Folio 466.

This property is improved by a two story frame dwelling.

TERMS OF SALE: One-third cash on the day of sale, balance payable within thirty days, or all cash at the option of the purchaser or purchasers, the credit portion to bear interest from date of sale and to be secured to the satisfaction of the said Trustee. Title papers and revenue stamps to be at the expense of the purchaser.

Walter D. Webster, Trustee
44-4tc

| | |
|---|---|
| MARIE G. BROWN & HENRY BROWN, her husband | :No. 8249 CHANCERY CASES |
| vs. | : IN THE CIRCUIT COURT FOR |
| ADA E. WALTER & DEWEY WALTER, her husband | :SOMERSET COUNTY, MARYLAND |

:::::::

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Walter D. Webster, Trustee appointed by a Decree of this Court, passed in the above entitled cause, dated February 24, 1966, 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 prerequisites as required by law and the said Decree, and after giving notice of the time, place and manner of sale by advertisements inserted in the Marylander & Herald, a weekly newspaper published in Somerset County, Maryland, for at least three successive weeks before the date of sale as will appear by reference to the hereto annexed Certificate of Publication of said Notice of Sale, he did, pursuant to said notice, attend at the front door of the Court House in Princess Anne, Somerset County, Maryland, on Friday, March 25, 1966, at or about the hour of 2 o'clock P.M. and then and there proceeded to sell said property at public sale in the following manner, that is to say:

Your Trustee offered at public sale to the highese bidder the property mentioned in said Decree, together with the improvements thereon, being ALL that lot parcel or tract of land situate in Deal Island Election District, Somerset County, State of Mary-

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

land, bounded on the North by the County Road leading through the Village of Wenona, bounded on the East by the land of Cooper Thomas, bounded on the South by the land of Ernest Gibbons and bounded on the West by the land of Clifton Webster, containing 1 acre of land, more or less, and being in all respects the same land conveyed unto Marie G. Brown and Ada Walter by deed from Melvin L. Collier, dated April 9, 1955, and recorded among the Land Records for Somerset County, Maryland, in Liber B.L.B. No. 170, Folio 466.

AND your Trustee sold the above described parcel of land unto Henry G. Brown and Marie G. Brown, his wife, for the sum of $2650.00, they being at that sum the highest bidder therefor, the terms of sale being: One-third cash on the day of sale, balance payable within thirty days, or all cash at the option of the purchaser or purchasers, the credit portion to bear interest from date of sale and to be secured to the satisfaction of the said Trustee. Title papers and revenue stamps to be at the expense of the purchaser.

AND your Trustee states that the purchaser will comply with the terms of sale and begs leave to report that he will make distribution and pray ratification of the proceeds thus arising from said sale as follows:

TO AMOUNT RECEIVED FROM PURCHASER.....$2650.00

DISTRIBUTION

| | | |
|---|---|---|
| I. Theodore Phoebus, Clerk | | |
| Clerk's Fees | 19.50 | |
| Clerk's Recording Fee | 15.00 | |
| Sheriff's Fee | 4.00 | |
| Bond Recording Fee | 3.00 | |
| Solicitor's Fee-Complainants | 10.00 | |
| Solicitor's Fee-Defendants | 10.00 | 61.50 |

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
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| | | |
|---|---|---|
| Virginia Miles, Examiner's Fee | | 10.00 |
| Stenographer's Fee | | 8.00 |
| McIntyre Insurance-Bond Premium | | 20.00 |
| Edwin Muir-Auctioneer | | 25.00 |
| Marylander & Herald-Advertising | | |
| Notice of Sale | 31.89 | |
| Order Nisi | 10.00 | 41.89 |
| Marion Darby-Appraisal Fee | | 25.00 |
| Notary Fees | | 2.00 |
| Attorney's Fee | | 25.00 |
| Walter D. Webster, Trustee's Commission as per Rule of Court | | 265.00 |
| Treasurer-Somerset County-1964-1965 Real Estate Taxes | | 34.49 |
| Treasurer-Somerset County-1965-1966 Real Estate Taxes @ 33.06 (pro-rated for ten months) | 27.60 | |
| | | $545.48 |

Balance for distribution.....$2104.52

To be distributed as follows:

To Marie G. Brown & Henry Brown 1052.26

To Ada E. Walter & Dewey Walter 1052.26

-0-

Respectfully submitted,

Walter D. Webster,
Trustee

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 31st day of March, A.D., 1966, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Walter D. Webster, Trustee and made oath in due form of law that the matters and things stated by him in the aforegoing Report of Sale and Distribution of the proceeds arising therefrom are true and correct 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.

Ernest E. Webster
Notary Public

My Commission Expires: 7-1-67

LIBER 041 PAGE 001

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 5-7100

| | | |
|---|---|---|
| MARIE G. BROWN & HENRY BROWN, HER HUSBAND | : | NO. 8249 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| ADA E. WALTER & DEWEY WALTER, HER HUSBAND | : | SOMERSET COUNTY, MARYLAND |

:::::::

## AFFIDAVIT BY PURCHASERS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 31st day of March, A.D., 1966, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Henry G. Brown and Marie G. Brown, his wife, the purchasers of the property sold in these proceedings, and made oath in due form of law that in making the purchase of said real estate they were not acting as agent for any one other than themselves, and that no one other than themselves is interested in the purchase thereof, as principal, and that they did not directly or indirectly discourage anyone from bidding for the said property.

AS WITNESS my hand and Notarial Seal.

Elva E. Webster
Notary Public

My Commission Expires: 7-1-67

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
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PI 9-7100

| | | |
|---|---|---|
| MARIE G. BROWN & HENRY BROWN, her husband, | : | NO. 8249 CHANCERY CASES |
| vs, | : | |
| | : | IN THE CIRCUIT COURT FOR |
| | : | |
| ADA E. WALTER & DEWEY WALTER, her husband | : | SOMERSET COUNTY, MARYLAND |

ORDER NISI

ORDERED, this 6th day of April, 1966, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Report of Sale and Distribution of the proceeds arising from the sale of the property mentioned in these proceedings, made and reported by Walter D. Webster, Trustee, appointed by a Decree of this Court dated February 24, 1966, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 9th day of May, 1966, provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three (3) successive weeks before the 2nd day of May, 1966.

The report states the amount of sale to be $2650.00.

Theodore Sheehan
Clerk

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WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
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LIBER 041 PAGE 004

| | | |
|---|---|---|
| MARIE G. BROWN & HENRY BROWN, her husband | : | NO. 8249 CHANCERY CASES |
| vs. | : | IN THE CIRCUIT COURT FOR |
| ADA E. WALTER & DEWEY WALTER, her husband | : | SOMERSET COUNTY, MARYLAND |

::::::::

## FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, Maryland, In Equity, this 11th day of May, 1966, that the sale of the property mentioned in these proceedings and the distribution of the proceeds arising therefrom, as shown therein, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice thereof appears to have been given as required by the terms of the Order Nisi passed and published in this cause, and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for.

T. Munkaster Dun
Judge

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

PRINCESS ANNE, MD. May 9 1966

This is to certify that the annexed Order Nisi was has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted April 7, 14, 1966

Business Manager MARYLANDER and HERALD

**ORDER NISI**

No. 8249 Chancery Cases
In The Circuit Court For
Somerset County, Maryland

MARIE G. BROWN & HENRY BROWN, her husband,
vs
ADA E. WALTER & DEWEY WALTER, her husband

ORDERED, this 6th day of April, 1966, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Report of Sale and Distribution of the proceeds arising from the sale of the property mentioned in these proceedings, made and reported by Walter D. Webster, Trustee, appointed by a Decree of this Court dated February 24, 1966, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 9th day of May, 1966, provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three (3) successive weeks before the 2nd day of May, 1966.

The report states the amount of sale to be $2,650.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Md.

True Copy,
Test: I Theodore Phoebus, Clk.
49-3tc

TRUSTEE'S RELEASE—48 #8249 Chancery THE DAILY RECORD CO., BALTIMORE 3, MD.

# KNOW ALL MEN BY THESE PRESENTS,

*That in consideration of the payment by* Walter D. Webster

*Trustee under the Decree of the* Circuit *Court of* Somerset County, Maryland

*passed in a cause in said Court depending, wherein* Marie G. Brown and Henry Brown, her husband,

*&c., were Complainants, and* Ada E. Walter & Dewey Walter, her husband

*&c., were Defendants, to the undersigned* Marie G. Brown and Henry Brown

*of the full sum of* One Thousand Fifty-two and 26/100---------- *Dollars and* ---------- *Cents, audited and allowed to* t h em *in said cause, the receipt whereof is hereby acknowledged, the said* Marie G. Brown and Henry Brown *do hereby RELEASE, ACQUIT, EXONERATE AND DISCHARGE the said* Walter D. Webster

*h* is *heirs, executors and administrators, from all and every action, suit, claim or demand which could or might be brought, exhibited or prosecuted against* Walter D. Webster

*them or any of them, for or on account of the said sum of money paid as aforesaid, or the payment thereof, thereby declaring* themselves *fully satisfied, contended, and paid as above specified.*

*Given under* our *hands and seals, this* ---------- *day of* July, *in the year nineteen hundred and* Sixty-six

*Signed, sealed and delivered in the presence of*

Erma E. Webster

Marie G. Brown [SEAL]
Marie G. Brown

Henry G. Brown [SEAL]
Henry Brown

*STATE OF MARYLAND,* Wicomico County, *TO WIT:*

BE IT REMEMBERED, *and it is hereby certified, that on this* ---------- *day of* July *in the year nineteen hundred and* Sixty-six *before the subscriber* a Notary Public *of said State, in and for said* County *personally appeared* Marie G. Brown and Henry Brown *part* ies *to the above Release or Instrument of Writing, and acknowledged the same to be* th eir *act and deed. And I do hereby certify that of my own knowledge I am satisfied, that the said* Marie G. Brown and Henry Brown *who ha* ve *acknowledged the above Release* are *the persons named and described as, and professing to be* Complainants, *the part* ies *in and to the same.*

Erma E. Webster
Notary Public

FILED

SEP 3 4 43 PM '86

LIBER 041 PAGE 365

#8249 Chancery

GENERAL RELEASE—44 LIBER 041 PAGE 368 The Daily Record Company, Baltimore, Md.

# To all whom these Presents shall come or may concern,

*GREETING:*

*KNOW YE, That* Ada Walter and Dewey Walter, her husband,

*have remised, released and forever discharged, and by these presents do for* themselves, their *heirs, executors and administrators, remise, release and forever discharge the said* Walter D. Webster, Trustee, appointed by a Decree of the Circuit Court for Somerset County, Maryland, dated February 24, 1966, to make sale of certain real estate in No. 8249 Chancery Cases, his *heirs, executors and administrators of and from all and every manner of action and actions, cause and causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, premises, variances, trespasses, damages, judgments, extents, executions, claims and demands whatsoever, in law or in equity, which against said* Walter D. Webster, Trustee,

We *ever had, now have, or which* we *or* our *heirs, executors or administrators, hereafter can, shall or may have, for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of these presents.*

*IN WITNESS WHEREOF* We *have hereunto set* our *hands and seal* s *the* 7th *day of* ~~May~~ July *one thousand, nine hundred* Sixty-six.

*Signed and delivered in the presence of*

Helen R. Zimmerman
As to both signatures

Ada Walter [SEAL]
Ada Walter

Dewey Walter [SEAL]
Dewey Walter

*STATE OF* MARYLAND, Baltimore City COUNTY, , ss.

*On the* 7th *day of* ~~May~~ July *in the year one thousand nine hundred and* Sixty-six *before me the subscriber* a Notary Public, *personally came* Ada Walter & Dewey Walter, *known to me to be the individuals described in, and who executed the foregoing instrument, and acknowledged that* they *executed the same as* their *act and deed.*

AS WITNESS my hand and Notarial Seal.

Helen R. Zimmerman
Notary Public
3807 Kimble Rd.
Baltimore, Md. - 21218

My Commission Expires: July 1, 1967

MAY 26 1967

Rt 1716

| | | |
|---|---|---|
| EX PARTE | . | No. 8254 Chancery |
| Hobart B. Hughes, Assignee for the Purpose of Foreclosure of a Mortgage from John H. Evans, of Somerset County, Maryland | . | In the Circuit Court |
| | . | For Somerset County |
| | . | State of Maryland |

. . . . .

ORDER TO DOCKET SUIT

Mr. Clerk:

Please docket Chancery suit as above and file for foreclosure the attached mortgage from John H. Evans to Consolidated Security Savings and Loan Association, dated April 14, 1964 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 218, Folio 662; the interest of the said Consolidated Security Savings and Loan Association having been assigned to Hobart B. Hughes, Attorney for the purpose of foreclosure and collection, by United Mortgage Corporation, successors to the said Consolidated Security Savings and Loan Association, on November 24, 1965.

Hobart B. Hughes

Hughes & Bahen
110 North Division Street
Salisbury, Maryland
PI 2-7178

FOR MORTGAGE SEE MORTGAGE RECORD LIBER NO. 218, FOLIO 662.

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 101.

LIBER 041 PAGE 007

HUGHES & BAHEN
ATTORNEYS-AT-LAW
110 N. DIVISION ST.
SALISBURY, MARYLAND

| | | |
|---|---|---|
| EX PARTE | : | NO. 8254 Chancery |
| Hobart B. Hughes, Assigne for the Purpose of Foreclosure of a Mortgage from John H. Evans, of Somerset County, Maryland | : | In the Circuit Court For ~~Wicomico~~ Somerset County State of Maryland |

: : : : : : : : : : : : : : : : : : : : : :

AFFIDAVIT AS TO INDEBTEDNESS
AND NON-MILITARY SERVICE

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY, that on this 1st day of February, 1966, before me, the subscriber, a Notary Public in and for the State of Maryland and County of Anne Arundel, personally appeared Richard A. Brown, President of United Mortgage Corporation (formerly known as Consolidated Security Savings & Loan Association, Inc.), the within mortgagee, and made oath in due form of law that the following account represents the balance due and owing upon the mortgage filed for foreclosure in the above entitled cause:

| | |
|---|---|
| Original Principal Amount | $4,000.00 |
| Less principal payments on account | 358.00 |
| Present Principal Balance | $3,642.00 |
| Plus interest at 6% per annum due from 6-20-65 to 1-20-66 (3½%) | 127.47 |
| Plus late charges due on 7-20-65 through 1-20-66 payments (7 @ $1.95) | 13.65 |
| Total Present Balance Due | $3,783.12 |

AND, AT THE SAME TIME, the said Richard A. Brown, as aforesaid, did further make oath in due form of law that he knows the Respondent, John H. Evans, mortgagor in the above entitled cause, and that to the best of his knowledge, information and belief:

1. The said Respondent is not in the military service of the United States;

2. The said Respondent is not in any military service of any nation allied with the United States;

3. The said Respondent has not been ordered to report for induction under the Selective Service Act of 1940, as amended;

4. The said Respondent is not a member of the Enlisted Reserve Corps who has been ordered to report for military service.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Martha A. Taylor, Notary Public

My commission expires July 1, 1967.

LIBER 041 PAGE 070

EX PARTE

| | | |
|---|---|---|
| Hobart B. Hughes, Assignee for the Purpose of Foreclosure of a Mortgage from John H. Evans, of Somerset County, Maryland | : | No. 8254 Chancery |
| | : | In the Circuit Court |
| | : | For Wicomico County |
| | : | State of Maryland |

. . . .

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Hobart B. Hughes, Assignee of a Mortgage from John H. Evans to Consolidated Security Savings and Loan Association having been subsequently assigned to the undersigned for the purpose of foreclosure and collection, respectfully shows:

That having given bond with approved security for the faithful performance of the trust reposed in him and after having complied with all other prerequisites of law and the terms of said Mortgage, including the giving of notice of the time, place, manner and terms of sale by advertisement inserted in the Marylander & Herald, Princess Anne, Maryland, a newspaper published in Somerset County and State of Maryland, at least twenty (20) days before the date of sale as will more fully appear by reference to the Certificate of Publication of said advertisement attached hereto and made a part hereof, he did, pursuant to said notice, proceed to sell the property described in said Mortgage on Thursday, May 19, 1966, at the Court House door in Princess Anne, Maryland, at 2:00 p.m.:

> ALL that lot or parcel of land in Tangier Election District of Somerset County and State of Maryland and lying and being on the County Road leading to the church at Rock Creek and being bounded on the south by the County Road leading to the Creek called Rock Creek and bounded on the north and east by the land of Millard Price and containing 1/4 acres of land, more or less, and being in all respects the same land conveyed unto John H. Evans by Consolidated Security Savings and Loan Association by Deed dated April 24, 1964 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 220, Folio 459.

HUGHES & BAHEN
ATTORNEYS-AT-LAW
110 N. DIVISION ST.
SALISBURY, MARYLAND

And he sold said property unto United Mortgage Corporation, successor to Consolidated Securities Savings and Loan Association, Inc. at and for the sum of FOUR THOUSAND DOLLARS ($4,000.00), it being at that sum the only bidder therefor, and the said purchaser will comply with the terms of sale upon final ratification thereof.

And this Assignee proposes to distribute the proceeds of the aforesaid sale as follows:

| | | |
|---|---|---|
| Hobart B. Hughes, to amount of sale as per report..... | | $4,000.00 |
| Distribution: | | |
| I. Theodore Phoebus, Clerk of Court - Court Costs..... | $28.00 | |
| Avery W. Hall Insurance Agency - Bond Premium..... | 20.00 | |
| Marylander & Herald, Advertising.. | 35.64 | |
| Order NISI..... | 10.00 | |
| Notary Public..... | 2.00 | |
| Hobart B. Hughes, Attorneys Fee in lieu of commissions..... | 150.00 | |
| J. Edwin Muir, Auctioneer..... | 15.00 | |
| State and County Taxes - 1964..... | 47.59 | |
| 1965..... | 45.64 | |
| Consolidated Securities Savings and Loan Association, Inc., amount of Mortgage debt..... | 3845.55 | 4199.42- |
| Deficiency | | $199.42 |

Respectfully submitted,

Hobart B. Hughes, Assignee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

On this 26th day of May, 1966, before me, a Notary Public of said State of Maryland, in and for Wicomico County, aforesaid, personally appeared HOBART B. HUGHES, Assignee, named in the aforegoing Report of Sale and distribution of proceeds

HUGHES & BAHEN
ATTORNEYS-AT-LAW
110 N. DIVISION ST.
SALISBURY, MARYLAND

and made oath in due form of law that the matters and facts stated therein are true and correct to the best of his knowledge, information and belief.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Margaret H. Fields
Notary Public

My Commission expires: July 1, 1967

FINAL ORDER OF RATIFICATION

IT IS HEREBY ORDERED, by the Circuit Court for Somerset County and State of Maryland, in equity, this 7th day of July, 1966, that the sale of real estate, distribution and proceeds mentioned in the aforegoing report made by Hobart B. Hughes, Assignee, be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice thereof has been given in accordance with the Order NISI passed in said cause.

E. McMaster Duer
Judge

HUGHES & BAHEN
ATTORNEYS-AT-LAW
110 N. DIVISION ST.
SALISBURY, MARYLAND

| | | |
|---|---|---|
| EX PARTE | : | NO. 8254 Chancery |
| Hobart B. Hughes, Assignee for the Purpose of Foreclosure of a Mortgage from John H. Evans, of Somerset County, Maryland | : | In the Circuit Court For Somerset County State of Maryland |

.....

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, TO WIT:

I HEREBY CERTIFY, that on this 27th day of May , 1966, before me, the subscriber, Notary Public in and for the State and County aforesaid, personally appeared RICHARD A. BROWN, President of United Mortgage Corporation, successor of Consolidated Security Savings and Loan Association, Inc., a body corporate of the State of Maryland, and made oath in due form of law that the United Mortgage Corporation was the purchaser at the sale of the property described in this cause and that:

(a) It was not acting for anyone;

(b) There were no other interested principals;and

(c) No one was either directly or indirectly discouraged from bidding for said property.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Martha A. Taylor
Notary Public

My commission expires July 1, 1967.

LIBER 041 PAGE 373

HUGHES & BAHEN
ATTORNEYS-AT-LAW
110 N. DIVISION ST.
SALISBURY, MARYLAND

LIBER 041 PAGE 374

| | | |
|---|---|---|
| EX PARTE | : | NO. 8254 Chancery |
| Hobart B. Hughes, Assignee for the Purpose of Foreclosure of a Mortgage from John H. Evans, of Somerset County, Maryland | : | In the Circuit Court For Wicomico County State of Maryland |

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, State of Maryland, this 1st day of June, 1966, that the sale of the property, and distribution of proceeds mentioned in this proceeding, made and reported by Hobart B. Hughes, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 1st day of July, 1966; provided a copy of this Order be inserted in the Marylander & Herald, Princess Anne, Somerset County, State of Maryland, once in each of three successive weeks before the 27th day of June, 1966.

The report states the amount of the sale to be FOUR THOUSAND DOLLARS ($4,000.00).

I. Theodore Phoebus
Clerk

HUGHES & BAHEN
Attorneys-at-Law
Salisbury, Maryland

**ORDER NISI**

No. 8254 Chancery
In the Circuit Court
For Somerset County,
State of Maryland

EX PARTE
Hobart B. Hughes, Assignee for the Purpose of Foreclosure of a Mortgage from John H. Evans, of Somerset County, Maryland

ORDERED, by the Circuit Court for Somerset County, State of Maryland, this 1st day of June, 1966, that the sale of the property, and distribution of proceeds mentioned in this proceeding, made and reported by Hobart B. Hughes, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 1st day of July, 1966; provided a copy of this Order be inserted in the Marylander & Herald, Princess Anne, Somerset County, State of Maryland, once in each of three successive weeks before the 27th day of June 1966.

The report states the amount of the sale to be Four Thousand Dollars ($4,000.00).

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
True copy,
Test: I. Theodore Phoebus, Clk
6-3t

PRINCESS ANNE, MD., July 6, 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted: June 9, 16, 23, 1966

Florence L. Bye
Business Manager MARYLANDER and HERALD
plw

HUGHES & BAHEN
ATTORNEYS-AT-LAW
110 N. DIVISION ST.
SALISBURY, MARYLAND

MAY 26 1967

PL 13274

| | | |
|---|---|---|
| Morton J. Owrutsky and<br>Lloyd O. Whitehead,<br>Substitute Trustees | *<br>* | No. 8276 Chancery<br>In the Circuit Court |
| vs | * | For Somerset County |
| Otho Miles and<br>Daisey Miles, his wife | * | State of Maryland |

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. I. Thoedore Phoebus, Esquire, Clerk of said Court:

Mr. Clerk:

Please docket the above entitled case and file herewith the Affidavit of Indebtedness, and Deed of Trust, said Deed of Trust being dated August 31, 1965 from Otho Miles and Daisey Miles, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 229, Folio 143, Morton J. Owrutsky and Lloyd O. Whitehead having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

MORTON J. OWRUTSKY & LLOYD O. WHITEHEAD

Substitute Trustees
132 East Main Street
Salisbury, Maryland 21801

FOR MORTGAGE SEE MORTGAGE RECORD BOOK LIBER No. 229, FOLIO 143.

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 105.

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

# SUBSTITUTION OF TRUSTEES – MARYLAND

LIBER 041 PAGE 076

THIS DECLARATION, made this 21st day of February, 1966, by JIM WALTER CORPORATION, a body corporate, Party of the First Part, and J. H. Kelly and J. L. Moore, Trustees as hereinafter set forth, Parties of the Second Part;

WHEREAS, by Deed of Trust dated August 31st, 1965 and recorded among the Land Records of Somerset County in Liber No. 229, Folio 143, Otho Miles a/k/a Otho William Miles and Daisey Miles, his wife, conveyed certain parcels of ground unto J. H. Kelly and J. L. Moore, Trustees, for the uses and purposes therein particularly set forth securing the promissory note made to Jim Walter Corporation as beneficiary, and

WHEREAS, the aforesaid promissory note was endorsed without recourse by said Jim Walter Corporation unto ..... and .....

WHEREAS, said Deed of Trust provides as follows:

"The holder of the indebtedness secured by this Deed of Trust shall be entitled to remove, substitute, or add a Trustee or Trustees, at its option, with or without cause or notice, by instrument duly executed, acknowledged and recorded among the Land Records of the County in which the aforesaid premises or a part thereof is situated, and said Trustee or Trustees so substituted shall have all powers, rights and duties as Trustees so superseded, and the undersigned for themselves, their heirs or assigns do hereby consent to such removal, substitution or addition, either by the instrument described herein or by the order of any court having jurisdiction."

NOW, THEREFORE THIS DECLARATION WITNESSETH, That JIM WALTER CORPORATION, holder of the note in due course, hereby appoints Morton J. Owrutsky and Lloyd O. Whitehead, as Trustees, in the place and stead of J. H. Kelly and J. L. Moore as set forth in said Deed of Trust for the purpose of carrying out each and all of the powers, rights and duties of said Trustees under the aforesaid Deed of Trust.

AS WITNESS the corporate seal of JIM WALTER CORPORATION and the signature of J. O. Alston, its President

ATTEST: S. L. Russell
Assistant Secretary

By J. O. Alston
PRESIDENT

STATE OF FLORIDA, COUNTY OF HILLSBOROUGH, TO WIT:

I HEREBY CERTIFY, that on this 21st day of February, 1966, before me, the subscriber, a Notary Public of the State of Florida, in and for the State aforesaid, personally appeared J. O. Alston and S. L. Russell, and acknowledged the aforegoing Declaration to be the act of said body corporate.

AS WITNESS my hand and Notarial Seal.

Jenny D. Lerculleyer
NOTARY PUBLIC

Notary Public, State of Florida at Large
My Commission Expires Sept. 1, 1968
Bonded by American Surety Co.

NOTARY PUBLIC STATE OF FLORIDA

REVISED 6/61
SULPHUR SPRINGS PRESS

| | | |
|---|---|---|
| Morton J. Owrutsky and<br>Lloyd O. Whitehead,<br>Substitute Trustees | * | No. 8276 Chancery |
| | * | In the Circuit Court |
| vs | * | For Somerset County |
| Otho Miles and<br>Daisey Miles, his wife | * | State of Maryland |

**********

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 8th day of March, 1966, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Morton J. Owrutsky and Lloyd O. Whitehead, Substitute Trustees, who made oath in due form of law that they have been appointed Substitute Trustees for Jim Walter Corporation, in accordance with the provisions of a Deed of Trust from Otho Miles and Daisey Miles, his wife, dated August 31, 1965 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 229, Folio 143; and on behalf of said Mortgagee, being authorized so to do, made oath in due form of law that the sum of $5,156.94 together with interest from March 4, 1966, is now due and owing; and further made oath that said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers and Sailors Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

AS WITNESS my hand and Notarial Seal.

CHARLOTTE M. RICHARDSON NOTARY PUBLIC WICOMICO CO., MD.

Charlotte M. Richardson
NOTARY PUBLIC

My commission expires: July 1, 1967

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

| | | |
|---|---|---|
| Lloyd O. Whitehead and Morton J. Owrutsky, Substitute Trustees | * | No. 8276 Chancery |
| | * | In the Circuit Court |
| vs | * | For Somerset County |
| Otho Miles and Daisey Miles, his wife | * | State of Maryland |

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead and Morton J. Owrutsky, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated August 31, 1965, from Otho Miles and Daisey Miles, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 229, Folio 143; respectfully shows:

That after default had been made in the terms, covenants, and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander and Herald, a newspaper published in Somerset County, Maryland, prior to Tuesday, April 12, 1966, and after given bond with the securities approved by the Clerk of this Court, said Trustees did, on Tuesday, April 12, 1966, at 3:30 o'clock P.M., attend at the front door of the Court House at Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said Otho Miles and Daisey Miles, his wife, said property being more particularly described as follows:

ALL that piece or parcel of land, located in the Brinkley's Election District, Somerset County, and on the West side of the Marumsco Road, said road leading from

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

Marumsco Post Office to the old corn stock farm and starting for the outbounds, thereof at a marker, said marker on the South side of the land leading to the residence of James Rolley; thence (1) from the said marker and with the West side of the aforesaid road, South 14 degrees 30 minutes East, 200 feet to a marker, thence (2) parallel with the said land, South 82 degrees, West 220 feet to a marker; thence (3) parallel with the aforesaid road, North 14 degrees, 30 minutes West, 200 feet to a marker; thence (4) with the land, North 82 degrees East, 220 feet to the place of beginning, containing one (1) acre of land, more or less, said land being a part, about two thirds (2/3) acre of the land conveyed to the said James Rolley and Tillie Rolley, his wife, by Lionel Bennett, Trustee, by deed dated the 25th day of January, 1963 and recorded in Book 215, Page 667, also one third (1/3) acre of land conveyed to the said James Rolley and Tillie Rolley, his wife, by contract dated the 12th day of May, 1943 from Nellie Green and George W. Green and recorded in B.L.B. No. 124, Folio 351, Land Record Book of Somerset County, State of Maryland.

AND your Trustees sold the aforedescribed property to Mid-State Homes, Inc., a body corporate of the State of Florida, at and for the sum of $5,200.00, it, at that sum, being the highest bidder therefor, and the said purchaser has complied with the terms of sale.

Respectfully submitted,

Lloyd O. Whitehead

Morton J. Owrutsky

Substitute Trustees

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 14th day of April, 1966, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Lloyd O. Whitehead and Morton J. Owrutsky, Substitute Trustees, named in the aforegoing Report of Sale, 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 to the best of their knowledge, information, and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year first above written.

CHARLOTTE M. RICHARDSON NOTARY PUBLIC WICOMICO CO., MD.

Charlotte M. Richardson

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

LIBER 041 PAGE 380

PRINCESS ANNE, MD April 14, 1966

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: March 17, 24, 31, April 7, 1966

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

PERDUE & OWRUTSKY
Attorneys at Law
132 East Main Street
Salisbury, Maryland

# TRUSTEE'S SALE

OF VALUABLE

## HOME AND LOT

at or near Rehobeth, Maryland, known as the Otho Miles and Daisey Miles, his wife, property.

By virtue of the power of sale and authority contained in a Deed of Trust executed by Otho Miles and Daisey Miles, his wife, dated August 31, 1965 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 229, Folio 143, default having occurred thereunder, the undersigned Substitute Trustees will sell at Public Auction.

AT THE FRONT DOOR OF THE COURT HOUSE AT PRINCESS ANNE, MARYLAND, ON

**TUESDAY, APRIL 12, 1966**

at or about 3:30 o'clock P.M., the following land:

ALL that piece or parcel of land, located in the Brinkley's Election District, Somerset County, and on the West side of the Marumsco Road, said road leading from Marumsco Post Office to the old corn stock farm and starting for the outbounds thereof at a marker, said marker on the South side of the land leading to the residence of the Grantor: thence (1) from the said marker and with the West side of the aforesaid road, South 14 degrees 30 minutes East, 200 feet to a marker, thence (2) parallel with the said lane, South 82 degrees West, 200 feet to a marker; thence (3) parallel with the aforesaid road, North 14 degrees, 30 minutes West, 200 feet to a marker; thence (4) with the land, North 82 degrees East, 200 feet to the place of beginning, containing one (1) acre of land, more or less, said land being a part, about two thirds (2/3) acre of the land conveyed to the said James Rolley and Tillie Rolley, his wife, by Lionel Bennett, Trustee, by deed dated the 25th day of January, 1963 and recorded in Book 215, Page 667, also one third (1/3) acre of land conveyed to the said James Rolley and Tillie Rolley, his wife, by contract dated the 12th day of May, 1943 from Nellie Green and George W. Green and recorded in B.L.B. No. 124, Folio 351, Land Record Book of Somerset County, State of Maryland.

POSSESSION of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps, and costs of recording at the expense of the purchaser or purchasers.

Lloyd O. Whitehead and
Morton J. Owrutsky
Substitute Trustees
132 East Main Street,
Salisbury, Maryland
Telephone: 742-6141

46-4tc

| | | |
|---|---|---|
| Lloyd O. Whitehead and<br>Morton J. Owrutsky,<br>Substitute Trustees | * | No. 8276 Chancery |
| | * | In the Circuit Court |
| vs | * | For Somerset County |
| Otho Miles and<br>Daisey Miles, his wife | * | State of Maryland |

**********

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 15th day of April, 1966, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Lloyd O. Whitehead, the purchaser of the real estate described in the above proceedings, and he did make oath in due form of law:

1. That in making said purchase, he was acting as agent for Jim Walter Corporation, a body corporate of the State of Florida.

2. That there are no other parties than Mid-State Homes, Inc. interested in the purchase of said real estate as principals.

3. That he, as agent for Jim Walter Corporation, did not directly or indirectly discourage anyone from bidding for said property.

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

CHARLOTTE M. RICHARDSON NOTARY PUBLIC WICOMICO CO., MD.

Charlotte M. Richardson
NOTARY PUBLIC

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

LIBER U41 PAGE 382

PRINCESS ANNE, MD., May 20, 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted: April 21, 28 May 5, 1966

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. ~~8276~~ Chancery
In the Circuit Court
For Somerset County
State of Maryland

Lloyd O. Whitehead and
Morton J. Owrutsky,
Substitute Trustees
vs
Otho Miles and
Daisey Miles, his wife

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 18th day of Ayril, A.D., 1966, that the sale of the property montioned in these proceedings made and repored by Lloyd O. Whithead and Morton J. Owrutsky, Substitute Trustees, under the power of sale contained in the Deed of Trust from Otho Miles and Daisey Miles, his wife, and more specifically referred to in the Report of Sale filed in these proceedings, be Ratified and Confirmed, unless cause to the contrary be shown on or before the 19th day of May, 1966; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 10th day of May, 1966.

The Report states the amount of sale to be $5,200.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Md.

True Copy,
Test: I. Theodore Phoebus, Clk.

51-3tc

## ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 18th day of April, A.D., 1966, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Morton J. Owrutsky, Substitute Trustees, under the power of sale contained in the Deed of Trust from Otho Miles and Daisey Miles, his wife, and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 19th day of May, 1966; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 10th day of May, 1966.

The Report states the amount of sale to be $5,200.00.

R. Theodore Shockley
CLERK

## FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 20th day of May, 1966, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commissions.

T. McMaster Duer
JUDGE

LAW OFFICES HERMAN E. PERDUE SALISBURY, MARYLAND

| | | |
|---|---|---|
| Lloyd O. Whitehead and<br>Morton J. Owrutsky,<br>Substitute Trustees | *<br>* | No. 8276 Chancery<br>In the Circuit Court |
| vs | * | For Somerset County |
| Otho Miles and<br>Daisey Miles, his wife | * | State of Maryland |

**********

AUDITOR'S REPORT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Auditor to whom the proceedings were referred in the above entitled cause to state an account submits the following Auditor's Report and hereby certifies that notices required by Rule 595 (g) of Maryland Rules of Procedure have been mailed.

Harry C. Dashiell
AUDITOR

LLOYD O. WHITEHEAD and MORTON J. OWRUTSKY, Substitute Trustees for the sale and distribution of the moneys arising therefrom, reports the following collections and disbursements.

RECEIPTS

| | | |
|---|---|---|
| Amount of sale as per report | | $5,200.00 |

DISBURSEMENTS
DISTRIBUTION TO COSTS AND EXPENSES

| | | |
|---|---|---|
| I. Thoedore Phoebus Clerk<br>Court costs | | 38.00 |
| Marylander & Herald<br>Advertising<br>Order Nisi | <br>56.25<br>10.00 | <br><br>66.25 |
| Elmer F. Ruark Agency<br>Trustees' Bond premium | | 20.00 |
| Charlotte M. Richardson<br>Notary Public fees | | 2.15 |

| | | | |
|---|---|---|---|
| Carlos Bozman, Treasurer | | | |
| State and County taxes | | 22.37 | |
| Lloyd O. Whitehead and | | | |
| Morton J. Owrutsky, | | | |
| Substitute Trustees | | | |
| Reimbursement for photocopies | 3.00 | | |
| Telephone toll charges | 6.88 | | |
| Mileage | 3.20 | | |
| Fee in lieu of commission | 200.00 | 213.08 | |
| Harry Dashiell | | | |
| Auditor's fee | | 27.00 | |
| Jim Walter Corporation | | DIVIDEND | |
| Amount of debt - $5,156.94 | | 4,811.15 | $5,200.00 |

ORDER NISI

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County Maryland, this 23 day of May, 1966, that the aforesaid Auditor's Report be ratified and confirmed, unless cause to the contrary be shown by exception filed on or before the 24th day of June, 1966.

C. Theodore Sheckels
CLERK

FINAL ORDER OF RATIFICATION

ORDERED, this 27 day of June, 1966, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Auditor's Report be and the same is hereby finally ratified and confirmed no cause to the contrary having been shown, and that said Substitute Trustees apply the proceeds accordingly.

C. Theodore Sheckels
CLERK



MAY 26 1967

R# 12846

LIBER 041 PAGE 356

| | | |
|---|---|---|
| Charles C. Rounds<br>Princess Anne, RFD, Somerset County, Maryland<br>Albert Willing<br>722 Stannage Avenue, Albany 6, California | : | No. 8263 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |
| vs | : | |
| Ralph E. Willing<br>410 Hopkins Road, Baltimore 12, Maryland<br>Elbert H. Willing<br>Chelsea Beach, Pasadana, Maryland<br>Henderson Willing<br>9516 Ridgely Avenue, Baltimore 34, Maryland<br>Alma Raab<br>3818 Bayonne Avenue, Baltimore 6, Maryland<br>Elsie St. John<br>Parkton, Maryland<br>Otelia Willing<br>1122 Frederick Rd., Ellicott City, Maryland<br>Addie Hayman<br>Princess Anne, Maryland<br>Eleanor Dalton<br>1122 Frederick Rd., Ellicott City, Maryland<br>Rose Willing<br>5539 Baltimore National Pike, Baltimore, Maryland<br>Mary Urbanski<br>3405 Glenside Drive, Baltimore 34, Maryland<br>Anna Stone<br>Ridge P.O. Saint Marys County, Maryland<br>Grace Hilbert<br>Box 6, Westminster, Maryland | : | |

To the Clerk of the Circuit Court for Somerset County.

Dear Mr. Clerk:

Please file the within bill of complaint and issue writs of subpoena for the resident defendants named therein.

JONES & JONES

By _____

Solicitors for Complainants
Princess Anne, Maryland
Telephone: 651-2747

| | | |
|---|---|---|
| Charles C. Rounds<br>Princess Anne, RFD, Somerset County, Maryland<br>Albert Willing<br>722 Stannage Avenue, Albany 6, California | : | No. _____ Chancery<br><br>In the Circuit Court for<br><br>Somerset County, Maryland |
| vs | : | |
| Ralph E. Willing<br>410 Hopkins Road, Baltimore 12, Maryland | : | |
| Elbert H. Willing<br>Chelsea Beach, Pasadena, Maryland | : | |
| Henderson Willing<br>9516 Ridgely Avenue, Baltimore 34, Maryland | : | |
| Alma Raab<br>3818 Bayonne Avenue, Baltimore 6, Maryland | : | |
| Elsie St. John<br>Parkton, Maryland | : | |
| Otelia Willing<br>1122 Frederick Rd., Ellicott City, Maryland | : | |
| Addie Hayman<br>Princess Anne, Maryland | : | |
| Eleanor Dalton<br>1122 Frederick Rd., Ellicott City, Maryland | : | |
| Rose Willing<br>5539 Baltimore National Pike, Baltimore, Maryland | : | |
| Mary Urbanski<br>3405 Glenside Drive, Baltimore 34, Maryland | : | |
| Anna Stone<br>Ridge P.O. Saint Marys County, Maryland | : | |
| Grace Hilbert<br>Box 6, Westminster, Maryland | : | |

To the Honorable, the Judge of said Court:

Your orators, complaining say:

1. That the said Charles C. Rounds, Albert Willing, Ralph E. Willing, Elbert H. Willing, Henderson Willing, Alma Raab, Elsie St. John, Otelia Willing, Addie Hayman, Eleanor Dalton, Rose Willing, Mary Urbanski, Anna Stone, and Grace Hilbert are seized and possessed, as tenants in common, of the hereinafter described real estate in the shares hereinafter set forth:

All that tract or parcel of land situate in St. Peters Election District, Somerset County, Maryland, accurately laid down and described on a certain plat and certificate by Earle B. Polk, Surveyor, dated April 4, 1914 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 67, folio 42 as follows: The said survey begins at the northwest end of a bridge over the road that leads from Oriole to Crab Island, at the intersection of the road ditch and another ditch, and running thence by and with the northwest side of the said road in the center of a ditch the two following courses and distances, viz: South 68° 30' West, 3.84 perches;

South 38° 45' West, 9.60 perches; thence North 39° 45' West, 2.00 perches; thence South 50° 15' West, 49.00 perches by and with the northwest side of a reserved private road; thence North 39° 45' West, 62.00 perches; thence North 50° 15' East, 68.00 perches; to the southwest side of a ditch on the southwest side of the county road leading from Oriole to Dames Quarter; thence by and with the southwest side of said ditch South 38° 45' East, 1.72 perches to the center of another ditch leading to the Dames Quarter county road; thence by and with the last mentioned ditch, to the beginning, the ten following courses and distances, viz: South 15° 30' East 16.60 perches; South 2° 30' East, 8.12 perches; South 23° 15' East, 2.20 perches; South 46° 15' East, 5.42 perches; South 38° 15' East, 8.14 perches; South 32° 15' East, 6.22 perches; South 85° 30' East, 9.12 perches; South 77° 45' East, 4.04 perches; South 36° 45' East, 5.44 perches; South 21° 00' East, 3.60 perches to the beginning, and containing 25 acres of land, more or less.

2. Said land was conveyed unto Mary C. Willing and Elbert H. Willing, as tenants in common, by Fannie I. Smith, et al, by deed dated April 15, 1914 and recorded among the aforesaid Land Records in Liber W.J.S. No. 67, folio 40; the interest of the said Elbert H. Willing and Hilda M. Willing, his wife, was conveyed unto the said Mary C. Willing by deed dated November 15, 1921 and recorded among the aforesaid Land Records in Liber W.J.S. No. 85, folio 120.

3. Upon the death of the said Mary C. Willing, intestate, title to the above described land vested in her surviving husband Henry Willing and her six sons, namely, Paul Willing, Alonzo Willing, Wesley Willing, Washington Willing, Omar Willing, and Clarence Willing.

4. Upon the death, intestate, of the said Paul Willing, unmarried, in January, 1930 and the said Henry Willing, intestate, in May 1930, their interest in the above described property descended unto the said Alonzo, Wesley, Washington, Omar, and Clarence Willing, to the end that each of said surviving heirs of Mary C. Willing owned an undivided one-fifth interest in said real estate.

5. Upon the death of the said Alonzo Willing, intestate, his undivided one-fifth interest in said real estate descended unto some of the defendants herein, namely, Ralph E. Willing, Elbert H. Willing, Henderson Willing, Alma Raab, and Elsie St. John, his sons and daughters and only heirs at law.

6. Upon the death of the said Wesley Willing, intestate, his undivided one-fifth interest descended unto one of the complainants herein, namely, Albert Willing, his son and only heir at law.

7. Upon the death of the said Washington Willing, intestate, his undivided one-fifth interest descended unto some of the defendants herein, namely, his widow, Otelia Willing and his daughters, Addie Hayman and Eleanor Dalton, his only heirs at law.

8. Upon the death of the said Omar Willing, intestate, his undivided one-fifth interest descended unto some of the defendants herein, namely, his widow, Rose Willing, and his daughters, Mary Urbanski, Anna Stone, and Grace Hilbert, his only heirs at law.

9. Upon the death of the said Clarence Willing, intestate, his undivided one-fifth interest (erroneously described as a one-sixth interest) was conveyed unto one of the complainants herein, Charles C. Rounds, by deed from James L. Barrow, Administrator, dated September 21, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 224, folio 134.

10. That the above described property is not susceptible to partition without material loss and injury to the parties entitled to interest therein.

11. That all parties to this proceeding are all adults over the age of twenty-one years.

To the end, therefore,

a. That a decree may be passed by this Court for the sale of the real estate described in the above petition and a division of the money arising from said sale may be made among the parties according to their respective rights.

b. 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 writs of subpoena directed to the said defendants herein at the addresses indicated in the titling of the Bill of Complaint, 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 as in duty bound,

JONES & JONES

By _____

Solicitors for Complainants
Princess Anne, Maryland
Telephone: 651-2747

LIBER 041 PAGE 090

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Ralph E. Willing
410 Hopkins Rd

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..26.....day of.....January....., 19.66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...22nd.....day of.....March....., 19.66... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

.....Jones & Jones.....
**Name**

.....Princess Anne, Maryland.....
**Address**

S. Theodore Shockley
**Clerk**

Sheriff's Return:
Copy Sub. sd on Ralph E. Willing on this 15th day of Feb. 1966.
Edward G. Mueller Fee 4.00

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Otelia Willing
Eleanor Dalton

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the....26....day of....January....., 19.66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...22nd.....day of....March....., 19..66.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones..&..Jones.....
**Name**
Princess Anne, Maryland
.....
**Address**

L. Theodore Shockley.....
**Clerk**

Summoned Otelia Willing and Eleanor Dalton this 5th day of February 1966.
Fee $4.00

LIBER U41 PAGE 391 Norman O. Howard
Sheriff Howard County

LIBER 041 PAGE 392

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Addie Hayman

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...26.....day of.....January....., 19....66..

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....22.....day of.....March....., 19..66.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones
Name

...Princess Anne, Maryland
Address

S. Theodore Shockley
Clerk

Sheriff's Return:
Summoned and copy of Subponea and Bill of Complaint
left with Addie Hayman this 28th day of January, 1966.
Isaac H. Dorsey, Sheriff
Edwin B. Muri, Deputy

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Rose Willing

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of...March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...26.....day of...January....., 19..66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....22.....day of.....March....., 19.66.... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

..Jones..&.Jones.....
**Name**

Princess Anne, Maryland
.....
**Address**

Sheriff's Return:
Copy Sub. Bill of Complaint sd. on Rose Willing on this 12th day of Feb. 1966.
Edward G. Mueller, Fee 4.00

S. Theodore Shelbus
.....
**Clerk**

LIBER 041 PAGE 093

**WRIT OF SUBPOENA:** LIBER 041 PAGE 094

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Alma Raab

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...26.....day of...January....., 19..66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....22nd....day of.....March....., 1966.... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones.....
**Name**
Princess Anne, Maryland
.....
**Address**

I. Theodore Gherkus
**Clerk**

Sheriff's Return:
Summoned Alma Raab, and a copy of the Process with a copy of the Bill of Complaint left with the Defendant on the 10th day of February 1966. In the presence of Warren Haase.
Frank J. Pelz, Sheriff Fees $4.00

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Mary Urbanski

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of...March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the....26....day of....January....., 19.66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...22nd.....day of.....March....., 19...66. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones.....
**Name**
Princess Anne, Maryland
.....
**Address**

S. Theodore Shockus
.....
Clerk

Sheriff's Return:
Copy Sub, Bill of Complaint sd on Mary Urbanski on this 16th day of Feb. 1966
Edward G. Mueller Fee $4.00

LIBER U41 PAGE 335

LIBER 041 PAGE 096

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Elsie St. John sd,

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 26.....day of....January....., 19.....66.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...22nd.....day of....March....., 19.66... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

.....Jones..&..Jones.....
**Name**

.....Princess.Anne,.Maryland.....
**Address**

J. Theodore Shockley
**Clerk**

Sheriff's Return:
Copy-Sub, Bill of Complaint sd
on Elsie St. John on this 8th day of Feb. 1966.
Edward G. Mueller Fee $4.00.

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Henderson Willing

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the....26....day of.....January....., 19.66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....22nd...day of.....March....., 19..66... Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones
**Name**
Princess Anne, Maryland
**Address**

S. Theodore Shockley
**Clerk**

Sheriff's Return:
Copy Subpoena, Bill of Complaint sd. on Henderson Willing on this 16th day of Feb. 1966.
Edward G. Mueeler Fee $4.00

**WRIT OF SUBPOENA:** LIBER 041 PAGE 098

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Elbert H. Willing

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...26.....day of..January....., 19..66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....22nd...day of.....March....., 19..66.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones
Name

Princess Anne, Maryland
Address

S. Theodore Gaskins
Clerk

Sheriff's Return:
Summoned Elbert H. Willingon this 22nd day of February, 1966 and left with him a Subpoena, Bill of Complaint $2.00

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Grace Hilbert

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..26.....day of.....January....., 19.66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....22nd...day of.....March....., 19...66. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones
**Name**
Princess Anne, Maryland
**Address**

L. Theodore Shockley
**Clerk**

Sheriff's Return:
Non Est 2-15-66
H. Leroy Campbell, Sheriff

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LIBER U41 PAGE 400

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Anna Stone

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..26.....day of...January....., 19...66...

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....22nd....day of.....March....., 19.66.... Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

.....Jones & Jones.....
**Name**

Princess Anne, Maryland
.....
**Address**

Served the within Subpoena, by reading to, and leaving copy of same and copy of Bill of Complaint with
Anna Stone
this 15 day of Feb 1966.
Robert Madgwick
Sheriff.
S. McCab

I. Theodore Shockley
**Clerk**

| | | |
|---|---|---|
| CHARLES C. ROUNDS | * | IN THE |
| VS | * | CIRCUIT COURT |
| RALPH E. WILLING, et ux | * | FOR |
| | * | SOMERSET COUNTY |
| | * | CHANCERY NO. 8263 |

* * * * * * * * *

ANSWER

Now comes Elbert H. Willing, one of the respondents in above entitled case, by Vernon G. Frame, his attorney, and for an answer to the petition filed herein, says:

1. That he admits the allegations contained in each and every paragraph of said petition.

WHEREFORE, having fully answered the petition, he prays that the Court grant relief as requested.

Vernon G. Frame

Vernon G. Frame
3111 Mountain Road
Pasadena, Maryland
255-0373
Attorney for Defendant

Copy of the aforegoing Answer mailed this 26th day of March, 1966 to Jones & Jones, Princess Ann, Maryland, Solicitors for Complainants.

Vernon G. Frame

LIBER 041 PAGE 401

VERNON G. FRAME
ATTORNEY AT LAW
3111 MOUNTAIN ROAD
PASADENA, MARYLAND 21122

| | | |
|---|---|---|
| CHARLES C. ROUNDS, et al, Complainants | : | IN THE |
| | : | CIRCUIT COURT |
| vs | : | FOR |
| | | SOMERSET COUNTY |
| RALPH E. WILLING, et al, Defendants | : | IN EQUITY |
| | : | No. 8 2 6 3 |
| | : | |

ANSWER OF ROSE M. WILLING TO
BILL OF COMPLAINT

AND now comes ROSE M. WILLING, one of the Defendants named in the above entitled cause, by George F. Flentje, Jr., Esquire, her Solicitor, and for answer to the Bill of Complaint exhibited against her in said cause, says:

FIRST: That this Respondent, not having sufficient knowledge of the matter and facts set forth in the said Bill of Complaint, to enable her to fully and accurately respond thereto, neither admits nor denies the same and accordingly, submits her rights in the premises to the fair and just determination of this Honorable Court, in her behalf.

AND, as in duty bound, etc.

George F. Flentje, Jr., Solicitor for
Rose M. Willing, Defendant,
401 Equitable Building,
Baltimore, Maryland - 21202
Telephone - LE 9 - 5482

Rose M. Willing, Defendant

I HEREBY CERTIFY, that on this - - sixteenth-day of March, 1966, a copy of this Answer to Bill of Complaint was forwarded by United States mail to Jones & Jones, Esquires, Solicitors for the Complainants, at their office in Princess Anne, Maryland

George F. Flentje, Jr., Solicitor for
Rose M. Willing, Defendant

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Grace Hilbert

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....April.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
versus
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..10th..day of.....March....., 19.66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....19.....day of....April....., 19...66.. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones
Name
Princess Anne, Maryland
Address

J. Theodore Gaskins
Clerk

Sheriff's Return:

Non Est 4-2-66
H. Leroy Campbell, Sheriff

LIBER 041 PAGE 403

| | | |
|---|---|---|
| Charles C. Rounds | : | No. 8263 Chancery |
| vs | : | In the Circuit Court for |
| Ralph E. Willing, et.al | : | Somerset County, Maryland |

Mr. Clerk:

Please reissue the writ of subpoena for Grace V. Hilbert, whose address is 408 South Monroe Street, Baltimore, Maryland 21223.

JONES & JONES

By. _____
Solicitors for Complainants

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Grace V. Hilbert

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....May.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Charles C. Rounds, et al
vs.
Ralph E. Willing, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...13th..day of.....April....., 19..66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....17th.....day of.....May....., 19..66.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

....Jones & Jones.....
Name

Princess Anne, Maryland
.....
Address

Sheriff's Return:

.....T. Theodore Gruchus.....
Clerk

Summoned Grace Hillbert and a copy of the Process with a copy of the Bill of Complant left with the Defendant on the 16th day of April 1966 in the Presence Bernard Robison. Frank J. Pelz, Sheriff Fees $4.00.

LIBER 041 FAGE 205

| | | |
|---|---|---|
| Charles C. Rounds<br>Princess Anne, RFD, Somerset County, Md. | : | No. 8263 Chancery |
| Albert Willing<br>722 Stannage Avenue<br>Albany 6, California | : | In The Circuit Court for<br>Somerset County, Maryland |
| VS. | : | |
| Ralph E. Willing, et al. | : | |
| | : | |

ANSWER

Grace Hilbert, one of the Defendants named in these proceedings for Answer to the Bill of Complaint filed herein against her and others, says:

1. That she admits the allegations of the Bill of Complaint.

Grace Hilbert
Grace Hilbert

Service Admitted 4/21/66

| | | |
|---|---|---|
| CHARLES C. ROUNDS<br>PRINCESS ANNE, R.F.D.<br>SOMERSET COUNTY, Md.<br><br>ALBERT WILLING<br>722 STANNAGE AVE<br>ALBANY 6, CALIFORNIA<br><br>VS.<br>RALPH E. WILLING, et al | : | No. 2263 CHANCERY<br>IN THE CIRCUIT COURT FOR<br>SOMERSET COUNTY, Md. |

## ANSWER

May Urbanski, one of the Defendants named in this proceedings for Answer to the Bill of Complaint filed herein against her and others, says:

1. That she admits the allegations of the Bill of Complaint.

Signed: Mary C. Urbanski
April 22, 1966

Service admitted
This 25th day of April 1966

| | | |
|---|---|---|
| Charles C. Rounds and Albert Willing | : | No. 8263 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Ralph E. Willing<br>Elbert H. Willing<br>Henderson Willing | : | |
| Alma Raab<br>Elsie St. John | : | |
| Otelia Willing<br>Addie Hayman | : | |
| Eleanor Dalton<br>Rose Willing | : | |
| Mary Urbanski<br>Anna Stone | : | |
| Grace Hilbert | : | |

To the Honorable, the Judge of said Court:

The petition of Charles C. Rounds and Albert Willing, plaintiffs herein, respectfully shows:

That all of the defendants in this cause having been duly summoned to appear to the bill of complaint in this cause, and the defendant Mary Urbanski and the defendant Grace Hilbert have filed an answer in proper person admitting the allegations of the bill of complaint; the defendant Elbert H. Willing has filed an answer by Vernon G. Frame, his attorney, admitting the allegations in the bill of complaint; and defendant Rose M. Willing, by her attorney George F. Flentje, Jr., has filed an answer neither admitting nor denying the allegations in the bill of complaint but submitting her rights in the premises to the fair and just determination of this Court; and the other defendants, namely, Ralph E. Willing, Henderson Willing, Alma Raab, Elsie St. John, Otelia Willing, Addie Hayman, Eleanor Dalton, and Anna Stone have failed to appear to or answer said bill of complaint.

The plaintiffs therefore pray that the bill of complaint in this cause may be taken pro-confesso against the said defendants, and that the plaintiffs have leave to take testimony before one of the standing examiners of this Court.

JONES & JONES

By _____
Solicitors for Plaintiffs

ORDER

It appearing in the above entitled cause that the adult defendants, Mary Urbanski, Grace Hilbert and Elbert H. Willing, have filed an answer admitting the allegations in the bill of complaint and defendant Rose M. Willing has filed an answer submitting her rights in the premises to the determination of this Court and that the remaining defendants, namely, Ralph E. Willing, Henderson Willing, Alma Raab, Elsie St. John, Otelia Willing, Addie Hayman, Eleanor Dalton, and Anna Stone, have been duly subpoenaed to appear to the bill of complaint in this cause, but have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court.

It is thereupon, this 29 day of April, in the year nineteen hundred and sixty-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 said defendants.

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

E. McMaster Dun.
Judge

| | | |
|---|---|---|
| Charles C. Rounds and Albert Willing | : | No. 8263 Chancery |
| | : | In the Circuit Court for |
| vs | | |
| | : | Somerset County, Maryland |
| Ralph E. Willing<br>Elbert H. Willing<br>Henderson Willing | : | |
| Alma Raab<br>Elsie St. John | : | |
| Otelia Willing<br>Addie Hayman | : | |
| Eleanor Dalton<br>Rose Willing | : | |
| Mary Urbanski<br>Anna Stone | : | |
| Grace Hilbert | : | |

To the Honorable, the Judge of said Court:

The petition of Charles C. Rounds and Albert Willing, by Jones & Jones, their attorneys, respectfully represents:

That the regular Court Examiner is in ill health and unable to perform his normal duties.

Your petitioners, therefore, pray your Honor to pass an order appointing Eunice Pilchard special examiner of this Court to take testimony in the above entitled case.

And as in duty bound,

JONES & JONES

By _____
Solicitors for Plaintiffs

ORDER

Upon the above petition, it is ORDERED by the Circuit Court for Somerset County, this 29 day of April in the year nineteen hundred and sixty-six, that Eunice Pilchard be and she is hereby appointed special examiner of this Court to take testimony in the above entitled case.

E. McMaster Duer
Judge

| | | |
|---|---|---|
| Charles C. Rounds and Albert Willing | : | No. 8263 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Ralph E. Willing, et al | | |

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, Eunice Pilchard, of Princess Anne, Maryland, special examiner appointed by the Circuit Court for Somerset County, duly sworn, etc., do hereby certify that on the 6th day of May, in the year nineteen hundred and sixty-six, at the office of Jones & Jones, in Princess Anne, Maryland, beginning at the hour of about 10:00 o'clock A. M. I did take the following depositions, that is to say:

Charles C. Rounds, a witness of lawful age, produced on the part of the plaintiff, being first duly sworn, deposes and says:

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

Ans. Charles C. Rounds, I am 69 years of age, I reside near Princess Anne, Somerset County, Maryland, and I am a real estate appraiser.

Int. 2 - Are you acquainted with the parties to this suit?

Ans. I am one of the complainants. The other complainant, Albert Willing, and all the defendants are heirs at law of Mary C. Willing.

Int. 3 - Did Mary C. Willing own any land in Somerset County at the time of her death? If so, describe the source of title, provide a description of the land and state the present owners thereof.

Ans. At the time of her death, Mary C. Willing owned twenty-five acres of land in St. Peters Election District, Somerset County, Maryland, which was surveyed by Earle B. Polk on April 4, 1914. The plat is recorded among the Land Records of Somerset County in Liber W.J.S. No. 67, folio 42. The description is also contained in the first paragraph of the bill of complaint which I filed in this proceeding. Said land was conveyed unto Mary C. Willing and Elbert H. Willing, as tenants in common, by Fannie I. Smith, et al, by deed dated April 15, 1914 and recorded among the aforesaid Land Records in Liber W.J.S. No. 67, folio 40; the interest of the

said Elbert H. Willing and Hilda M. Willing, his wife, was conveyed unto the said Mary C. Willing by deed dated November 15, 1921 and recorded among the aforesaid Land Records in Liber W.J.S. No. 85, folio 120. On the death of Mary C. Willing title to the land descended to her various heirs at law as set forth in paragraphs three, four, five, six, seven and eight in the bill of complant. I purchased the one-fifth interest of one of the heirs, Clarence Willing, by deed from James L. Barrow, Administrator, dated September 21, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 224, folio 134.

Int. 4 - What is the value of the land?

Ans. In 1964 I paid $150.00 at a public sale for a one-fifth interest. Based on that price my opinion is that the land is worth $750.00 to $800.00.

Int. 5 - Is the land susceptible to division among the parties interested therein without material loss and injury to them?

Ans. The property cannot be fairly divided among the numerous owners. It would be to the benefit and advantage of all the parties interested to sell the property and divide the proceeds among themselves.

COURT QUESTION AND ANSWER

Nothing more.

Charles C. Rounds

Edward J. Price, a witness of lawful age, produced on the part of the plaintiff, being first duly sworn, deposes and says:

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

Ans. Edward J. Price, I am 38 years of age, I reside at Chance, Somerset County, Maryland, and I am a banker.

Int. 2 - Are you acquainted with the parties to this suit?

Ans. I know the complainant, Mr. Rounds, and I am acquainted with several of the defendants but I do not know all of them.

Int. 3 - Are you familiar with the property subject of this suit?

Ans. I have appraised this property for purposes of this suit.

Int. 4 - In your opinion what is the value of the land?

Ans. In my opinion the land is worth $40.00 an acre.

Int. 5 - Do you know how the property is presently titled?

Ans. I have read the bill of complaint which sets forth the chain of title based upon the Somerset County Land Records and I believe it to be an accurate recital of the chain of title. The property itself is accurately described in paragraph one of the bill and on the plat by Earle B. Polk referred to in the bill.

Int. 6 - Is the property susceptible of division.

Ans. No.

Int. 7 - Would it be to the benefit and advantage of the owners to sell the property and divide the proceeds?

Ans. In my opinion it would be the fairest way to deal with the property. It is of no use to the owners as it presently stands.

COURT QUESTION AND ANSWER.

Nothing more.

Edward J. Price

Edward J. Price

Robert H. Truitt, a witness of lawful age, produced on the part of the plaintiff, being first duly sworn, deposes and says:

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

Ans. Robert H. Truitt, I am 35 years of age, I reside at Salisbury, Wicomico County, Maryland, and I am Cashier of the Bank of Somerset.

Int. 2 - Are you acquainted with the parties to this suit?

Ans. I know the complainant, Mr. Charles Rounds, but I am not acquainted with the other parties.

Int. 3 - Are you familiar with the property subject of this suit?

Ans. I have appraised the property for purposes of this suit.

Int. 4 - In your opinion what is the value of the land?

Ans. In my opinion the land is worth $40.00 an acre or $1,000.00.

Int. 5 - Do you know how the property is presently titled?

Ans. I have read the bill of complaint which sets for the chain of title based upon the Somerset County Land Records and I believe it to be an accurate recital of the chain of title. The property is accurately described in paragraph one of the bill of complaint and on the plat by Earle B. Polk referred to in the bill of complaint.

Int. 6 - Is the property susceptible of division among the parties interested therein without material loss and injury to them?

Ans. No it is not and in my opinion it would be to the benefit and advantages of all the parties interested therein to sell the property and divide the proceeds among them.

COURT QUESTION AND ANSWER

Nothing more.

Robert H. Truitt

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 I read over the testimony verbatim to each of the witnesses, and thereupon they signed the same in my presence and that all the requirements of the Rules of Equity have been complied with.

Given under my hand and seal this 6th day of May, 1966.

Eunice Pilchard (SEAL)
Eunice Pilchard, Special Examiner

| | | |
|---|---|---|
| Charles C. Rounds and Albert Willing | : | No. 8263 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Ralph E. Willing, et al | | |

This cause standing ready for hearing and being submitted on the bill of complaint and answer of some respondents, others having failed to appear, and testimony having been filed pursuant to Order of this Court, the proceedings were read and considered:

It is thereupon, this 13th day of October, in the year nineteen hundred and sixty-six, by the Circuit Court for Somerset County, Maryland, ADJUDGED, ORDERED and DECREED that the property mentioned in the proceedings to be sold; that Alexander G. Jones be, and he is hereby, appointed trustee to make said 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 him, and a surety or sureties, to be approved by this Court, in the penalty of $1000.00, 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, Maryland, as he 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 to be paid upon the ratification of sale, or all cash, at the option of the purchaser or purchasers, the credit portions to bear interest and to be secured to the satisfaction of the trustee, and, as soon as may be convenient after such sale or sales, the said trustee shall return to this court a full and particular account of his proceeding relative to such sale, with an annexed affidavit of the trust 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, plaintiffs and defendants, and those claiming by, from or under them or

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.

E. McMaster Dyer
Judge

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 156.

| | | |
|---|---|---|
| Charles C. Rounds and Albert Willing | : | No. 8263 Chancery |
| Plaintiffs | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Ralph E. Willing, et al Defendants | : | |

To the Honorable, the Judge of said Court:

The report of Alexander G. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 13th day of October, in the year nineteen hundred and sixty-six, 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 weekly newspaper published in Somerset County, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, he did, pursuant to said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 15th day of November, 1966, at 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:

Your trustee offered at public sale to the highest bidder the property mentioned in said decree, and described as follows:

All that tract or parcel of land situate in St. Peters Election District, Somerset County, Maryland, accurately laid down and described on a certain plat and certificate by Earle B. Polk, Surveyor, dated April 4, 1914 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 67, folio 42 as follows: The said survey begins at the northwest end of a bridge over the road that leads from Oriole to Crab Island, at the intersection of the road ditch and another ditch, and running thence by and with the northwest side of the said road in the center of a ditch the two following courses and distances, viz: South 68° 30' West, 3.84 perches; South 38° 45' West, 9.60 perches; thence North 39° 45' West, 2.00 perches; thence South 50° 15' West, 49.00 perches by and with the northwest side of a reserved private road; thence North 39° 45' West, 62.00 perches; thence North 50° 15' East, 68.00 perches; to the southwest side of a ditch on the southwest side of the county road leading

from Oriole to Dames Quarter; thence by and with the southwest side of said ditch South 38° 45' East, 1.72 perches to the center of another ditch leading to the Dames Quarter county road; thence by and with the last mentioned ditch, to the beginning, the ten following courses and distances, viz: South 15° 30' East 16.60 perches; South 2° 30' East, 8.12 perches; South 23° 15' East, 2.20 perches; South 46° 15' East, 5.42 perches; South 38° 15' East, 8.14 perches; South 32° 15' East, 6.22 perches; South 85° 30' East, 9.12 perches; South 77° 45' East, 4.04 perches; South 36° 45' East, 5.44 perches; South 21° 00' East, 3.60 perches to the beginning, and containing 25 acres of land, more or less, and being the same and all the land which was conveyed unto Mary C. Willing and Elbert H. Willing, as tenants in common, by Fannie I. Smith, et al, by deed dated April 15, 1914 and recorded among the aforesaid Land Records in Liber W.J.S. No. 67, folio 40; the interest of the said Mary C. Willing and Elbert H. Willing having become vested in and to the parties to this proceeding as set forth in said proceeding; and sold the same to The Chesapeake Corporation of Virginia, a Virginia corporation, with its principal office at West Point, Virginia, at and for the sum of one thousand dollars ($1,000.00), it being at said sum the highest bidder therefor.

Your Trustee further reports that the said The Chesapeake Corporation of Virginia, has complied fully with the terms of sale.

Respectfully submitted,

Alexander G. Jones

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 15th day of November, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Trustee, named in the above report of sale, and he made oath in due form of law that the matters and facts 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.

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

Notary Public

| | | |
|---|---|---|
| Charles C. Rounds and Albert Willing | : | No. 8263 Chancery |
| Plaintiffs | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Ralph E. Willing, et al | : | |
| Defendants | | |

Purchaser's Affidavit

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 14th day of December, 1966, before me, the subscriber, a Notary Public of the State of Maryland and County aforesaid, personally appeared Robert H. Owens, Purchasing Agent for The Chesapeake Corporation of Virginia, the purchaser of the real estate in the above entitled proceedings and he made oath in due form of law.

1. That in making said purchase it was not acting as agent for anyone.

2. That others interested in said purchase, as principals, are none.

3. That it did not directly or indirectly discourage anyone from bidding for said property.

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

Notary Public

NOTARY PUBLIC SOMERSET COUNTY

JONES & JONES

# ORDER NISI

No. 8263 Chancery

In the Circuit Court for Somerset County, Maryland

Charles C. Rounds and Albert Willing, Plaintiffs
vs
Ralph E. Willing, et al, Defendants

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 19th day of December, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 15th day of December, 1966.

The report states the amount of sale to be $1,000.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court for Somerset County, Maryland
True Copy,
Test: I. Theodore Phoebus, Clk.

29-4tc

FILED
DEC 15 12 11 PM '66

LIBER 041 PAGE 420

PRINCESS ANNE, MD., 12/15 1966

This is to certify that the annexed Order Nisi has been published in the MARYLANDER and HERALD, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Nov. 22, 29, Dec. 1, 8, 1966

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

Order Nisi

| | | |
|---|---|---|
| Charles C. Rounds and Albert Willing | : | No. 8263 Chancery |
| Plaintiffs | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Ralph E. Willing, et al | : | |
| Defendants | : | |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones, Trustee appointed by a decree of this Court to make said slae, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 19th day of December, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 15th day of December, 1966.

The report states the amount of sale to be $1,000.00.

Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 21st day of December, 1966, 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.

Judge

| | | |
|---|---|---|
| Charles C. Rounds and Albert Willing Plaintiffs | : | No. 8263 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Ralph E. Willing, et al Defendants | : | |

A U D I T

To the Honorable, the Judges of the Circuit Court, in Equity:

The report of the Auditor stating the account in the within mentioned cause, respectfully represents:

That your Auditor has charged the Trustee with the whole amount of the sale of the real estate, as reported by the Trustee in his report of sale. The said Trustee has been allowed Commissions on said sale and a special attorney's fee as per the Chancery Rules of this Court and his costs and expenses not personal.

The balance of the funds in the hands of the Trustee has been distributed to the parties in the above entitled action.

| | | |
|---|---|---|
| By the whole amount of sale of the real estate as reported by the Trustee: | | $1,000.00 |
| To: Trustee for his commissions | $100.00 | |
| Special Attorney's Fee | 25.00 | |
| To: Trustee for his costs and expenses, not personal: | | |
| Plaintiff's Solicitor | 10.00 | |
| Defendant's Solicitor | 10.00 | |
| Clerk's costs, accrued and to accrue | 67.00 | |
| Recording | 15.00 | |
| Advertising sale | 56.25 | |
| Order nisi | 10.00 | |
| Bond premium | 10.00 | |
| Testimony | 10.00 | |
| Auctioneer | 15.00 | |
| Auditor stating this account | 10.00 | |

The balance of the funds in the hands of the Trustee is distributed as follows:

| | | |
|---|---|---|
| To: Charles C. Rounds, | 45/225 | 132.35 |
| Albert Willing, | 45/225 | 132.35 |
| Ralph E. Willing, | 9/225 | 26.47 |
| Elbert H. Willing, | 9/225 | 26.47 |
| Henderson Willing, | 9/225 | 26.47 |
| Alma Raab, | 9/225 | 26.47 |
| Elsie St. John, | 9/225 | 26.47 |
| Otelia Willing, | 15/225 | 44.12 |
| Addie Hayman | 15/225 | 44.12 |
| Eleanor Dalton, | 15/225 | 44.11 |

| | | | |
|---|---|---|---|
| Rose Willing, | 15/225 | $44.12 | |
| Mary Urbanski, | 10/225 | 29.41 | |
| Anna Stone, | 10/225 | 29.41 | |
| Grace Hilbert, | 10/225 | 29.41 | |
| | | $1,000.00 | $1,000.00 |

Respectfully submitted,

Harry E. Dashiell

Harry E. Dashiell, Auditor

| | | |
|---|---|---|
| Charles C. Rounds and Albert Willing | : | No. 8263 Chancery Case |
| | : | In the Circuit Court for |
| vs. | : | Somerset County, Maryland |
| Ralph E. Willing, et als | : | |

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 21st day of December 1966, that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 23rd day of January 1967.*

S. Theodore Shockley, Clerk

No. 8263 Chancery Vs

THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that no exceptions have been filed in the above proceedings to the final ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date January 24 1967

S. Theodore Shockley, Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this 24th day of January 1967, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

S. Theodore Shockley

MAY 26 1967

R# 13995

LIBER 041 PAGE 425

| | |
|---|---|
| The Somerset County Sanitary Commission,<br>Acting for and on Behalf of<br>Somerset County Sanitary District, Inc.,<br>a body corporate of the State of Maryland | No. 8297 Chancery<br>in the Circuit Court for<br>Somerset County, Maryland |

vs

Kelcie Carroll
Princess Anne, Somerset County, Maryland

And the Real Estate and Improvements Hereinafter Described

BILL TO ENFORCE LIEN(S)

The petition of The Somerset County Sanitary Commission, by Richard M. Cooley, Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by Alexander G. Jones, Attorney for Petitioner, respectfully represents:

1. That the Petitioner, under the provisions of Article 43 of the Code of Public General Laws of Maryland, 1957 edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all properties, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the Petitioner.

2. That the Petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant(s) named herein.

3. That the charges and assessments against such property or properties are as follows:

A—Water Service Charge(s) including penalty of $5.00.....$

B—Sewer Service Charge(s).....$

C—Water Connection Charge(s).....$

D—Sewer Connection Charge(s).....$

E—Front Foot Assessment(s) including interest at the rate of one-half of one per cent per month from _____.....$

| | | |
|---|---|---|
| 1964 - $101.38 including interest from(Date) June 1, 1964 | | 113.04 |
| 1965 - 101.38 including interest from March 1, 1965 | | 108.48 |
| 1966 - 101.38 including interest from March 1, 1966 | | 102.39 |
| | TOTAL $ | 323.91 |

4. That on the date of establishment of the charges and assessments set forth above the defendant(s) named herein were the owners of record of the property or properties described as follows:

(A) All that tract or parcel of land in...West.....Princess Anne Election District, Somerset County, Maryland, more particularly described as:

Lying and binding on the west side of Peters Avenue and fronting 99 feet thereon and running back therefrom a distance of 74 feet; bounded on the west by the land of Ernest Dennis, on the north by the land owned or formerly owned by Armintha Wood, and bounded on the south by a continuation of Barton Street, and being part of the land described as "D. Carroll Lot" laid down and described on a plat by Samuel F. Miles, dated July 10, 1938 and recorded among the Land Records of Somerset County in Liber J.M.T. No. 115, folio 121, and being the same and all the land which was conveyed unto Kelcie Carroll by Helen V. Carroll by deed dated March 31, 1932 and recorded among the aforesaid Land Records in Liber J.M.T. No. 102, folio 252.

5 That according to the applicable provisions of Article 43 said charge or charges or assessments are first liens against the property or properties described above, and a public record of said lien(s) is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.—Notice of Liens".

6. That despite written notice of such charges, assessments and liens from the Petitioner to the defendant(s) said charges are overdue and in default and this suit is brought to enforce said lien(s).

WHEREFORE, the Petitioner prays a decree of this Honorable Court ordering:

(1) That the property or properties described above be sold according to law and that the proceeds from said sale be applied to satisfy the Petitioner's said lien(s) including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the Rules of Court.

(2) That the Petitioner have judgment against the defendant(s) for any deficiency remaining.

(3) And for such other relief as may be proper.

Somerset County Sanitary Commission,
Acting For and On Behalf of
Somerset County Sanitary District, Inc.

By .....

Alexander G. Jones
Attorney for Petitioner
Princess Anne, Maryland

Telephone 651-2747

## Petitioner's Motion for Summary Judgment

The Petitioner moves for summary judgment on the ground that the Defendant(s) has no defense to its claim, and that there is no genuine dispute between the parties as to any material fact and that it is entitled to judgment as a matter of law.

.....
Attorney for Petitioner

## Affidavit in Support of Petitioner's Motion for Summary Judgment

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of April, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Stanley C. Street (name), Treasurer (title) of Somerset County Sanitary Commission, and made oath in due form of law that there is now justly due and owing to the Petitioner from the Defendant(s) named in the attached Bill to Enforce Lien(s) the sum of $323.91, being charges or assessments for facilities and services provided by the Petitioner to the Defendant(s) and to the property or properties described in said Bill, that said charges are in default and are statutory first liens against said property or properties; that in his official capacity the affiant herein is familiar with the matters set forth in said Bill, that he has personal knowledge of them, and is competent to testify to them, and that he is duly authorized to make this affidavit.

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

Patsy J. Tait
Notary Public

To the Defendant(s):

Take notice that unless you make your defense within the time allowed by law or Rule of Court, judgment will be entered against you. If you assert a defense, this motion may be heard by the Court fifteen days after its service on you, but not earlier than the expiration of the time allowed by law or Rule of Court to plead in answer to the Bill of Complaint.

.....
Attorney for Petitioner

LIBER 041 PAGE 428

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Kelcie Carroll

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....May.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate
versus
Kelcie Carroll

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...28.....day of.....April....., 1966.....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....17th...day of.....May....., 19..66... Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones
Name

Princess Anne, Maryland
Address

A. Theodore Phoebus
Clerk

Sheriff's Return
Non Est April 28, 1966
Isaac H. Dorsey, Sheriff
Edwin B. Muir, Deputy

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Kelcie Carroll

*GREETING:*

**We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....June.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of** The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate
versus
Kelcie Carroll

**against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.**

**WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.**

**Issued the....2nd..day of....May....., 19..66....**

**TO THE DEFENDANT(S):**

**You are required to file your answer or other defense in the Clerk's Office on or before the.....21st...day of.....June....., 19..66.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.**

**Solicitor for Complainant(s)**

Jones & Jones
**Name**
Princess Anne, Maryland
**Address**

N. Theodore Pharaoh
**Clerk**

Sheriff's Return
Non Est May 3, 1966.
Isaac H. Dorsey, Sheriff
Edwin B. Muir, Deputy

LIBER U41 PAGE 430

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Kelcie Carroll
Princess Anne, Somerset County, Maryland

And the Real Estate and Improvements Hereinbefore Described

No 8297 Chancery
In the Circuit Court for
Somerset County, Maryland

## Petition to Proceed Against Defendant(s) As Nonresident(s)

The petition of The Somerset County Sanitary Commission, by Richard M. Cooley Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by Alexander G. Jones, Attorney for Petitioner, respectfully represents:

1. That the Defendant(s) Kelcie Carroll were believed by the Petitioner to be residents of this jurisdiction.

2. That two successive subpoenas issued for said Defendant(s) have been returned "non est" as set forth in the docket entries in this proceeding.

3. That reasonable efforts have been made to issue service of process upon said Defendant(s) as set forth in the affidavit of Edwin B. Muir, Deputy Sheriff of Somerset County, attached hereto.

Wherefore, the Petitioner prays an order of this Court that the Defendant(s) named herein be proceeded against as nonresident(s) as provided by the Maryland Rules of Procedure in such cases provided by giving notice of the pendency of the above entitled action by publication.

Attorney for Petitioner

## Affidavit

I, Edwin B. Muir, Deputy Sheriff of Somerset County, do hereby make affidavit that I have made reasonable and bona fide efforts to effect service of process upon the Defendant(s) named in the aforegoing petition in the above entitled case, that I have twice personally visited the property of the said Defendant(s) but was unable to to find said Defendant(s) and that as a result of my inquiries and investigations I believe the Defendant(s) cannot be served by personal service of process within this jurisdiction.

Deputy Sheriff of Somerset County

Subscribed and sworn to before me
this 9th day of May, 1966

Notary Public

## Order

Upon the aforegoing petition and affidavit, it is this 10th day of May, 1966, ORDERED by the Circuit Court for Somerset County that the Defendant(s), Kelcie Carroll be proceeded against as nonresident(s) by giving notice by publication at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June, 1966, stating the substance and object of the original Bill and warning the said Defendant(s) to file an initial pleading to said Bill on or before the 11th day of July, 1966.

Judge

ALEXANDER G. JONES
Attorney

ORDER OF PUBLICATION
In the Circuit Court for Somerset County,
Maryland

No. 8297 Chancery
The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Kelcie Carroll
Princess Anne, Somerset County, Maryland

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendant named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 8297 Chancery recites that the following described real estate was conveyed unto Kelcie Carroll by Helen V. Carroll by deed dated March 31, 1932 and recorded among the Land Records of Somerset County in Liber J.M.T. No. 102, folio 252, described as follows: All that tract or parcel of land in West Princess Anne Election District, Somerset County, Maryland, lying and binding on the west side of Peters Avenue and fronting 99 feet thereon and running back there from a distance of 74 feet, bounded on the west by the land of Ernest Dennis on the north by the land owned of formerly owned by Armintha Wood and bounded on the south by a continuation of Barton Street, and being part of the land described as "D. Carroll Lot" laid down and described on a plat by Samuel F. Miles, dated July 10, 1938 and recorded among the aforesaid Land Records in Liber J.M.T. No. 115, folio 121.

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved or unimproved, served

by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 8297 Chancery (Kelcie Carroll) | |
| Front foot assessment including interest from June 1, 1964 | $ 113.04 |
| Front foot assessment including interest from March 1, 1965 | 108.48 |
| Front foot assessment including interest from March 1, 1966 | 102.39 |
| | $ 323.91 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. - Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendant said charge is overdue and in default and this suit is brought to enforce said lien.

The petitioner in this proceeding has petitioned to proceed against Kelcie Carroll in No. 8297 Chancery as non-resident.

Upon the aforegoing Petition and Affidavit, it is this 10th day of May, 1966, ORDERED by the Circuit Court for Somerset County that the defendant Kelcie Carroll, be proceeded against as a non-resident by giving notice by publication at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June, 1966, stating the substance and object of the original Bill and warning the said defendant to file an initial pleading to said Bill on or before the 11th day of July, 1966.

E. Moynahan Dun
Judge

ALEXANDER G. JONES
Attorney

# ORDER OF PUBLICATION

In the Circuit Court for
Somerset County, Maryland

No. 8297 Chancery
The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland
vs
Kelcie Carroll
Princess Anne, Somerset County, Maryland

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendant named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 8297 Chancery recites that the following described real estate was conveyed unto Kelcie Carroll by Helen V. Carroll by deed dated March 31, 1932 and recorded among the Land Records of Somerset County in Liber J.M.T. No. 102, folio 252, described as follows: All that tract or parcel of land in West Princess Anne Election District, Somerset County Maryland, lying and binding on the west side of Peters Avenue and fronting 99 feet thereon and running back there from a distance of 74 feet, bounded on the west by the land of Ernest Dennis on the north by the land owned or formerly owned by Armintha Wood and bounded on the south by a continuation of Barton Street, and being part of the land described as "D. Carroll Lot" laid down and described on a plat by Samuel F. Miles, dated July 10, 1938 and recorded among the aforesaid Land Records in Liber J.M.T. No. 115, folio 121.

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and has extended its facilities and services to serve the property or properties of the defendant named herein; that the charges and assessments against such property or properties are as follows:

No. 8297 Chancery (Kelcie Carroll)

| | |
|---|---|
| Front foot assessment including interest from June 1, 1964 | $113.04 |
| Front foot assessment including interest from March 1, 1965 | 108.48 |
| Front foot assessment including interest from March 1, 1966 | 102.39 |
| | $323.91 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.—Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendant said charge is overdue and in default and this suit is brought to enforce said lien.

The petitioner in this proceeding has petitioned to proceed against Kelcie Carroll in No. 8297 Chancery as non-resident.

Upon the aforegoing Petition and Affidavit, it is this 10th day of May, 1966, ORDERED by the Circuit Court for Somerset County that the defendant Kelcie Carroll, be proceeded against as a non-resident by giving notice by publication at least once a week in each of three successive weeks in a newspaper published in Somerset County, Maryland, before the 18th day of June, 1966, giving the substance and object of the original Bill and requiring the said defendant to file an initial pleading to said Bill on or before the 11th day of July, 1966.

McMASTER DUER
Judge

2-4tc

PRINCESS ANNE, MD., June 2, 1966

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order.

Dates Inserted: May 12, 19, 26, June 2, 1966

Business Manager MARYLANDER and HERALD

LIBER U41 PAGE 133

| | |
|---|---|
| The Somerset County Sanitary Commission,<br>Acting for and on Behalf of<br>Somerset County Sanitary District, Inc.,<br>a body corporate of the State of Maryland<br><br>vs<br><br>Kelcie Carroll<br>Princess Anne, Somerset County, Maryland<br><br>And the Real Estate and Improvements<br>Hereinbefore Described | No. 8297 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 8 day of August, in the year nineteen hundred and 1966, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED, that the property in the proceedings mentioned be sold, and Alexander G. 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 said Trustee and a surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of $1500.00, 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 at public auction, 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, 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 excuted, 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 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.

E. Mercaster Dun
Judge

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 147.

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | : | No. 8297 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Kelcie Carroll Princess Anne, Somerset County, Maryland | : | |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of Alexander G. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 8th day of August, in the year nineteen hundred and sixty-six, 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 weekly newspaper published in Somerset County, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, he did, pursuant to said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 6th day of September, 1966, at the hour of 2:00 o'clock P. M., and then and there proceeded to sell said property, to wit:

All that tract or parcel of land in West Princess Anne Election District, Somerset County, Maryland, more particularly described as: Lying and binding on the west side of Peters Avenue and fronting 99 feet thereon and running back therefrom a distance of 74 feet, bounded on the west by the land of Ernest Dennis, on the north by the land owned or formerly owned by Armintha Wood, and bounded on the south by a continuation of Barton Street, and being part of the land described as "D. Carroll Lot" laid down and described on a plat by Samuel F. Miles, dated July 10, 1938, and recorded among the Land Records of Somerset County in Liber J.M.T. No. 115, folio 121, and being the land which was conveyed unto Kelcie Carroll from Helen Carroll by deed dated March 31, 1932 and recorded among the aforesaid Land Records in Liber J.M.T. No. 102, folio 252, and sold the same to Willie J. Baker and Georgia F. Baker, his wife, at and for the sum of six hundred thirty-seven dollars and forty cents ($637.40),

they being then and there the highest bidders therefor, and the purchasers have complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total Sales | | $637.40 |
| To 1964 Front foot assessment | $115.57 | |
| To 1965 Front foot assessment | 111.01 | |
| To 1966 Front foot assessment | 104.93 | |
| To Marylander & Herald, order of publication | 78.75 | |
| To Marylander & Herald, advertising | 23.44 | |
| To Marylander & Herald, order nisi | 10.00 | |
| To Clerk of the Circuit Court for costs | 49.00 | |
| To Bond premium | 10.00 | |
| To Attorney's fee | 25.00 | |
| To Auctioneer | 15.00 | |
| To Trustee's Commissions | 63.74 | |
| To 1965 State & County Taxes | 16.04 | |
| To 1966 State & County Taxes | 14.92 | |
| | $637.40 | $637.40 |

Respectfully submitted,

Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 6th day of September, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and facts stated in the aforegoing report are true as therein stated to the best of his knowledged, 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.

NOTARY PUBLIC SOMERSET COUNTY, MD.

Notary Public

| | |
|---|---|
| The Somerset County Sanitary Commission, : Acting for and on Behalf of Somerset County Sanitary District, Inc., : a body corporate of the State of Maryland | No. 8297 Chancery |
| : | In the Circuit Court for |
| vs | Somerset County, Maryland |
| : | |
| Kelcie Carroll Princess Anne, Somerset County, Maryland : | |

PURCHASERS' AFFIDAVIT

State of Maryland, Somerset County, to wit;

I hereby certify, that on this 6th day of September, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Willie J. Baker and Georgia F. Baker, his wife, the purchasers of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase they were not acting as agent for any one.

2. That others interested in said purchase, as principals are none.

3. That they did not directly or indirectly discourage any one from bidding for said property.

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

NOTARY PUBLIC SOMERSET COUNTY

Notary Public

Order Nisi

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland | : | No. 8297 Chancery |
| | : | In the Circuit Court for |
| | : | Somerset County, Maryland |
| vs | | |
| | : | |
| Kelcie Carroll | | |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 10th day of October, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 6th day of October, 1966.

The report states the amount of sale to be $637.40.

Theodore Gaskins
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 13 day of October, 1966, 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.

E. McMaster Duer
Judge

FILED

OCT 11 4 25 PM '66

LIBER 041 PAGE 459

PRINCESS ANNE, MD., October 11, 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted: Sept 8, 15, 22, 29, 1966

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8297 Chancery

In the Circuit Court for Somerset County, Maryland

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland

vs

Kelcie Carroll

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 10th day of October, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 6th day of October, 1966.

The report states the amount of sale to be $637.40.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
True Copy,
Test: I. Theodore Phoebus, Clk.

19-4tc

MAY 26 1967

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

John T. Morris and
Sarah E. Morris
Princess Anne, Somerset County, Maryland

No. 8298 Chancery
in the Circuit Court for
Somerset County, Maryland

Pet 13996

And the Real Estate and Improvements Hereinafter Described

BILL TO ENFORCE LIEN(S)

The petition of The Somerset County Sanitary Commission, by Richard M. Cooley, Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by Alexander G. Jones, Attorney for Petitioner, respectfully represents:

1. That the Petitioner, under the provisions of Article 43 of the Code of Public General Laws of Maryland, 1957 edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all properties, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the Petitioner.

2. That the Petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant(s) named herein.

3. That the charges and assessments against such property or properties are as follows:

A—Water Service Charge(s) including penalty of $5.00.....$

B—Sewer Service Charge(s).....$

C—Water Connection Charge(s).....$

D—Sewer Connection Charge(s).....$

E—Front Foot Assessment(s) including interest at the rate of one-half of one per cent per month from _____ (Date) June 1, 1964.....$

| | | |
|---|---|---|
| 1964 - $28.60 | including interest from | 31.89 |
| 1965 - 28.60 | including interest from March 1, 1965 | 30.60 |
| 1966 - 28.60 | including interest from March 1, 1966 | 28.89 |
| | TOTAL $ | 91.38 |

4. That on the date of establishment of the charges and assessments set forth above the defendant(s) named herein were the owners of record of the property or properties described as follows:

(A) All that tract or parcel of land in.....East.....Princess Anne Election District, Somerset County, Maryland, more particularly described as:

Lying and binding on the north side of Water Street and fronting 55 feet thereon, bounded on the north by the Manokin River, bounded on the east by the land of Somerset County Sanitary District, Inc. and on the west by the lands owned or formerly owned by Harry T. Phoebus, being the same and all the land which was conveyed unto John T. Morris and Sarah E. Morris as tenants by the entireties by Edgar A. Jones and wife by deed dated August 30, 1922 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 86, folio 232.

5 That according to the applicable provisions of Article 43 said charge or charges or assessments are first liens against the property or properties described above, and a public record of said lien(s) is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.—Notice of Liens".

6. That despite written notice of such charges, assessments and liens from the Petitioner to the defendant(s) said charges are overdue and in default and this suit is brought to enforce said lien(s).

WHEREFORE, the Petitioner prays a decree of this Honorable Court ordering:

(1) That the property or properties described above be sold according to law and that the proceeds from said sale be applied to satisfy the Petitioner's said lien(s) including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the Rules of Court.

(2) That the Petitioner have judgment against the defendant(s) for any deficiency remaining.

(3) And for such other relief as may be proper.

Somerset County Sanitary Commission,
Acting For and On Behalf of
Somerset County Sanitary District, Inc.

By .....

Alexander G. Jones
Attorney for Petitioner
Princess Anne, Maryland
Telephone 651-2747

## Petitioner's Motion for Summary Judgment

The Petitioner moves for summary judgment on the ground that the Defendant(s) has no defense to its claim, and that there is no genuine dispute between the parties as to any material fact, and that it is entitled to judgment as a matter of law.

.....
Attorney for Petitioner

## Affidavit in Support of Petitioner's Motion for Summary Judgment

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of April, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Stanley C. Street (name), Treasurer (title) of Somerset County Sanitary Commission, and made oath in due form of law that there is now justly due and owing to the Petitioner from the Defendant(s) named in the attached Bill to Enforce Lien(s) the sum of $91.38, being charges or assessments for facilities and services provided by the Petitioner to the Defendant(s) and to the property or properties described in said Bill, that said charges are in default and are statutory first liens against said property or properties; that in his official capacity the affiant herein is familiar with the matters set forth in said Bill, that he has personal knowledge of them, and is competent to testify to them, and that he is duly authorized to make this affidavit.

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

Nancy J. Ent
Notary Public

To the Defendant(s):

Take notice that unless you make your defense within the time allowed by law or Rule of Court, judgment will be entered against you. If you assert a defense, this motion may be heard by the Court fifteen days after its service on you, but not earlier than the expiration of the time allowed by law or Rule of Court to plead in answer to the Bill of Complaint.

.....
Attorney for Petitioner

LIBER U41 PAGE 441

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO John T. Morris and
Sarah E. Morris

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....May.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate
vs.
John T. Morris and Sarah E. Morris

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the.....28...day of....April....., 19..66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....17th...day of.....May....., 19..66.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

....Jones & Jones.....
Name

....Princess Anne, Maryland.....
Address

J. Theodore Shockley
Clerk

Sheriff's Return:
Mortuss Est Airil 28, 1966.
Isaac H. Dorsey, Sheriff
Edwin B. Muir, Deputy

LIBER U41 PAGE 443

ALEXANDER G. JONES
Attorney

ORDER OF PUBLICATION
In the Circuit Court for Somerset County,
Maryland

No. 8298 Chancery
The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland.

vs

John T. Morris and Sarah E. Morris
Princess Anne, Somerset County, Maryland
and the unknown heirs, devisees or personal
representatives of John T. Morris and Sarah E. Morris

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendants named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 8298 Chancery recites that the following described real estate is all of the land conveyed unto John T. Morris and Sarah E. Morris, as tenants by the entireties, by Edgar A. Jones and wife by deed dated August 30, 1922 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 86, folio 232, described as follows: All that tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the north side of Water Street and fronting 55 feet thereon, bounded on the north by the Manokin River, bounded on the east by the land of Somerset County Sanitary District, Inc., and on the west by the lands owned or formerly owned by Harry T. Phoebus.

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the

retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendants named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 8298 Chancery (John T. Morris and Sarah E. Morris) | |
| Front foot assessment including interest from June 1, 1964 | $ 31.89 |
| Front foot assessment including interest from March 1, 1965 | 30.60 |
| Front foot assessment including interest from March 1, 1966 | 28.89 |
| | $ 91.38 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. - Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendants said charge is overdue and in default and this suit is brought to enforce said lien.

That a writ of subpoena was issued by this Court directed to the said John T. Morris and Sarah E. Morris, and was returned "Mortuus Est"; that the successor in interest of John T. Morris and Sarah E. Morris would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor is, or whether he is a resident or non-resident.

Accordingly it is this 10th day of May, 1966, ORDERED by the Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs, devisees or personal representatives of John T. Morris and Sarah E. Morris; that such notice by publication be made at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June, 1966, stating the substance and object of the original Bill and warning said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 11th day of July, 1966.

E. McMaster Duer
Judge

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

John T. Morris and Sarah E. Morris
Princess Anne, Somerset County, Maryland
and the unknown heirs, devisees or personal
representatives of John T. Morris and Sarah E.
Morris
And the Real Estate and Improvements
Hereinbefore Described

No. 8298 Chancery
In the Circuit Court for
Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 8 day of August, in the year nineteen hundred and 1966, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED, that the property in the proceedings mentioned be sold, and Alexander G. 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 said Trustee and a surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of $400.00, 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 at public auction, 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, 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 excuted, 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 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.

E. Merrill Dun.
Judge

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 148.

PRINCESS ANNE, MD.

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Date inserted May 12, 19, June 1, 1966

Business Manager MARYLANDER and HERALD

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ALEXANDER G. JONES
Attorney

# ORDER OF PUBLICATION

In the Circuit Court for
Somerset County, Maryland

No. 8298 Chancery
The Somerset County Sanitary Commission,
Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland
vs
John T. Morris and Sarah E. Morris, Princess Anne, Somerset County, Maryland and the unknown heirs, devisees or personal representatives of John T. Morris and Sarah E. Morris

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate,owned by the defendants named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 8298 Chancery recites that the following described real estate is all of the land conveyed unto John T. Morris and Sarah E. Morris, as tenants by the entireties, by Edgar A. Jones and wife by deed dated August 30, 1922 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 86, folio 232, described as follows: All that tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the north side of Water Street and fronting 55 feet thereon, bounded on the north by the Manokin River, bounded on the east by the land of Somerset County Sanitary District, Inc., and on the west by the land owned or formerly owned by Harry T. Phoebus.

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to the property or properties of the defendants named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 8298 Chancery (John T. Morris and Sarah E. Morris) | |
| Front foot assessment including interesting from June 1, 1964 | $31.89 |
| Front foot assessment including interest from March 1, 1965 | 30.60 |
| Front foot assessment including interest from March 1, 1966 | 28.89 |
| | $91.38 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described above and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. — Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendants said charge is overdue and in default and this suit is brought to enforce said lien.

That a writ of subpoena was issued by this Court directed to the said John T. Morris and Sarah E. Morris, and was returned "Mortuus Est"; that the successor in interest of John T. Morris and Sarah E. Morris would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor is, or whether he is a resident or non-resident.

Accordingly it is this 10th day of May, 1966, ORDERED by the Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs, devisees or personal representatives of John T. Morris and Sarah E. Morris; that such notice by publication be made at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June, 1966, stating the substance and object of the original Bill and warning said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 11th day of July, 1966.

E. McMASTER DUER
Judge

2-4tc

LIBER U41 PAGE 447

| | |
|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | No. 8298 Chancery<br>In the Circuit Court for Somerset County, Maryland |
| vs | |
| John T. Morris and Sarah E. Morris, and the unknown heirs, devisees or personal representatives of John T. Morris and Sarah E. Morris | |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of Alexander G. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 8th day of August, in the year nineteen hundred and sixty-six, 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 ans 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, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, he did, pursuant to said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 6th day of September, 1966, at the hour of 2:00 o'clock P. M., and then and there proceeded to sell said property, to wit:

All that tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland, more particularly described as: Lying and binding on the north side of Water Street and fronting 55 feet thereon, bounded on the north by the Manokin River, bounded on the east by the land of Somerset County Sanitary District, Inc. and on the west by the lands owned or formerly owned by Harry T. Phoebus, being the same and all the land which was conveyed unto John T. Morris and Sarah E. Morris, as tenants by the entireties, by Edgar A. Jones and wife by deed dated August 30, 1922 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 86, folio 232, and sold the same to Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, at and for the sum of three hundred forty-nine dollars and fifty cents ($349.50), it being then and there the highest bidder therefor, and the

purchaser has complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total Sales | | $349.50 |
| To 1964 Front foot assessment | $ 32.60 | |
| To 1965 Front foot assessment | 31.32 | |
| To 1966 Front foot assessment | 29.60 | |
| To Marylander & Herald, order of publication | 82.50 | |
| To Marylander & Herald, advertising | 23.43 | |
| To Marylander & Herald, order nisi | 10.00 | |
| To Clerk of the Circuit Court for costs | 49.50 | |
| To Bond premium | 10.00 | |
| To Attorney's fee | 25.00 | |
| To Auctioneer | 15.00 | |
| To Trustee's Commissions | 34.95 | |
| To 1966 State & County Taxes | 4.20 | |
| To 1966 Town of Princess Anne taxes | 1.40 | |
| | $349.50 | $349.50 |

Respectfully submitted,

Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 6th day of September, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and facts 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.

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

Notary Public

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland | : | No. 8298 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| John T. Morris and Sarah E. Morris, and the unknown heirs, devisees or personal representatives of John T. Morris and Sarah E. Morris | : | |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

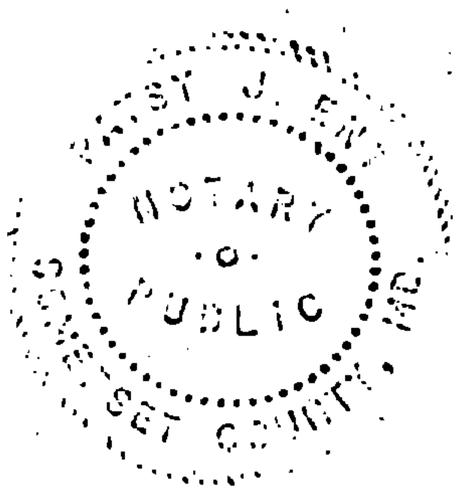
I hereby certify, that on this 6th day of September, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Stanley C. Street, Secretary-Treasurer of The Somerset County Sanitary District, Inc., the purchaser of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase he was not acting as agent for any one.

2. That others interested in said purchase, as principals are none.

3. That he did not directly or indirectly discourage any one from bidding for said property.

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




Patricia J. Ent
Notary Public

Order Nisi

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | : | No. 8298 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |
| vs | : | |
| John T. Morris and Sarah E. Morris, and the unknown heirs, devisees or personal representatives of John T. Morris and Sarah E. Morris | : | |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 10th day of October, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 6th day of October, 1966.

The report states the amount of sale to be $349.50.

I. Theodore Spurlier
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 13 day of October, 1966, 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.

E. McMaster Duer
Judge

FILED
OCT 11 4 25 PM '66

LIBER 041 PAGE 452

PRINCESS ANNE, MD. October 11 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted: Sept 8, 15, 22, 29, 1966

Clarence L. Bepler
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8298 Chancery

In the Circuit Court for Somerset County, Maryland

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland

vs

John T. Morris and Sarah E. Morris, and the unknown heirs, devisees or personal representatives of John T. Morris and Sarah E. Morris

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 10th day of October, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 6th day of October, 1966.

The report states the amount of sale to be $349.50.

Clerk of the Circuit Court for Somerset County, Maryland
True Copy,
Test: I. Theodore Phoebus, Clk.

I. THEODORE PHOEBUS

OCT 25 1967

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Lavinia Corbin and
Annie Carroll and
Samuel Carroll
Princess Anne, Somerset County, Maryland

No. 8299 Chancery
in the Circuit Court for
Somerset County, Maryland

RE 1399

And the Real Estate and Improvements Hereinafter Described

BILL TO ENFORCE LIEN(S)

The petition of The Somerset County Sanitary Commission, by.....Richard M. Cooley....., Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by....Alexander G. Jones....., Attorney for Petitioner, respectfully represents:

1. That the Petitioner, under the provisions of Article 43 of the Code of Public General Laws of Maryland, 1957 edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all properties, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the Petitioner.

2. That the Petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant(s) named herein.

3. That the charges and assessments against such property or properties are as follows:

A—Water Service Charge(s) including penalty of $5.00.....$

B—Sewer Service Charge(s).....$

C—Water Connection Charge(s).....$

D—Sewer Connection Charge(s).....$

E—Front Foot Assessment(s) including interest at the rate of one-half of one per cent per month from _____ 1964.....$

| | |
|---|---|
| 1964 - $48.84 including interest from (Date)June 1, 1964 | 54.46 |
| 1965 - 48.84 including interest from March 1, 1965 | 52.26 |
| 1966 - 48.84 including interest from March 1, 1966 | 49.33 |
| TOTAL | $ 156.05 |

4. That on the date of establishment of the charges and assessments set forth above the defendant(s) named herein were the owners of record of the property or properties described as follows:

(A) All that tract or parcel of land in.....East.....Princess Anne Election District, Somerset County, Maryland, more particularly described as:

Lying and binding on the north side of Hampden Avenue and fronting 66 feet thereon, bounded on the east by the land owned or formerly owned by Earvine Hargis and on the west by the land owned or formerly owned by Levin Ward and Jennie Ward, being the same and all the land which was conveyed unto Moses Carroll by Edgar Fontaine, Executor, by deed dated February 8, 1916 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 70, folio 279 and which descended to Annie Carroll, Samuel Carroll and Lavinia Corbin as heirs at law of the said Moses Carroll and which was acquired by them by deeds duly of record among the Land Records of Somerset County.

5 That according to the applicable provisions of Article 43 said charge or charges or assessments are first liens against the property or properties described above, and a public record of said lien(s) is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.—Notice of Liens".

6. That despite written notice of such charges, assessments and liens from the Petitioner to the defendant(s) said charges are overdue and in default and this suit is brought to enforce said lien(s).

WHEREFORE, the Petitioner prays a decree of this Honorable Court ordering:

(1) That the property or properties described above be sold according to law and that the proceeds from said sale be applied to satisfy the Petitioner's said lien(s) including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the Rules of Court.

(2) That the Petitioner have judgment against the defendant(s) for any deficiency remaining.

(3) And for such other relief as may be proper.

Somerset County Sanitary Commission,
Acting For and On Behalf of
Somerset County Sanitary District, Inc.

By .....

Alexander G. Jones
Attorney for Petitioner
Princess Anne, Maryland
Telephone 651-2747

## Petitioner's Motion for Summary Judgment

The Petitioner moves for summary judgment on the ground that the Defendant(s) has no defense to its claim, and that there is no genuine dispute between the parties as to any material fact, and that it is entitled to judgment as a matter of law.

.....
Attorney for Petitioner

## Affidavit in Support of Petitioner's Motion for Summary Judgment

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of April, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Stanley C. Street (name), Treasurer (title) of Somerset County Sanitary Commission, and made oath in due form of law that there is now justly due and owing to the Petitioner from the Defendant(s) named in the attached Bill to Enforce Lien(s) the sum of $156.05, being charges or assessments for facilities and services provided by the Petitioner to the Defendant(s) and to the property or properties described in said Bill, that said charges are in default and are statutory first liens against said property or properties; that in his official capacity the affiant herein is familiar with the matters set forth in said Bill, that he has personal knowledge of them, and is competent to testify to them, and that he is duly authorized to make this affidavit.

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

Patsy L. Tat
Notary Public

To the Defendant(s):

Take notice that unless you make your defense within the time allowed by law or Rule of Court, judgment will be entered against you. If you assert a defense, this motion may be heard by the Court fifteen days after its service on you, but not earlier than the expiration of the time allowed by law or Rule of Court to plead in answer to the Bill of Complaint.

.....
Attorney for Petitioner

**WRIT OF SUBPOENA:** LIBER U41 PAGE 458

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Lavinia Corbin
Annie Carroll
Samuel Carroll

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....May.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate
versus
Lavinia Corbin and Annie Carroll and Samuel Carroll

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...28th...day of.....April....., 19..66....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....17th.....day of.....May....., 19....66 . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones.....
**Name**

Princess Anne, Maryland.....
**Address**

Theodore Shockley.....
**Clerk**

Sheriff's Return:
Summoned and copy of Subpoena, Bill to Enforce Lien, Petitioner's Motion for Summary Judgment and Notice to Defendants left with Lavinia Corbin. Non Est as to Samuel Carroll. Mortuss Est as to Annie Carroll. April 28, 1966
Isaac H. Dorsey, Sheriff By Edwin B. Muir, Deputy Sheriff

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

## The State of Maryland,
## Somerset County, to wit:

**TO** Samuel Carroll

*GREETING:*

**We command and enjoin you that you do within the time limited by law, beginning on the first Monday of...June.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of** The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc, a body corporate versus Lavinia Corbin and Annie Carroll and Samuel Carroll

**against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.**

**WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.**

**Issued the.2nd.....day of.....May....., 19...66...**

**TO THE DEFENDANT(S):**

**You are required to file your answer or other defense in the Clerk's Office on or before the.....21.....day of....June....., 19..66... Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.**

**Solicitor for Complainant(s)**

Jones & Jones
**Name**
Princess Anne, Maryland
**Address**

Sheriff's Return
Non Est May 3, 1966.
Isaac H. Dorsey, Sheriff
Edwin B. Muir, Deputy

L. Theodore Phillips
**Clerk**

LIBER 041 PAGE 458

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Samuel Carroll
Princess Anne, Somerset County, Maryland

And the Real Estate and Improvements Hereinbefore Described

No. 8299 Chancery
In the Circuit Court for
Somerset County, Maryland

## Petition to Proceed Against Defendant(s) As Nonresident(s)

The petition of The Somerset County Sanitary Commission, by Richard M. Cooley Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by Alexander G. Jones, Attorney for Petitioner, respectfully represents:

1. That the Defendant(s) Samuel Carroll were believed by the Petitioner to be residents of this jurisdiction.

2. That two successive subpoenas issued for said Defendant(s) have been returned "non est" as set forth in the docket entries in this proceeding.

3. That reasonable efforts have been made to issue service of process upon said Defendant(s) as set forth in the affidavit of Edwin B. Muir, Deputy Sheriff of Somerset County, attached hereto.

Wherefore, the Petitioner prays an order of this Court that the Defendant(s) named herein be proceeded against as nonresident(s) as provided by the Maryland Rules of Procedure in such cases provided by giving notice of the pendency of the above entitled action by publication.

Attorney for Petitioner

## Affidavit

I, Edwin B. Muir, Deputy Sheriff of Somerset County, do hereby make affidavit that I have made reasonable and bona fide efforts to effect service of process upon the Defendant(s) named in the aforegoing petition in the above entitled case, that I have twice personally visited the property of the said Defendant(s) but was unable to to find said Defendant(s) and that as a result of my inquiries and investigations I believe the Defendant(s) cannot be served by personal service of process within this jurisdiction.

Deputy Sheriff of Somerset County

Subscribed and sworn to before me
this 9th day of May, 1966

Notary Public

## Order

Upon the aforegoing petition and affidavit, it is this 10th day of May, 1966, ORDERED by the Circuit Court for Somerset County that the Defendant(s), Samuel Carroll be proceeded against as nonresident(s) by giving notice by publication at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June, 1966, stating the substance and object of the original Bill and warning the said Defendant(s) to file an initial pleading to said Bill on or before the 11th day of July, 1966.

Judge

ALEXANDER G. JONES
Attorney

ORDER OF PUBLICATION
In the Circuit Court for Somerset County,
Maryland

No. 8299 Chancery
The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland.

vs

Annie Carroll and Samuel Carroll
Princess Anne, Somerset County, Maryland
and the unknown heirs, devisees or personal
representatives of Annie Carroll and Samuel Carroll

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendants named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 8299 Chancery recites that the following described real estate is all of the land which was conveyed unto Moses Carroll by Edgar Fontaine, Executor, by deed dated February 8, 1916 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 70, folio 279 and which descended to Annie Carroll and Samuel Carroll and Lavinia Corbin as heirs at law of the said Moses Carroll and which was acquired by them by deeds duly of record among the aforesaid Land Records, described as follows: All that tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the north side of Hampden Avenue and fronting 66 feet thereon, bounded on the east by the land owned or formerly owned by Earvine Hargis and on the west by the land owned or formerly owned by Levin Ward and Jennie Ward.

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems

and for an annual front foot assessment on all property, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendants named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 8299 Chancery (Annie Carroll and Samuel Carroll) | |
| Front foot assessment including interest from June 1, 1964 | $ 54.46 |
| Front foot assessment including interest from March 1, 1965 | 52.26 |
| Front foot assessment including interest from March 1, 1966 | 49.33 |
| | $156.05 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. - Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendants said charge is overdue and in default and this suit is brought to enforce said lien.

That a writ of subpoena was issued by this Court directed to the said Annie Carroll, and was returned "Mortuus Est"' that the successor in interest of Annie Carroll would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor is, or whether he is a resident or non-resident.

Accordingly it is this 10th day of May , 1966, ORDERED by the Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs, devisees or personal representatives of Annie Carroll; that such notice by publication be made at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June, 1966, stating the substance and object of the original Bill and warning said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 11th day of July , 1966.

The Petitioner in this proceeding have petitioned to proceed against Samuel Carroll in No. 8299 Chancery as non-resident.

Upon the aforegoing Petition and Affidavit, it is this 10th day of May , 1966, ORDERED by the Circuit Court for Somerset County that the Defendant Samuel Carroll, be proceeded against as a non-resident by giving notice by publication at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June , 1966, stating the substance and object of the original Bill and warning the said defendant to file an initial pleading to said Bill on or before the 11th day of July , 1966.

E. Monroe Dize
Judge

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. | : | No. 8299 Chancery |
| | | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Lavinia Corbin | : | |

It is ORDERED by the Circuit Court for Somerset County, State of Maryland, this 18th day of May, 1966, that judgment be entered in favor of the Petitioner and against the Defendant, Lavinia Corbin, and against the real estate and improvements described in the aforegoing Bill, for the sum of $156.05, with interest from date and costs of suit.

E. McMaster Duer.
Judge

PRINCESS ANNE, MD.

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order.

Date Inserted: May 12, 19 26, 1966

Business Manager MARYLANDER and HERALD

LIBER U41 PAGE 463

ALEXANDER G. JONES
Attorney

# ORDER OF PUBLICATION

In the Circuit Court for Somerset County, Maryland

The Somerset County Sanitary Commission,
Acting for and on Behalf of Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland
vs
Annie Carroll and Samuel erset County, Maryland and Carroll, Princess Anne, Somthe unknown heirs, devisees or personal representatives of Annie Carroll and Samuel Carroll

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendant named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 8299 Chancery recites that the following described real estate is all of the land which was conveyed unto Moses Carroll by Edgar Fontaine, Executor, by deed dated February 8, 1916 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 70 folio 279 and which descended to Annie Carroll and Samuel Carroll and Lavinia Corbin as heirs at law of the said Moses Carroll and which was acquired by them by deeds duly of record among the aforesaid Land Records described as follows: All that tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the north side of Hampden Avenue and fronting 66 feet thereon, bounded on the east by the land owned or formerly owned by Earvine Hargis and on the west by the land owned or formerly owned by Levin Ward and Jennie Ward.

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and has extended its facilities and services to serve the property or properties of the defendant named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 8299 Chancery (Annie Carroll and Samuel Carroll) | |
| Front foot assessment including interest fronm June 1, 1964 | $54.46 |
| Front foot assessment including interest from March 1, 1965 | 52.26 |
| Front foot assessment including interest from March 1, 1966 | 49.3? |
| | $156.0? |

The Bill of Complaint fu·er recites, that according t· ·e applicable provisions o ·rticle 43, said charges · ·sessments are first lie· ·ainst the property or pro· ·ties described above, and filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.—Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendant said charge is overdue and in default and this suit is brought to enforce said lien.

That a writ of subpoena was issued by this Court directed to the said Annie Carroll, and was returned "Mortuus Est" that the successor in interest of Annie Carroll would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor

Accordingly it is this 10th day is, or whether he is a resident or non-resident.

of May, 1966, ORDERED by the Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs devisees or personal representatives of Annie Carroll; that such notice by publication be made at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June, 1966, stating the substance and object of the original Bill and warning said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 11th day of July, 1966.

The Petitioner in this proceeding have petitioned to proceed against Samuel Carroll in No. 8299 Chancery as non-resident.

Upon the aforegoing Petition and Affidavit, it is this 10th day of May, 1966, ORDERED by the Circuit Court for Somerset County that the Defendant Samuel Carroll, be proceeded against as a non-resident by giving notice by publication at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June, 1966, stating the substance and object of the original Bill and warning the said defendant to file an initial pleading to said Bill on or before the 11th day of July, 1966.

E. McMASTER DUER
Judge

2-4tc

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Lavinia Corbin, Annie Carroll and Samuel Carroll
Princess Anne, Somerset County, Maryland
and the unknown heirs, devisees or personal
representatives of Annie Carroll and Samuel
Carroll

And the Real Estate and Improvements
Hereinbefore Described

No. 8299 Chancery

In the Circuit Court for

Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 8 day of August, in the year nineteen hundred and 1966, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED, that the property in the proceedings mentioned be sold, and Alexander G. 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 said Trustee and a surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of $3000.00, 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 at public auction, 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, 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 excuted, 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 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.

E. Menasten Duer
Judge

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 149.

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | : | No. 8299 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Lavinia Corbin, Annie Carroll and Samuel Carroll, and the unknown heirs, devisees or personal representatives of Annie Carroll and Samuel Carroll | : | |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of Alexander G. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 8th day of August, in the year nineteen hundred and sixty-six, 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 weekly newspaper published in Somerset County, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, he did, pursuant to said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 6th day of September, 1966, at the hour of 2:00 o'clock P. M., and then and there proceeded to sell said property, to wit:

All that tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland, more particularly described as: Lying and binding on the north side of Hampden Avenue and fronting 66 feet thereon, bounded on the east by the land owned or formerly owned by Earvine Hargis and on the west by the land owned or formerly owned by Levin and Jennie Ward, being the same and all the land which was conveyed unto Moses Carroll by Edgar Fontaine, Executor, by deed dated February 8, 1916 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 70, folio 279 and which descended to Annie Carroll and Samuel Carroll and Lavinia Corbin as heirs at law of the said Moses Carroll and which was acquired by them by deeds duly of record among the aforesaid Land Records, and sold the same to Winton D. Gouge and Betty R. Gouge, his wife, at and for the sum of five hundred sixteen dollars and forty-nine cents ($516.49), they being then and there the highest bidders therefor,

and the purchasers have complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total Sales | | $516.49 |
| To 1964 Front foot assessment | $ 55.68 | |
| To 1965 Front foot assessment | 53.48 | |
| To 1966 Front foot assessment | 50.55 | |
| To Marylander & Herald, order of publication | 97.50 | |
| To Marylander & Herald, advertising | 23.44 | |
| To Marylander & Herald, order nisi | 10.00 | |
| To Clerk of the Circuit Court for costs | 53.75 | |
| To Bond premium | 12.00 | |
| To Attorney's fee | 25.00 | |
| To Auctioneer | 15.00 | |
| To Trustee's Commissions | 51.65 | |
| To 1965 State & County Taxes | 35.46 | |
| To 1966 State & County taxes | 32.98 | |
| | $516.49 | $516.49 |

Respectfully submitted,

Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 6th day of September, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and facts 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.

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

PATSY J. ENT NOTARY PUBLIC SOMERSET COUNTY, MD.

Patsy J. Ent
Notary Public

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland | : | No. 8299 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Lavinia Corbin, Annie Carroll and Samuel Carroll, and the unknown heirs, devisees or personal representatives of Annie Carroll and Samuel Carroll | : | |

PURCHASERS' AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 6th day of September, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Winton D. Gouge and Betty R. Gouge, his wife, the purchasers of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase they were not acting as agent for any one.

2. That others interested in said purchase, as principals are none.

3. That they did not directly or indirectly discourage any one from bidding for said property.

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

Patsy L. Ent
Notary Public

NOTARY PUBLIC SOMERSET COUNTY MD

Order Nisi

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland | : | No. 8299 Chancery |
| | : | In the Circuit Court for |
| | : | Somerset County, Maryland |
| vs | | |
| | : | |
| Lavinia Corbin, Annie Carroll and Samuel Carroll, and the unknown heirs, devisees or personal representatives of Annie Carroll and Samuel Carroll | : | |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 10th day of October, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 6th day of October, 1966.

The report states the amount of sale to be $516.49.

J. Theodore Gibbons
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 13 day of October, 1966, 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.

E. McMaster Dryden
Judge

FILED

OCT 11 4 25 PM '66

LIBER U41 PAGE 259

PRINCESS ANNE, MD. October 11 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Sept 8, 15, 22, 29, 1966

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8299 Chancery

In the Circuit Court for Somerset County, Maryland

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland

vs

Lavinia Corbin, Annie Carroll and Samuel Carroll, and the unknown heirs, devisees or personal representatives of Annie Carroll and Samuel Carroll

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 10th day of October, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 6th day of October, 1966.

The report states the amount of sale to be $516.49.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
True Copy,
Test: I. Theodore Phoebus, Clk.
19-4to

MAY 26 1967

R# 13999

LIBER 041 PAGE 70

| | |
|---|---|
| The Somerset County Sanitary Commission,<br>Acting for and on Behalf of<br>Somerset County Sanitary District, Inc.,<br>a body corporate of the State of Maryland | No. ....8301..... Chancery<br>in the Circuit Court for<br>Somerset County, Maryland |

vs

Lizzie Taylor
Princess Anne, Somerset County, Maryland

And the Real Estate and Improvements Hereinafter Described

BILL TO ENFORCE LIEN(S)

The petition of The Somerset County Sanitary Commission, by.....Richard M. Cooley....., Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by.....Alexander G. Jones....., Attorney for Petitioner, respectfully represents:

1. That the Petitioner, under the provisions of Article 43 of the Code of Public General Laws of Maryland, 1957 edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all properties, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the Petitioner.

2. That the Petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant(s) named herein.

3. That the charges and assessments against such property or properties are as follows:

A—Water Service Charge(s) including penalty of $5.00.....$

B—Sewer Service Charge(s).....$

C—Water Connection Charge(s).....$

D—Sewer Connection Charge(s).....$

E—Front Foot Assessment(s) including interest at the rate of one-half of one per cent per month from _____ .....$

| | |
|---|---|
| 1964 - $76.22 including interest from (Date) June 1, 1964 | 84.99 |
| 1965 - 76.22 including interest from March 1, 1965 | 81.56 |
| 1966 - 76.22 including interest from March 1, 1966 | 76.98 |
| TOTAL $ | 243.53 |

4. That on the date of establishment of the charges and assessments set forth above the defendant(s) named herein were the owners of record of the property or properties described as follows:

(A) All that tract or parcel of land in.....East.....Princess Anne Election District, Somerset County, Maryland, more particularly described as:

Lying and binding at the intersection of the public road known as Revelle's Neck Road or the Stewart's Neck Road and the county road which leads through the village of Greenwood and ronting 79 feet on the south side of the aforesaid Revelle's Neck Road and 127 feet on the east side of the aforesaid Greenwood Road, bounded on the south by the lands of Joseph Brockett and Margaret Brockett and bounded on the east by the land of Scott Dennis and Cecelia Dennis, and being the same and all the land which was conveyed unto Lizzie Taylor by Samuel J. Cottman by deed dated April 20, 1912 and recorded among the Land Records of Somerset County in Liber S.F.D. No. 60, folio 78.

5 That according to the applicable provisions of Article 43 said charge or charges or assessments are first liens against the property or properties described above, and a public record of said lien(s) is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.—Notice of Liens".

6. That despite written notice of such charges, assessments and liens from the Petitioner to the defendant(s) said charges are overdue and in default and this suit is brought to enforce said lien(s).

WHEREFORE, the Petitioner prays a decree of this Honorable Court ordering:

(1) That the property or properties described above be sold according to law and that the proceeds from said sale be applied to satisfy the Petitioner's said lien(s) including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the Rules of Court.

(2) That the Petitioner have judgment against the defendant(s) for any deficiency remaining.

(3) And for such other relief as may be proper.

Somerset County Sanitary Commission,
Acting For and On Behalf of
Somerset County Sanitary District, Inc.

By .....

Alexander G. Jones
Attorney for Petitioner
Princess Anne, Maryland

Telephone 651-2747

## Petitioner's Motion for Summary Judgment

The Petitioner moves for summary judgment on the ground that the Defendant(s) has no defense to its claim, and that there is no genuine dispute between the parties as to any material fact, and that it is entitled to judgment as a matter of law.

.....
Attorney for Petitioner

## Affidavit in Support of Petitioner's Motion for Summary Judgment

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of April, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Stanley C. Street (name), Treasurer (title) of Somerset County Sanitary Commission, and made oath in due form of law that there is now justly due and owing to the Petitioner from the Defendant(s) named in the attached Bill to Enforce Lien(s) the sum of $243.53, being charges or assessments for facilities and services provided by the Petitioner to the Defendant(s) and to the property or properties described in said Bill, that said charges are in default and are statutory first liens against said property or properties; that in his official capacity the affiant herein is familiar with the matters set forth in said Bill, that he has personal knowledge of them, and is competent to testify to them, and that he is duly authorized to make this affidavit.

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

Betsy J. Ent
Notary Public

To the Defendant(s):

Take notice that unless you make your defense within the time allowed by law or Rule of Court, judgment will be entered against you. If you assert a defense, this motion may be heard by the Court fifteen days after its service on you, but not earlier than the expiration of the time allowed by law or Rule of Court to plead in answer to the Bill of Complaint.

.....
Attorney for Petitioner

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

**TO** Lizzie Taylor

*GREETING:*

**We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....May.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of** The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc, a Body corporate
versus
Lizzie Taylor

**against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.**

**WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.**

**Issued the....28.....day of.....April....., 19..66...**

TO THE DEFENDANT(S):

**You are required to file your answer or other defense in the Clerk's Office on or before the.....17th....day of.....May....., 19...66.. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.**

**Solicitor for Complainant(s)**

.....Jones & Jones.....
**Name**

Princess Anne, Maryland
.....
**Address**

.....S. Theodore Shockley.....
**Clerk**

Sheriff's Return:

Mortuss Est April 28, 1966.
Isaac H. Dorsey, Sheriff
Edwin B. Muir, Deputy

LIBER 041 PAGE 13

ALEXANDER G. JONES
Attorney

ORDER OF PUBLICATION
In the Circuit Court for Somerset County,
Maryland

No. 8301 Chancery
The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland.

vs

Lizzie Taylor
Princess Anne, Somerset County, Maryland
and the unknown heirs, devisees or personal
representatives of Lizzie Taylor

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendant named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 8301 Chancery recites that the following described real estate is all of the land which was conveyed unto Lizzie Taylor by Samuel J. Cottman by deed dated April 20, 1912 and recorded among the Land Records of Somerset County in Liber S.F.D. No. 60, folio 78, described as follows: All that tract or parcel of land in West Princess Anne Election District, Somerset County, Maryland, lying and binding at the intersection of the public road known as Revelle's Neck Road or the Stewart's Neck Road and the county road which leads through the Village of Greenwood and fronting 79 feet on the south side of the aforesaid Revelle's Neck Road and 127 feet on the east side of the aforesaid Greenwood Road, bounded on the south by the lands of Joseph Brockett and Margaret Brockett and bounded on the east by the land of Scott Dennis and Cecelia Dennis.

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems

and for an annual front foot assessment on all property, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 8301 Chancery (Lizzie Taylor) | |
| Front foot assessment including interest from June 1, 1964 | $ 84.99 |
| Front foot assessment including interest from March 1, 1965 | 81.56 |
| Front foot assessment including interest from March 1, 1966 | 76.98 |
| | $243.53 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessment are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. - Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendant said charge is overdue and in default and this suit is brought to enforce said lien.

That a writ of subpoena was issued by this Court directed to the said Lizzie Taylor, and was returned "Mortuus Est"; that the successor in interest of Lizzie Taylor would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor is, or whether he is a resident or non-resident.

Accordingly it is this 10th day of May , 1966, ORDERED by the Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs, devisees or personal representatives of Lizzie Taylor; that such notice by publication be made at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June , 1966, stating the substance and object of the original Bill and warning said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 11th day of July , 1966.

E. Monnette Duer
Judge

PRINCESS ANNE, MD.

This is to certify that the annexed Order of Publication has been published in the MARYLANDER and HERALD, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order.

Dates Inserted: May 12, 19, 26, 1966

Business Manager MARYLANDER and HERALD

ALEXANDER G. JONES
Attorney

# ORDER OF PUBLICATION

In the Circuit Court for
Somerset County, Maryland

No. 8301 Chancery
The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland
vs
Lizzie Taylor
Princess Anne, Somerset County, Maryland and the unknown heirs, devisees or personal representatives of Lizzie Taylor

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendant named in this proceeding to satisfy the lein of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

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The Bill of Complaint further recites that the petitioner under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 8301 Chancery (Lizzie Taylor) | |
| Front foot assessment including interest from June 1, 1964 | $84.99 |
| Front foot assessment including interest from March 1, 1965 | 81.56 |
| Front foot assessment including interest from March 1, 1966 | 76.98 |
| | $234.53 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessment are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.—Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendant said charge is overdue and in default and this suit is brought to enforce said lien.

That a writ of subpoena was issued by this Court directed to the said Lizzie Taylor, and was returned "Mortuus Est"; that the successor in interest of Lizzie Taylor would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor is, or whether he is a resident or non-resident.

According it is this 10th day of May, 1966, ORDERED by th Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs, devisees or personal representatives of Lizzie Taylor; that such notice by publication be made at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 10th day of June, 1966, stating the substance and object of the original Bill and warning said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 11th day of July, 1966.

E. McMASTER DUER
Judge

2-4tc

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Lizzie Taylor
Princess Anne, Somerset County, Maryland
and the unknown heirs, devisees or personal
representatives of Lizzie Taylor

And the Real Estate and Improvements
Hereinbefore Described

No. ....8301..... Chancery
In the Circuit Court for
Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this.....8....day of.....August....., in the year nineteen hundred and.....1966....., by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED, that the property in the proceedings mentioned be sold, and.....Alexander G. 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 said Trustee and a surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of $..2000.00....., 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 at public auction, 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, 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 excuted, 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 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.

T. McMaster Duer.
Judge

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 150.

| | |
|---|---|
| The Somerset County Sanitary Commission, : Acting for and on Behalf of Somerset County Sanitary District, Inc. : a body corporate of the State of Maryland : | No. 8301 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |
| vs | |
| Lizzie Taylor, and the unknown heirs, devisees or personal representatives of : Lizzie Taylor | |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of Alexander G. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 8th day of August, in the year nineteen hundred and sixty-six, 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 weekly newspaper published in Somerset County, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, he did, pursuant to said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 6th day of September, 1966, at the hour of 2:00 o'clock P. M., and then and there proceeded to sell said property, to wit:

All that tract or parcel of land in West Princess Anne Election District, Somerset County, Maryland, more particularly described as: Lying and binding at the intersection of the public road known as Revelle's Neck Road or the Stewart's Neck Road and the County road which leads through the village of Greenwood and fronting 79 feet on the south side of the aforesaid Revelle's Neck Road and 127 feet on the east side of the aforesaid Greenwood Road, bounded on the south by the lands of Joseph and Margaret Brockett and bounded on the east by the land of Scott and Cecelia Dennis and being the same and all the land which was conveyed unto Lizzie Taylor by Samuel J. Cottman by deed dated April 20, 1912 and recorded among the Land Records of Somerset County in Liber S.F.D. No. 60, folio 78, and sold the same to Willie J. Baker and Georgia F. Baker, his wife, at and for the sum of five hundred thirty-six dollars

and fifty-nine cents ($536.59), they being then and there the highest bidders therefor, and the purchasers have complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total Sales | | $536.59 |
| To 1964 Front foot assessment | $ 86.89 | |
| To 1965 Front foot assessment | 83.46 | |
| To 1966 Front foot assessment | 78.89 | |
| To Marylander & Herald, order of publication | 82.50 | |
| To Marylander & Herald, advertising | 23.44 | |
| To Marylander & Herald, order nisi | 10.00 | |
| To Clerk of the Circuit Court for costs | 46.75 | |
| To Bond premium | 10.00 | |
| To Attorney's fee | 25.00 | |
| To Auctioneer | 15.00 | |
| To Trustee's Commissions | 53.66 | |
| To 1966 State & County Taxes | 21.00 | |
| | $536.59 | $536.59 |

Respectfully submitted,

Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 6th day of September, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and facts 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.

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

Notary Public

PATSY J. EVANS NOTARY PUBLIC SOMERSET COUNTY, MD.

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | : | No. 8301 Chancery<br>In the Circuit Court for Somerset County, Maryland |
| vs | : | |
| Lizzie Taylor, and the unknown heirs, devisees or personal representatives of Lizzie Taylor | : | |

PURCHASERS' AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 6th day of September, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Willie J. Baker and Georgia F. Baker, his wife, the purchasers of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase they were not acting as agent for any one.

2. That others interested in said purchase, as principals are none.

3. That they did not directly or indirectly discourage any one from bidding for said property.

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

Notary Public

NOTARY PUBLIC SOMERSET COUNTY, MD.

Order Nisi

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland | : | No. 8301 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |
| vs | : | |
| Lizzie Taylor, and the unknown heirs, devisees or personal representatives of Lizzie Taylor | : | |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 10th day of October, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 6th day of October, 1966.

The report states the amount of sale to be $536.59.

Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 13 day of October, 1966, 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.

Judge

FILED

OCT 11 4 25 PM '66

LIBER U41 PAGE 482

PRINCESS ANNE, MD. October 11 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted: Sept 8, 15, 22, 29, 1966

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8301 Chancery

In the Circuit Court for Somerset County, Maryland

The Somerset County Sanitary Commission, Acting for and on behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland

vs

Lizzie Taylor, and the unknown heirs, devisees or personal representatives of Lizzie Taylor

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 10th day of October, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 6th day of October, 1966.

The report states the amount of sale to be $536.59.

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland

True Copy,
Test: I. Thoedore Phoebus, Clk.

19-4tc

MAY 26 1967

R# 14192

| | | |
|---|---|---|
| CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Attorneys and Agents named in Mortgage to The Eastern Shore Building and Loan Corporation | : | No. 8310 Chancery |
| | : | In the Circuit Court for |
| | : | Somerset County and |
| From | : | State of Maryland |
| Charles E. Rayfield and Eloise R. Rayfield, his wife, Crisfield, Maryland | : | |

* * * * * * * * * *

MR. CLERK:

Please docket case as above and file for foreclosure original mortgage from Charles E. Rayfield and Eloise R. Rayfield, his wife, dated November 30, 1961, and recorded among the Land Records of Somerset County, Maryland, in Liber G.J.B. No. 206, Folio 586, and enter the appearance of the undersigned as Solicitors for the Mortgagee, our address being Colonial Building, Salisbury, Maryland.

HEARNE, FOX & Bailey

By [signature]
Solicitors for Mortgagee

FOR MORTGAGE-SEE LAND RECORD MORTGAGES LIBER NO. 206, FOLIO 586.
FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 138.

LIBER 041 PAGE 484

| | | |
|---|---|---|
| CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Attorneys and Agents named in Mortgage to The Eastern Shore Building and Loan Corporation | : | No. 8310 Chancery |
| | : | |
| | : | In the Circuit Court for |
| From | : | Somerset County and |
| CHARLES E. RAYFIELD and ELOISE R. RAYFIELD, his wife Crisfield, Maryland | : | State of Maryland |

* * * * * * * *

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 16th day of May, A.D., 1966, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Ralph W. Williams, President of The Eastern Shore Building and Loan Corporation, the within Mortgagee, and made oath in due form of law that Charles E. Rayfield and Eloise R. Rayfield, his wife, are not in the military service as hereinafter set forth and that they have not been in such military service within thirty (30) days prior to the making of this affidavit, such military service being referred to as follows:

(1) The military service of the United States of America or of the enlisted reserve groups thereof.

(2) Ordered to report for induction under the Selective Training and Service Act of 1940 as amended.

(3) The Military Service of any nation with which the United States of America may be allied in the prosecution of war.

AS WITNESS my hand and Notarial Seal.

RUTH T. DONAWAY NOTARY PUBLIC Wicomico County, Md.

Ruth T. Donaway
Notary Public

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.

| | | |
|---|---|---|
| CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Attorneys and Agents named in Mortgage to The Eastern Shore Building and Loan Association | : | No. 8310 Chancery |
| | : | In the Circuit Court for |
| From | : | Somerset County and |
| CHARLES E. RAYFIELD and ELOISE R. RAYFIELD, his wife, Crisfield, Maryland | : | State of Maryland |

* * * * * * * * * * *

STATEMENT OF MORTGAGE DEBT

To The Eastern Shore Building and Loan Association

| | |
|---|---|
| Principal Balance | $3,986.00 |
| Interest thereon to 6/14/66, the date of sale. | 42.00 |
| | $4,028.00 |

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 16th day of May, A.D., 1966, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Ralph W. Williams, President of The Eastern Shore Building and Loan Association, the within Mortgagee, and made oath in due form of law that the aforegoing Statement of Mortgage Debt is true and correct.

AS WITNESS my hand and Notarial Seal.

Ruth T. Donaway
Notary Public

RUTH T. DONAWAY NOTARY PUBLIC Wicomico County, Md.

LIBER U41 PAGE 235

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.

Liber 041 Page 103

| | | |
|---|---|---|
| CHARLES E. HEARNE, JR., and JAMES P. BAILEY, Attorneys and Agents named in a Mortgage to The Eastern Shore Building and Loan Corporation | : | No. 8310 Chancery |
| From | : | In the Circuit Court for |
| Charles E. Rayfield and Eloise R. Rayfield, his wife, Chesapeake Avenue Crisfield, Maryland | : | Somerset County, Maryland |

* * * * * * * * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT OF Charles E. Hearne, Jr., and James P. Bailey, Attorneys and Agents named in Mortgage, under and by virtue of the power of sale contained in a Mortgage made and executed by Charles E. Rayfield and Eloise R. Rayfield, his wife, dated November 30, 1961 and recorded among the Land Records of Somerset County, Maryland, in Liber G.J.B. No. 206, Folio 586, default having been made in the payment of the money secured to be paid by said mortgage and in the payment of the interest thereon, and in other covenants and conditions of said mortgage whereby the entire mortgage debt has become due and demandable, respectfully shows:

That after having given bond with security for the faithful performance of their trust, and afterhaving complied with all the other prerequisites as required by law and the said power contained in said mortgage, and after having given notice of the time, place, manner and terms of sale by advertisement in The Crisfield Times, a weekly newspaper published in said

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.

Somerset County for at least twenty days before the day of sale, as will appear by reference to the attached Certificate of Publication of said notice of sale, they did, pursuant to said notice, attend at the front door of the Court House in Princess Anne, Maryland, on Tuesday, August 2, 1966, at 2:00 o'clock P M., and then and there proceeded to sell the said real estate mentioned in said mortgage in the manner following, that is to say:

Your Attorneys and Agents offered at public auction to the highest bidder the real estate mentioned in said mortgage, same being described as all that piece or parcel of land situate and being in the Town of Crisfield, Crisfield Election District, of Somerset County and State of Maryland, which is more particularly described as follows: that is to say: All that lot or parcel of land, situate as aforesaid, on the North side of Chesapeake Avenue (formerly called Cemetery Avenue), beginning for the same on the North side of Chesapeake Avenue at the Southeast corner of a lot of land owned by May Yazbac, et al; thence Northerly by and with said Yazbac land to the land owned or formerly owned by Mary Cox; thence Easterly by and with said Cox land to the land of Paul Ruark; thence in a Southerly direction by and with said Ruark land to said Chesapeake Avenue and thence in a Westerly direction by and with said Chesapeake Avenue to the place of beginning, the same being known as the old West Landon place, and being the same land conveyed unto Charles C. Rayfield and Eloise R. Rayfield, his wife, by B. Horace Ford, et al., by deed dated June 16, 1948, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 148, Folio 61.

AND the said Attorneys and Agents as aforesaid, under and by virtue of said power - decree sold the above described land unto Eastern Shore Building and Loan Corporation at and for the sum of FOUR THOUSAND---------- DOLLARS ($ 4,000.00), it being at the sum the highest bidder therefor, and the said purchaser has complied with the said terms of sale.

AND the Attorneys and Agents, under the mortgage - decree aforesaid, further report and pray ratification of the distribution of the funds in their hands arising from said sale as follows:

RECEIPTS:

| | |
|---|---|
| To Proceeds of Sale as Reported | $4,000.00 |

DISBURSEMENTS:

| | | |
|---|---|---|
| Amount due Eastern Shore Building and Loan Corporation | | $4,070.00 |
| I.T. Phoebus, Clerk | | 38.00 |
| Edwin Muir, auctioneer | | 15.00 |
| Crisfield Times, advertising | $48.75 | |
| order nisi | 10.00 | 58.75 |
| State and County Taxes | | |
| 1962 taxes | 52.63 | |
| 1963 taxes | 92.55 | |
| 1964 taxes | 87.82 | |
| 1965 taxes | 84.27 | |
| 1966 taxes | 78.43 | 395.70 |
| Fidelity & Deposit Company of Maryland, bond premium ($4,000.00 bond) | | 16.00 |
| Charles E. Hearne and James P. Bailey, fee in lieu of commissions | | 150.00 |
| Charles E. Hearne and James P. Bailey, Special Attorneys fee | | 50.00 |
| City taxes | | |
| 1964 | 70.84 | |
| 1965 | 67.13 | |
| 1/2 of 1966 | 31.71 | |
| 1966-67 | 61.63 | |
| front footage | 12.30 | 243.61 |

| | | |
|---|---|---|
| Water and Sewer charges | 59.50 | |
| TOTAL DISBURSEMENTS | | $5,096.56 |
| TO amount of deficiency | | $1,096.56 |

Respectfully submitted,

Charles E. Hearne, Jr.

James P. Bailey
Attorneys and Agents

STATE OF MARYLAND , WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 8th day of August, A.D., 1966, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Charles E. Hearne, Jr. and James P. Bailey, Attorneys and Agents named in the aforegoing Report of Sale and made oath in due form of law that the matters and things stated in the aforegoing Report of Sale and Distribution of the Proceeds thereof are true 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.

Ruth I. Donaway Notary Public

STATE OF MARYLAND, , to-wit:

I HEREBY CERTIFY, That on this _____ day of _____, A.D., 19__, before me, the subscriber, a Notary Public of the State of Maryland, in and for _____, aforesaid, personally appeared _____

and made oath in due form of law that the matters and things stated in the aforegoing Report of Sale and Distribution of the Proceeds thereof are true 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.

_____ Notary Public

Hearn, Fox & Bailey

# ATTORNEYS'SALE

## OF

## Valuable Real Estate

Under and by virtue of the power of sale contained in a certain mortage from Charles E. Rayfield and Eloise R. Rayfield, his wife, dated November 30, 1961, and recorded among the Land Records of Somerset County, Maryland, in Liber G. J. B. No. 206, Folio 508, default having occurred in the covenants thereof, the undersigned, attorneys named in said mortgage, will offer for sale at public auction to the highest bidder at the front door of the Court House in Princess Anne, Somerset County, Maryland, on

**Tues., August 2, 1966**

**At 2:00 O'clock P.M.**

ALL that lot or parcel of land situate, lying and being in the Town of Crisfield, Crisfield Election District, of Somerset County and State of Maryland, which is more particularly described as follows; that is to say: All that lot or parcel of land,, situate as aforesaid, on the North side of Chesapeake Avenue (formerly called Cemetery Avenue), beginning for the same on the North side of Chesapeake Avenue at the Southeast corner of alot of land owned by May Yazbac, et al; thence Northerly by and with said Yazbac land to the land owned or formerly owned by Mary Cox; thence Easterly by and with said Cox land to the land of Paul Ruark; thence in a Southerly direction by and with said Ruark land to said Chesapeake Avenue and thence ina Westerly direction by and with said Chesapeake Avenue to the place of point of beginning, the same being known as the old West Landon place, and being the same land conveyed unto Charles E. Rayfield and Eloise R. Rayfield, his wife, by B. Horace Ford, et al., by deed dated June 16, 1948, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 148, Folio 61.

The above described property is improved by a two-story frame dwelling containing seven (7) rooms and bath, situate in the Town of Crisfield, Maryland.

TERMS OF SALE: One-third (⅓) cash on day of sale, balance to bear interest at the rate of six per centum per annum and to be secured to the satisfaction of the sellers and to be payable upon ratification of the sale, or all cash at the option of the purchaser. Title papers and revenue stamps at the expense of the purchaser, with taxes adjusted as of the date of sale.

**Charles E. Hearn, Jr., and James P. Bailey, Attorneys and Agents,**
**Colonial Building**
**Salisbury, Maryland**
**Phone: Pioneer 9-5144**

7-8 4t

LIBER U21 PAGE 90

CRISFIELD, MD., August 1 1966

THIS is to certify that the annexed Attorneys' Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Attorneys' Sale for 4 weeks beginning with the issue of July 8 1966 and ending July 29 1966.

Publisher, THE CRISFIELD TIMES

AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 8th day of August, A.D., 1966, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Charles E. Hearne, Jr., duly constituted agent for Eastern Shore Building and Loan Corporation,

the purchaser named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, Charles E. Hearne, Jr., attended the sale the property described in the mortgage filed in these proceedings held in Crisfield, Maryland, on Tuesday, August 2nd, 1966, and purchased the same for Eastern Shore Building and Loan Corporation, the mortgagee named therein

(2) That no other persons, firms or corporations are financially interested or involved, as principal or otherwise.

(3) That neither Eastern Shore Building and Loan Corporation nor any of its officers, employees, agents, attorneys or representatives have directly or indirectly discouraged anyone from bidding on said property.

Affiant

SUBSCRIBED AND SWORN TO, before me, this 8th day of August, A.D., 1966.

Notary Public

HEARNE, FOX & BAILEY

ATTORNEYS AT LAW

| | | |
|---|---|---|
| CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Attorneys and Agents named in Mortgage to Eastern Shore Building and Loan Corporation | : | No. 8316 Chancery |
| | : | |
| From | : | In the Circuit Court for |
| Charles E. Rayfield and Eloise R. Rayfield, his wife, Chesapeake Avenue Crisfield, Maryland | : | Somerset County, Maryland |

ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 12th day of August, A.D., 1966, that the sale of the property mentioned in these proceedings and the distribution of the funds arising from said sale, made and reported by Charles E. Hearne, Jr. and James P. Bailey, Attorneys and Agents named in said mortgage under power contained in said mortgage to make sale, be ratified and confirmed, unless cause to the contrary be shown on or before the 13th day of September, A.D., 1966, provided a copy of this Order be inserted in some weekly newspaper published in said Somerset County once in each of three successive weeks before the 6th day of September, A.D., 1966.

The report states the amount of sale to be FOUR THOUSAND---------- ---------- DOLLARS ($ 4,000.00).

S. Theodore Shockley
CLERK

Hearne, Fox & Bailey

Attorneys At Law

* * * * * * * *

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Attorneys and Agents named in Mortgage to Eastern Shore Building and Loan Corporation

From

Charles E. Rayfield and Eloise R. Rayfield, his wife, Chesapeake Avenue, Crisfield, Maryland

* * * * * * * *

No. 8310 Chancery.
In the Circuit Court for Somerset County, Maryland

* * * * * * * *

# ORDER NISI

ORDERED. by the Circuit Court for Somerset County and State of Maryland, in Equity, this 12th day of August, A.D., 1966, that the sale of the property mentioned in these proceedings and the distribution of the funds arising from said sale, made and reported by Charles E. Hearne, Jr. and James P. Bailey, Attorneys and Agents named in said mortgage under power contained in said mortgage to make sale, be ratified and confirmed, unless cause to the contrary be shown on or before the 13th day of September, A.D., 1966, provided a copy of this Order be inserted in some weekly nemspaper in said Somerset County once in each of three successive weeks before the 6th day of September, A.D., 1966.

The report states the amount of sale to be FOUR THOUSAND DOLLARS (4,000.00).

I. Theodore Phoebus,
CLERK

Liber U41 Page 133

CRISFIELD, MD., Sept. 19 19 66

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of August 19 1966 and ending September 2 1966.

Publisher, THE CRISFIELD TIMES

FINAL ORDER OF RATIFICATION

ORDERED, this 21st day of September, A.D., 1966, by the Circuit Court for Somerset County, Maryland, in Equity, that the sale and distribution of the funds arising from said sale, made and reported by Charles E. Hearne, Jr. and James P. Bailey, Attorneys and Agents under power contained in 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, and BE IT FURTHER ORDERED that the papers of this proceeding need not be referred to the Court Auditor to state an account therein.

E. McMaster Dunn
JUDGE

MAY 26 1967

| | | |
|---|---|---|
| Harry T. Phoebus, Jr., Assignee for purposes of foreclosure of a mortgage from William O. Ford, Jr. and Sharon Ford, his wife Ex Parte | * * * * * * * | In the Circuit Court for Somerset County, Maryland No. 5315 Chancery |

MR. CLERK:

Please file the attached mortgage and docket suit in the above-entitled cause, and oblige.

Harry T. Phoebus, Jr.
Assignee

FOR MORTGAGE SEE LAND RECORD LIBER NO. 216, FOLIO 70.

LIBER 041 PAGE 495

| | | |
|---|---|---|
| Harry T. Phoebus, Jr., Assignee for purposes of foreclosure of a mortgage from William O. Ford, Jr. and Sharon Ford, his wife Ex Parte | * * * * * * * | In the Circuit Court for Somerset County, Maryland No. 8315 Chancery |

*****

## Statement of Mortgage Claim

Harry T. Phoebus, Jr., Attorney for Mortgagee, under the mortgage filed herein, hereby states that the following sums are due and payable by the mortgagors, under the terms of the said mortgage:

| | |
|---|---|
| Principal indebtedness | $2,500.00 |
| Interest to May 31, 1966 | 127.91 |
| | $2,627.91 |

Harry T. Phoebus, Jr.
Attorney for Mortgagee

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that on this 17th day of June, in the year 1966, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Harry T. Phoebus, Jr., who made oath in due form of law that the aforegoing is a true and just statement of the mortgage claim under the mortgage filed in said cause now remaining due and unpaid and signed same in my presence.

AS WITNESS my hand and Notarial Seal.

Notary Public

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 131

| | | |
|---|---|---|
| Harry T. Phoebus, Jr., Assignee for purposes of foreclosure of a mortgage from William O. Ford, Jr. and Sharon Ford, his wife Ex Parte | * | In the Circuit Court for |
| | * | Somerset County, Maryland |
| | * | No. 8315 Chancery |

* * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Harry T. Phoebus, Jr., Assignee of a mortgage made and executed by William O. Ford, Jr. and Sharon Ford, his wife dated July 24, 1963, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 216, folio 70, 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 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 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 fifteen days notice of the time, place and manner and terms of sale by advertisement in the Crisfield Times, once in each of three successive weeks before the day of sale; he did, pursuant to said notice, attend in front of the Court House in Princess Anne, Maryland, on the 21st day of June, 1966, at 2:00 p.m., 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 Lawson's Election District, Somerset County, State of Mary land, binding on the North side of Burton Avenue near Crisfield, which was laid down and described as Lot No. 15 on a plat entitled, "Descriptive Plat of Subdivision No. 1, surveyed for the heirs of Sarah E. McGrath", prepared by W. Ballard Miles, Surveyor, and recorded among the Land Records of Somerset County in Plat Book B.L.B. No. 1, folio 13; being a part only of all that land which was conveyed to Kirk Saltz and Leah Saltz, his wife, by William H. Price, Trustee, by deed dated November 27, 1950 and recorded among the aforesaid Land Records in Liber B.L.B. No. 151, folio 401; and being the same and all that land which was conveyed to the said William O. Ford, Jr. and Sharon Ford, his wife, by Kirk Saltz and Leah Saltz, his wife, by deed dated July 24, 1963, and recorded among the aforesaid Land Records in Liber I.T.P. No. 217, folio 254; reference to which said deed and preceding deeds and plat of property hereby conveyed and to the references therein contained is hereby made as a part hereof as if herein fully set forth.

And the said property was sold to Vera B. Phoebus being then and there the highest bidder therefor, at and for the sum of Fifteen Hundred Dollars ($1,500) and the purchasers have complied with the terms of sale.

Respectfully submitted,

Harry T. Phoebus, Jr.
Attorney

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that on this 21st day of June, 1966, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Harry T. Phoebus, Jr., attorney named in the aforegoing Report of Sale and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge, information and belief and the sale therein mentioned and reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year first above written.

Alice L. Webster
Notary Public

| | | |
|---|---|---|
| Harry T. Phoebus, Jr., Assignee for purposes of foreclosure of a mortgage from William O. Ford, Jr. and Sharon Ford, his wife Ex Parte | * * * | In the Circuit Court for Somerset County, Maryland No. 8315 Chancery |

* * *

ORDER NISI

ORDERED this 21st day of June, 1966, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Harry T. Phoebus, Jr., Assignee of the above mortgage, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22d day of July, 1966, provided that a copy of this Order be inserted in some newspaper, published in Somerset County, once in each of three successive weeks before the 12th day of July, 1966.

The report states the amount of sale to be $1,500.00 .

I. Theodore Phoebus
Clerk of Circuit Court

Harry T. Phoebus, Jr.
Attorney at Law
Crisfield, Maryland

# Mortgage Sale

OF VALUABLE

## Residence Property

SITUATE AT BURTON AVE.

CRISFIELD, MARYLAND

Under and by virtue of the power and authority contained in a mortgage from William O. Ford, Jr. and Sharon Ford, his wife, dated July 24, 1963, and duly recorded among the Land Records of Somerset County in Liber I.T.P. No. 216, folio 70, default having occurred thereunder, the undersigned Assignee of the said mortgage will sell at public auction at the Somerset County Court House door in Princess Anne, on

**Tues., June 21, 1966**

**at 2:00 P.M.**

ALL that lot or parcel of land situate, lying and being in Lawsons Election District, Somerset County, State of Maryland, binding on the North side of Burton Avenue near Crisfield, which was laid down and described as Lot No. 15 on a plat entitled, "Descriptive Plat of Subdivision No. 1, surveyed for the heirs of Sarah E. McGrath", prepared by W. Ballard Miles, Surveyor, and recorded among the Land Records of Somerset County in Plat Book B.L.B. No. 1, folio 13; being the same and all that land which was conveyed to the said William O. Ford, Jr. and Sharon Ford, his wife, by Kirk Saltz and Leah Saltz, his wife, by deed dated July 24, 1963, and recorded among the aforesaid Land Records in Liber I.T.P. No. 217, folio 254; reference to which said deed and preceding deeds and plat of property hereby conveyed and to the references therein contained is hereby made as a part hereby as if herein fully set forth.

TERMS OF SALE: One-Third cash on date of sale, balance, with six percent (6%) per annum upon ratification of sale. Taxes and expenses to be adjusted to date of sale. Title papers and revenue stamps to be at the expense of purchaser.

Harry T. Phoebus, Jr. Assignee
6-3-3t

CRISFIELD, MD., July 11 19 66

THIS is to certify that the annexed Mortgage Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Mortgage Sale for 3 weeks beginning with the issue of June 3 19 66 and ending June 17 19 66.

E. L. Dorman
Publisher, THE CRISFIELD TIMES

CRISFIELD, MD., July 11 19 66

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of June 24 19 66 and ending July 8 19 66.

E. L. Dorman
Publisher, THE CRISFIELD TIMES

Harry T. Phoebus, Jr., Assignee
for purposes of foreclosure of
a mortgage from William O.
Ford, Jr. and Sharon Ford, his
wife, Ex Parte

* * * * * * * *

In the Circuit Court for Somerset County, Maryland
No. 8315 Chancery

## ORDER NISI

ORDERED this 21st day of June, 1966, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Harry T. Phoebus, Jr., Assignee of the above mortgage, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of July, 1966, provided that a copy of this Order be inserted in some newspaper, published in Somerset County, once in each of three successive weeks before the 12th day of July, 1966.

The report states the amount of sale to be $1,500.00.

I. Theodore Phoebus,
Clerk of the Circuit Court

True Copy,

Test: I. Theodore Phoebus,
Clerk.

6-24-3t

LIBER 041 PAGE 501

| | | |
|---|---|---|
| Harry T. Phoebus, Jr., Assignee for purposes of foreclosure of a mortgage from William O. Ford, Jr. and Sharon Ford, his wife Ex Parte | * * * | In the Circuit Court for Somerset County, Maryland No. 8315 Chancery |

* * *

FINAL ORDER

Ordered by this Court this 27th day of July, 1966, that the sale made and reported by the attorney be, and the same is hereby, ratified and confirmed, no cause to the contrary having been shown.

Judge

| | | |
|---|---|---|
| Harry T. Phoebus, Jr., Assignee for purposes of foreclosure of a mortgage from William O. Ford, Jr. and Sharon Ford, his wife Ex Parte | * | In the Circuit Court for |
| | * | Somerset County, Maryland |
| | * | No. 8315 Chancery |

*******

PETITION AND ORDER APPOINTING AUDITOR

The Petition of Harry T. Phoebus, Jr., respectfully shows unto this Court as follows:

That he is the Assignee of a mortgage from William O. Ford, Jr. and Sharon Ford, his wife, dated July 24, 1963, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 216, folio 70; said mortgage being duly recorded and foreclosed as more fully described by his Report of Sale herein filed.

That the Auditor for this Court is not available and the Petitioner prays for an appointment of a special auditor to whom such report of sale may be referred, to state an account, pursuant to Rules BR6 b5 and 595 B.

And as in duty bound, etc.

Harry T. Phoebus, Jr.
Petitioner

O R D E R

Upon the foregoing Petition it is this 27th day of July, 1966, by the Circuit Court for Somerset County, in Equity, Ordered that Erma Tyler be, and she is hereby, appointed a special auditor to whom the report of sale herein shall be referred to state an account.

Judge

| | | |
|---|---|---|
| Harry T. Phoebus, Jr., Assignee for purposes of foreclosure of a mortgage from William O. Ford, Jr. and Sharon Ford, his wife Ex Parte | * * * | In the Circuit Court for Somerset County, Maryland No. 8315 Chancery |

* * *

AUDIT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of the special auditor stating the account in the within mentioned case respectfully represents:

That your special auditor has charged Harry T. Phoebus, Jr. Attorney and Assignee with the whole amount of the sale of the real estate as reported by the said Attorney and Assignee, in his report of sale; the said Attorney and Assignee has been allowed commissions on said sale and a special attorney's fee, as per the Chancery Rules of this Court, and his costs and expenses, not personal.

The balance of the funds in the hands of the Attorney and Assignee have been distributed to Vera B. Phoebus, who is the equitable party in interest in this cause.

Respectfully submitted,

Ezra Tyler

Dated: ~~July~~ Aug. 4, 1966

Aug. ~~July~~ 4, 1966 - By the whole amount of the sale of the real estate as reported by the attorney and assignee in his report of sale $1,500.00

Aug. ~~July~~ 4, 1966 - To the Assignee as per the Chancery Rules of this Court:

10% on the first $3,000.00 $150.00

To the Attorney and Assignee for his cost and expenses, not personal:

| | |
|---|---|
| Clerk of Court | $ 38.00 |
| Special Attorney's fee | 25.00 |
| Crisfield Times | 40.00 |
| State and County taxes | 122.80 |
| Auctioneer | 15.00 |
| Auditor | 15.00 |
| Mortgage Claim | 2,627.91 |
| Interest, June 1-July27, '66 | 24.88 |
| Total Cost & Expenses | $2,958.59 |
| Less deficiency | 1,458.59 |

Total amount of sale $1,500.00

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this ...11th... day of August, 1966 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown on or before the ...12th... day of ..September.... 1966..*

L. Theodore Tawes ..... Clerk

No. 8315 ..... Chancery Vs .....

IN THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that the vouchers have been filed in the above proceedings in the ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date Sept. 27 1966

L. Theodore Tawes ..... Clerk

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this ..27.... day of Sept ..... 1966, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

L. Theodore Tawes
Clerk

MAY 26 1967

P. 14742.

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Martha E. Morris and
Maggie Morris Ballard
Princess Anne, Somerset County, Maryland

No. 8926 Chancery
in the Circuit Court for
Somerset County, Maryland

And the Real Estate and Improvements Hereinafter Described

BILL TO ENFORCE LIEN(S)

The petition of The Somerset County Sanitary Commission, by Richard M. Cooley, Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by Alexander G. Jones, Attorney for Petitioner, respectfully represents:

1. That the Petitioner, under the provisions of Article 43 of the Code of Public General Laws of Maryland, 1957 edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all properties, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the Petitioner.

2. That the Petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant(s) named herein.

3. That the charges and assessments against such property or properties are as follows:

A—Water Service Charge(s) including penalty of $5.00.....$

B—Sewer Service Charge(s).....$

C—Water Connection Charge(s).....$

D—Sewer Connection Charge(s).....$

E—Front Foot Assessment(s) including interest at the rate of one-half of one per cent per month from _____ .....$

| | | | |
|---|---|---|---|
| 1965 | $48.84 | including interest from (Date) March 1, 1965 | 52.75 |
| 1966 | 48.84 | including interest from March 1, 1966 | 49.82 |
| | | TOTAL | $ 102.57 |

4. That on the date of establishment of the charges and assessments set forth above the defendant(s) named herein were the owners of record of the property or properties described as follows:

(A) All that tract or parcel of land in...East.....Princess Anne Election District, Somerset County, Maryland, more particularly described as:

All that lot of land situated in the town of Princess Anne, State of Maryland, and on the north side of and binding upon Hampden Avenue, and adjoining the lands of Robert M. Hall and Lillie M. Hall, on the East and fronting on said Hampden Avenue 66 feet, and extending back to the Harry Muir land and being Lot.No. 13 as laid down on a plat filed in Trustee Third Report of sale in No. 1678 Chancery, in the Circuit Court for Somerset County, Maryland, and being the same and all the land which was conveyed unto Martha E. Morris and Maggie Morris Ballard as joint tenants with the right of survivorship by Myrtle T. Derrickson, single, by deed dated September 26, 1945 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 132, folio 360.

5 That according to the applicable provisions of Article 43 said charge or charges or assessments are first liens against the property or properties described above, and a public record of said lien(s) is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.—Notice of Liens".

6. That despite written notice of such charges, assessments and liens from the Petitioner to the defendant(s) said charges are overdue and in default and this suit is brought to enforce said lien(s).

WHEREFORE, the Petitioner prays a decree of this Honorable Court ordering:

(1) That the property or properties described above be sold according to law and that the proceeds from said sale be applied to satisfy the Petitioner's said lien(s) including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the Rules of Court.

(2) That the Petitioner have judgment against the defendant(s) for any deficiency remaining.

(3) And for such other relief as may be proper.

Somerset County Sanitary Commission,
Acting For and On Behalf of
Somerset County Sanitary District, Inc.

By .....

Alexander G. Jones
Attorney for Petitioner
Princess Anne, Maryland
Telephone 651-2747

## Petitioner's Motion for Summary Judgment

The Petitioner moves for summary judgment on the ground that the Defendant(s) has no defense to its claim, and that there is no genuine dispute between the parties as to any material fact, and that it is entitled to judgment as a matter of law.

.....
Attorney for Petitioner

## Affidavit in Support of Petitioner's Motion for Summary Judgment

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 27th day of June, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Stanley C. Street (name), Treasurer (title) of Somerset County Sanitary Commission, and made oath in due form of law that there is now justly due and owing to the Petitioner from the Defendant(s) named in the attached Bill to Enforce Lien(s) the sum of $102.57, being charges or assessments for facilities and services provided by the Petitioner to the Defendant(s) and to the property or properties described in said Bill, that said charges are in default and are statutory first liens against said property or properties; that in his official capacity the affiant herein is familiar with the matters set forth in said Bill, that he has personal knowledge of them, and is competent to testify to them, and that he is duly authorized to make this affidavit.

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

Patsy J. Tait
Notary Public

To the Defendant(s):

Take notice that unless you make your defense within the time allowed by law or Rule of Court, judgment will be entered against you. If you assert a defense, this motion may be heard by the Court fifteen days after its service on you, but not earlier than the expiration of the time allowed by law or Rule of Court to plead in answer to the Bill of Complaint.

.....
Attorney for Petitioner

**WRIT OF SUBPOENA:** LIBER 041 PAGE 510

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Martha E. Morris
Maggie Morris Ballard

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of July next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. versus Martha E. Morris and Maggie Morris Ballard

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 27 day of June, 19 66.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 19 day of July, 19 66. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones
Name

Princess Anne, Maryland
Address

A Theodore Chaplin
Clerk

Sheriff's Return:

Mortuss Est
June 28, 1966.
Isaac H. Dorsey, Sheriff
Edwin B. Muir, Deputy

ALEXANDER G. JONES
Attorney

ORDER OF PUBLICATION
In the Circuit Court for Somerset County,
Maryland

No. 8226 Chancery
The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland.

vs

Martha E. Morris and Maggie Morris Ballard
Princess Anne, Somerset County, Maryland
and the unknown heirs, devisees or personal
representatives of Maggie Morris Ballard

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendants named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 8226 Chancery recites that the following described real estate is all of the land conveyed unto Martha E. Morris and Maggie Morris Ballard as joint tenants with the right of survivorship by Myrtle T. Derrickson, single, by deed dated September 26, 1945 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 132, folio 360, described as follows: All that lot of land situated in the town of Princess Anne, State of Maryland, and on the north side and binding upon Hampden Avenue, and adjoining the lands of Robert M. Hall and Lillie M. Hall, on the East and fronting on said Hampden Avenue 66 feet, and extending back to the Harry Muir land and being Lot No. 13 as laid down on a plat filed in Trustee Third Report of sale in No. 1678 Chancery, in the Circuit Court for Somerset County, Maryland.

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems

and for an annual front foot assessment on all property, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendants named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 8226 Chancery (Martha E. Morris and Maggie Morris Ballard) | |
| Front foot assessment including interest from March 1, 1965 | $ 52.75 |
| Front foot assessment including interest from March 1, 1966 | 49.82 |
| | $102.57 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described in above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. - Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendants said charge is overdue and in default and this suit is brought to enforce said lien.

That a writ of subpoena was issued by this Court directed to the said Martha E. Morris and Maggie Morris Ballard, and was returned "Mortuus Est"; that it has been determined that Martha E. Morris predeceased Maggie Morris Ballard to the end that title in and to the above described land vested in Maggie Morris Ballard as surviving joint tenant; that the said Maggie Morris Ballard has since died; that the successor in interest of Maggie Morris Ballard would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor is, or whether he is a resident or non-resident.

Accordingly it is this 28 day of June, 1966, ORDERED by the Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs, devisees or personal representatives of Maggie Morris Ballard; that such notice by publication be made at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 28th day of July, 1966, stating the substance and object of the original Bill and warning

[redacted] [redacted] [redacted]

said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 31st day of August, 1966.

E. McMaster Duer
Judge

Alexander G. Jones
Attorney

# ORDER OF PUBLICATION

In the Circuit Court for Somerset County, Maryland

No. 8226 Chancery

The Somerset County Sanitary Commission,
Acting for and on Behalf of Somerset County Sanitary District, Inc.
a body corporate of the State of Maryland.

vs.

Martha E. Morris and Maggie Morris Ballard, Princess Anne, Somerset County, Maryland and the unknown heirs, devisees or personal representatives of Maggie Morris Ballard.

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendants named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 8226 Chancery recites that the following described real estate is all of the land conveyed unto Martha E. Morris and Maggie Morris Ballard as joint tenants with the right of survivorship by Myrtle T. Derrickson, single, by deed dated September 26, 1945 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 132, folio 360, described as follows: All that lot of land situated in the town of Princess Anne, State of Maryland, and on the north side and binding upon

terest of Maggie Morris Ballard would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor is, or whether he is a resident or non-resident.

Accordingly it is this 28th day of June, 1966, ORDERED by the Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs, devisees or personal representatives of Maggie Morris Ballard; that such notice by publication be made at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 28th day of July, 1966, stating the substance and object of the original Bill and warning said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 31st day of August, 1966.

E. McMaster Duer,
Judge

9-4tc

PRINCESS ANNE, MD., 9-

This is to certify that the annexed Order

has been published in the *MARYLANDER* and

newspaper published in Somerset County, Mar

the terms and requirements contained in said

Dates Inserted June 30, July 7, 14, 21, 1966

Business Manager MARY

LIBER 041 PAGE 513

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Martha E. Morris and Maggie Morris Ballard
and the unknown heirs, devisees or personal
representatives of Maggie Morris Ballard

And the Real Estate and Improvements
Hereinbefore Described

No. 8326 Chancery

In the Circuit Court for

Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 6th day of September, in the year nineteen hundred and 1966, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED, that the property in the proceedings mentioned be sold, and Alexander G. 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 said Trustee and a surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of $1600.00, 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 at public auction, 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, 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 excuted, 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 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.

E. McMaster Duer
Judge

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 151.

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | : | No. 8326 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |
| vs | : | |
| Martha E. Morris and Maggie Morris Ballard and the unknown heirs, devisees or personal representatives of Maggie Morris Ballard | : | |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of Alexander G. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 6th day of September, in the year nineteen hundred and sixty-six, 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 weekly newspaper published in Somerset County, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, he did, pursuant to said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 4th day of October, 1966, at the hour of 2:00 o'clock P. M., and then and there proceeded to sell said property, to wit:

All that tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland, more particularly described as: All that lot of land situated in the Town of Princess Anne, State of Maryland, and on the north side of and binding upon Hampden Avenue, and adjoining the lands of Robert M. Hall and Lillie M. Hall, on the East and fronting on said Hampden Avenue 66 feet, and extending back to the Harry Muir land and being Lot No. 13 as laid down on a plat filed in Trustee Third Report of Sale in No. 1678 Chancery, in the Circuit Court for Somerset County, Maryland, and being the same and all the land which was conveyed unto Martha E. Morris and Maggie Morris Ballard as joint tenants with the right of survivorship by Myrtle T. Derrickson, single, by deed dated September 26, 1945 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 132, folio 360, and sold the same to Caroline Hayward at and for the sum of nine hundred dollars ($900.00), she being then and there the

highest bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total Sales | | $900.00 |
| To 1965 Front foot assessment | $53.72 | |
| To 1966 Front foot assessment | 50.79 | |
| To Marylander & Herald, order of publication | 86.25 | |
| To Marylander& Herald, advertising | 37.50 | |
| To Marylander & Herald, order nisi | 10.00 | |
| To Clerk of the Circuit Court for costs | 43.75 | |
| To Bond premium | 10.00 | |
| To Attorney's fee | 25.00 | |
| To Auctioneer | 15.00 | |
| To Trustee's Commissions | 90.00 | |
| To 1965 Town Taxes | 6.04 | |
| To 1966 Town Taxes | 5.96 | |
| To 1962 State & County Taxes | 19.62 | |
| To 1963 State & County Taxes | 20.17 | |
| To 1964 State & County Taxes | 19.15 | |
| To 1965 State & County Taxes | 18.38 | |
| To 1966 State & County Taxes | 17.11 | |
| To Balance to be distributed as per Order of Court | 371.56 | |
| | $900.00 | $900.00 |

Respectfully submitted,

Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of October, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and facts stated in the aforegoing report are true as therein stated to the best

of his knowledged, 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.

Patricia J. Ent
Notary Public

NOTARY PUBLIC
SOMERSET COUNTY

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland | : | No. 8326 Chancery |
| | : | In the Circuit Court for |
| | : | Somerset County, Maryland |
| vs | | |
| | : | |
| Martha E. Morris and Maggie Morris Ballard and the unknown heirs, devisees or personal representatives of Maggie Morris Ballard | : | |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of October, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Caroline Hayward, the purchaser of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase she was not acting as agent for any one.

2. That others interested in said purchase, as principals are none.

3. That she did not directly or indirectly discourage any one from bidding for said property.

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

Patsy J. Ent
Notary Public

Order Nisi

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland | : | No. 8326 Chancery |
| | : | In the Circuit Court for |
| | : | Somerset County, Maryland |
| vs | | |
| | : | |
| Martha E. Morris and Maggie Morris Ballard and the unknown heirs, devisees or personal representatives of Maggie Morris Ballard | : | |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 7th day of November, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 3rd day of November, 1966.

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

S. Theodore Pruitt
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 9th day of November, 1966, 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.

E. McMaster Duer.
Judge

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | : | No. 8326 Chancery<br>In the Circuit Court for Somerset County, Maryland |
| vs | : | |
| Martha E. Morris and Maggie Morris Ballard and the unknown heirs, devisees or personal representatives of Maggie Morris Ballard | : | |

ORDER OF COURT

The aforegoing Petition having been read and considered, it is ORDERED this 4 day of November, 1966, that Alexander G. Jones, Trustee, pay unto Iona King the sum of $255.51, together with interest from December 1, 1964 and the Court costs involved in this Petition, as prayed, said sum to be deducted from the balance of the funds now held by said Trustee in the above entitled proceeding.

E. McMaster Riley
Judge

FILED
NOV 5 12 41 PM '66

PRINCESS ANNE, MD., Nov 9 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted Oct. 6, 13, 20, 27, 1966

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8326 Chancery

In the Circuit Court for Somerset County, Maryland

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland.

vs

Martha E. Morris and Maggie Morris Ballard and the unknown heirs, devisees or personal representatives of Maggie Morris Ballard.

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. 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 7th day of November, 1966, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 3rd day of November, 1966.

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

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
True Copy,

Test: I. Theodore Phoebus, Clk.

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | : | No. 8326 Chancery |
| | : | In the Circuit Court for Somerset County, Maryland |
| vs | : | |
| Martha E. Morris and Maggie Morris Ballard and the unknown heirs, devisees or personal representatives of Maggie Morris Ballard | : | |

To the Honorable, the Judge of said Court:

The petition of Iona King, of 907 East Road, Salisbury, Wicomico County, Maryland, by Simpkins and Simpkins, her attorneys, respectfully represents:

1. That by a decree of this Court in this proceeding, Alexander G. Jones was appointed trustee to sell the real estate described therein; that said sale was made on October 4, 1966 and the trustee's report of sale has since been duly ratified by this Court.

2. That in the report of sale said trustee set forth the following item: "To Balance to be distributed as per Order of Court ... $371.56" which said sum your petitioner is informed by said trustee is still held pending an order of this Court.

3. That The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., in proceedings reported in No. 8044 Chancery, in the Circuit Court for Somerset County, had previously sought to sell the property mentioned in said proceeding to satisfy its respective liens and that on December 1, 1964 your petitioner deposited with Jones & Jones, Attorneys at Law, Princess Anne, Maryland, the sum of two hundred fifty-five dollars and fifty-one cents ($255.51) in full satisfaction of the said liens, interest and court costs then outstanding against said property.

4. That said payment by your petitioner was a voluntary payment of her own funds for the purpose of preventing the sale of said property and was made as a convenience and accommodation to the defendants named therein and upon the promise of said defendants that your petitioner would be reimbursed for said expenditure.

5. That your petitioner has not received reimbursement for all or any part of said expenditure.

Wherefore your petitioner prays a decree of this Court ordering that Alexander G. Jones, Trustee, pay unto the said Iona King the said sum of $255.51 together with interest from December 1, 1964 and court costs involved in this petition.

Iona King
Iona King, Petitioner

SIMPKINS AND SIMPKINS

By
Attorneys for Petitioner

State of Maryland, Wicomico County, to wit:

I hereby certify, that on this 23 day of November, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Iona King and made oath in due form of law that the matters and things contained 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.

Kathleen L. Purnell
Notary Public

KATHLEEN L. PURNELL NOTARY PUBLIC WICOMICO CO.

Re 1081

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland | : | No. 8326 Chancery |
| | : | In the Circuit Court for |
| | : | Somerset County, Maryland |
| vs | : | |
| Martha E. Morris and Maggie Morris Ballard and the unknown heirs, devisees or personal representatives of Maggie Morris Ballard | : | |

RECEIPT AND RELEASE OF CLAIM

I hereby certify that I have received from Alexander G. Jones, Trustee in the above entitled proceeding, the sum of $ 301.61 pursuant to the Order of Court filed herein on November 29, 1966 as follows:

| | |
|---|---|
| Principal | $255.51 |
| Interest | 44.60 |
| Court costs | 1.50 |
| | $301.61 |

Witness: [signature]

Iona N. King
Iona King

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 27th day of January, in the year nineteen hundred and sixty-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Iona King, and acknowledged the aforegoing receipt and release of claim to be her act and deed, and signed same in my presence.

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

[signature]
Notary Public

LIBER 041 PAGE 523

MAY 26 1967

LIBER 041 FOLIO 524

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 5327 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George S. Cole andMarcelle P. Cole, his | : | Somerset County, Maryland |
| wife to the Bank of Somerset, a body | : | |
| corporate | : | |

Mr. Clerk:

Please docket the above entitled suit and file the original mortgage among the papers therein.

Alexander G. Jones
Princess Anne, Maryland
Telephone 651-2747

FOR MORTGAGE SEE LAND RECORDS LIBER NO. 206, FOLIO 178.
FOR BOND SEE BOND BOOK. I.T.P. NO. 9, FOLIO 136.

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. _____ Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George S. Cole and Marcelle P. Cole, his | : | Somerset County, Maryland |
| wife to the Bank of Somerset, a body | : | |
| corporate | : | |

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 28th day of June, in the year nineteen hundred and sixty-six, before me, the undersigned officer, personally appeared Edward J. Price, Agent of the Bank of Somerset, and made oath in due form of law as follows: The principal amount owing on the above mortgage is $5,024.07, with interest from April 21, 1966, and also made oath in due form of law that the defendants are not in the military service as hereinafter set forth and that they have not been in such military service referred to being as follows:

1. The military service of the United States of America or of the enlisted reserve corps thereof;
2. Ordered to report for induction under the Selective Training and Service Act of 1940 as amended;
3. The military service of any nation with which the United States of America may be allied in the prosecution of war.

Eunice Pilchard
Notary Public

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8327 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George S. Cole and Marcelle P. Cole, his | : | Somerset County, Maryland |
| wife, to the Bank of Somerset, a body | : | |
| corporate | : | |

To the Honorable, the Judge of said Court:

The report of sales of Alexander G. Jones, Attorney named in a certain mortgage made and executed by George S. Cole and Marcelle P. Cole, his wife, dated August 30, 1961 and recorded among the Land Records of Somerset County in Liber G.J.B. No. 206, folio 178, 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 and 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 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 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 21st day of July, 1966, at two o'clock P.M., and then and there proceed to sell the property in said mortgage, to wit:

All that lot or parcel of land situate in Mt. Vernon Election District, Somerset County, Maryland, on the north side of the state road leading through the Village of Mt. Vernon, bounded on the west by the heirs of John Collins, on the north by the lands owned or formerly owned by William O. Murray, on the east by the land of Clifton Jones and Ruth Jones, and on the south by the aforesaid state road, containing two and one-quarter acres, more or less, and being the same and all the land which was conveyed unto the said George S. Cole and Marcelle P. Cole by

Louis S. Fuchsluger and Nina C. Fuchsluger by deed dated March 26, 1955 and recorded among the aforesaid Land Records in Liber B.L.B. No. 170, folio 353, and sold the same to Glendon L. Bailey and Beulah R. Bailey, his wife, at and for the sum of six thousand ninety-eight dollars and seventeen cents ($6,098.17), they being then and there the highest bidders therefor, and the purchasers have complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total sales | | $6,098.17 |
| To Clerk of the Circuit Court for costs | $38.00 | |
| To Bond premium | 23.00 | |
| To Auctioneer | 50.00 | |
| To Solicitor's fee | 25.00 | |
| To Marylander and Herald, Advertising and nisi | 49.38 | |
| To 1961 State and County taxes | 45.35 | |
| To 1962 State and County taxes | 72.98 | |
| To 1963 State and County taxes | 69.42 | |
| To 1964 State and County taxes | 65.85 | |
| To 1965 State and County taxes | 63.14 | |
| To 1966 State and County taxes - 1/6 of $59.33 | 9.89 | |
| To Attorney as commission | 454.91 | |
| To Balance to be distributed | 5,131.25 | |
| | $6,098.17 | $6,098.17 |
| Balance to be distributed | | $5,131.25 |
| To Bank of Somerset, mortgage principal | $5,024.07 | |
| To Bank of Somerset, interest | 107.18 | |
| | $5,131.25 | $5,131.25 |

Respectfully submitted,

Attorney

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 21st day of July, in the year nineteen hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Attorney named in the aforegoing 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.

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

Eunice Pilchard
Notary Public

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8327 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George S. Cole and Marcelle P. Cole, his | : | Somerset County, Maryland |
| wife, to the Bank of Somerset, a body | : | |
| corporate | : | |

Purchasers' Affidavit

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 21st day of July, 1966, before me, the subscriber, a Notary Public of the State of Maryland and County aforesaid, personally appeared Glendon L. Bailey and Beulah R. Bailey, the purchasers of the real estate in the above entitled proceedings and each made oath in due form of law.

1. That in making said purchase they were not acting as agent for anyone.
2. That others interested in said purchase, as principals, are none.
3. That they did not directly or indirectly discourage anyone from bidding for the said property.

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

Eunice Pilchard
Notary Public

Order Nisi

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8327 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George S. Cole and Marcelle P. Cole, his | : | Somerset County, Maryland |
| wife, to the Bank of Somerset, a body | : | |
| corporate | : | |

Ordered this 9th day of July, in the year nineteen hundred and sixty-six, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Alexander G. Jones, Attorney named in the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 31st day of August, 1966, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 26th day of August, 1966.

The report states the amount of sales to be $6,098.17.

Fredric Sheets
Clerk of the Circuit Court

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8327 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George S. Cole and Marcelle P. Cole, his | : | Somerset County, Maryland |
| wife to the Bank of Somerset, a body | : | |
| corporate | : | |

Ordered by the Circuit Court for Somerset County, in Equity, this 6th day of September, in the year nineteen hundred and sixty-six, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Attorney mentioned in said mortgage, 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.

E. Moncastle Dues
Judge

# ORDER NISI

No. 8327 Chancery

In the Circuit Court for Somerset County, Maryland

Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from George S. Cole and Marcelle P. Cole, his wife, to the Bank of Somerset, a body corporate

Ordered this 21st day of July, in the year nineteen hundred and sixty-six, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Alexander G. Jones, Attorney named in the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 31st day of August, 1966, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 26th day of August, 1966.

The report states the amount of sales to be $6,098.17.

I. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County

True Copy,
Test: I. Theodore Phoebus, Clk.

13-4tc

PRINCESS ANNE, MD., September 1, 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: July 28, Aug. 4 1966.

Clarence L. Boyd
Business Manager MARYLANDER and HERALD

LIBER 041 PAGE 531

MAY 26 1967

LIBER 041 PAGE 532

| | | |
|---|---|---|
| Edgar A. Jones and Alexander G. Jones, | : | No. 5337 Chancery |
| Trustees, Ex Parte under power contained | : | In the Circuit Court for |
| in Deed of Trust from Stanley T. McCready | : | Somerset County, Maryland |
| and Mary S. McCready, his wife, and Hattie F. | : | |
| McCready | : | |

Mr. Clerk:

Please docket the above entitled suit and file the original deed of trust among the papers therein.

JONES & JONES

By _____

Princess Anne, Maryland
Telephone: 651-2747

FOR DEED OF TRUST SEE LAND RECORDS LIBER NO. 220, FOLIO 187.

| | | |
|---|---|---|
| Edgar A. Jones and Alexander G. Jones, | : | No. 8337 Chancery |
| Trustees, Ex Parte under power contained | : | In the Circuit Court for |
| in Deed of Trust from Stanley T. McCready | : | Somerset County, Maryland |
| and Mary S. McCready, his wife, and Hattie F. | : | |
| McCready | : | |

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 27th day of July, 1966, before me, the undersigned officer, personally appeared Charles W. Nelson, Jr., Agent of Salisbury Production Credit Association, and made oath in due form of law as follows: That the principal amount owing on the above mortgage is $6,458.00 with interest in the amount of $147.68 to July 27, 1966, and also made oath in due form of law that the defendants are not in the military service as hereinafter set forth and that they have not been in such military service referred to being as follows:

1. The military service of the United States of America or of the enlisted reserve corps thereof;
2. Ordered to report for induction under the Selective Training and Service Act of 1940 as amended;
3. The military service of any nation with which the United States of America may be allied in the prosecution of war.

EUNICE PILCHARD NOTARY PUBLIC SOMERSET CO. MD.

Eunice Pilchard
Notary Public

FOR BOND SEE BOND BOOK. I.T.P. NO. 9, FOLIO 146.

| | | |
|---|---|---|
| Edgar A. Jones and Alexander G. Jones, | : | No. 8337 Chancery |
| Trustees, Ex Parte under power contained | : | In the Circuit Court for |
| in Deed of Trust from Stanley T. McCready | : | Somerset County, Maryland |
| and Mary S. McCready, his wife, and Hattie F. | : | |
| McCready | : | |

To the Honorable, the Judge of said Court:

The report of sales of Edgar A. Jones and Alexander G. Jones, Trustees named in a certain deed of trust made and executed by Stanley T. McCready and Mary S. McCready, his wife, and Hattie F. McCready, to Salisbury Production Credit Association, a body corporate, dated March 19, 1964 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 220, folio 187, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said deed or trust or in the payment of the interest thereon or in some other covenant and condition of said deed of trust, whereby the said debt has become due and demandable, respectfully represents to your Honor, 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 them by said deed of trust, 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 a week for three successive weeks before the day of sale, they did pursuant to said notice attend at the Court House door, in Princess Anne, Maryland, on the 30th day of August, 1966, at two o'clock P.M., and then and there proceed to sell the property described in said deed of trust, to wit:

All that farm or tract of land, situate in Dublin Election District, Somerset County, Maryland, lying on the northerly side of the county road connecting U.S. Route #13 and State Route #413, and called the River Road; said farm being known as the "Dennis Farm", beginning at a stone, found, said stone being the end of the 14th line of a deed to John B. Hayman and wife from Ralph P. Thompson dated March 30, 1932, recorded among the Land Records of Somerset County in Liber J.M.T. No. 102, folio 252, which said stone is also the end of the 4th line of a tract described in a deed to

John Ashcraft and another from William and James Dryden dated March 7, 1854, recorded among the aforesaid Land Records in Liber L.W. No. 3, folio 112, also the end of the 4th line of tract described in a deed to William Dryden, et al, from George R. Dennis dated December 13, 1852, recorded among the aforesaid Land Records in Liber L.W. No. 1, folio 427, and which stone is also the southeast corner of a tract called "Deer Park" at the end of the 8th line of a protraction by Samuel F. Miles, Surveyor, in 1934, (for Harvey Churn of Northampton County, Va.) of lands described in deeds recorded among the aforesaid Land Records in Liber W.J.S. No. 81, folio 473 and 474, said stone indicated by the letter "A" on the plat, from thence proceeding with the 26th 27th, 28th and part of the 29th lines of the lands described in a deed to Felix Lake from L. Paul Ewell and wife (the Churn lands or "Deer Park") dated October 5, 1914, recorded among the aforesaid Land Records in Liber W.J.S. No. 67, folio 369 as follows: (1) North 65° 51' West 86.00 rods to a red oak; (2) North 58° 21' West 7.40 rods to a marked maple; (3) North 69° 06' West 7.25 rods to a marked gum; (4) South 89° 21' West 9.85 rods to an iron pipe, found, at the northeast corner of a tract of land conveyed to William H. Thomas and wife from Edward J. Tilghman by deed dated October 28, 1919, recorded among the aforesaid Land Records in Liber W.J.S. No. 80, folio 575; thence with the 2nd line of the last mentioned tract (W.J.S. No. 80, folio 575) (5) South 7° 14' West 111.80 rods to the intersection of ditches, and to intersect the 6th line of Part 3 of lands described in a deed to John Ashcraft and another from William and James Dryden dated March 7, 1854, recorded among the aforesaid Land Records in Liber L.W. No. 3, folio 112, approximately 29 rods from the end of the said 6th line;(6) South 59° 30' East 61.72 rods with the said 6th line, reversed, to intersect the northerly side of the county road from Davis Corner to Cottage Grove; thence with the northerly side of said road and binding thereon the three following courses and distances: (7) South 71° 0' East 57.15 rods; (8) South 82° 28' East 27.12 rods to the east side of the lane leading to the residence; (9) North 74° 10' East 64.80 rods to a point in the center of the road ditch 15 feet beyond and easterly from the mouth of a ditch along the woods - field line; thence with the 5th line, reversed of the deed to John Ashcraft and another from William and James Dryden, dated March 7, 1854 and recorded in Liber L.W. No. 3, folio 112; (10) North 38° 11' West 132.00 rods to the stone, the place of

beginning, containing 115.54 acres of land, more or less.

The above described land having been conveyed unto Horace F. McCready and Hattie F. McCready, life tenants, and Stanley T. McCready and Mary S. McCready, remaindermen, by Charlotte C. Dryden, unmarried, by deed dated October 30, 1950 and recorded among the aforesaid Land Records in Liber B.L.B. No. 154, folio 48; the said Horace F. McCready having since died.

And sold the same to Lynwood W. Duncan at and for the sum of $7225.00 subject to the assumption by the purchaser of a mortgage from Stanley T. McCready and Mary S. McCready, his wife, remaindermen, and Hattie F. McCready, life tenant, to The Federal Land Bank of Baltimore, dated March 19, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 218, folio 463, on which there was an outstanding balance as of August 30, 1966 in the amount of $6122.52, he being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your trustees and your trustees have distributed the proceeds, as follows:

| | | | |
|---|---|---|---|
| Total sales | | | $7,225.00 |
| To Clerk of the Circuit Court for costs | | $38.00 | |
| To Marylander and Herald, advertising and nisi | | 107.50 | |
| To The Daily Times, advertising | | 42.75 | |
| To bond premium | | 40.00 | |
| To auctioneer | | 60.00 | |
| To solicitor's fee | | 25.00 | |
| To life insurance premium advanced | | 48.75 | |
| To fire insurance premium advanced | | 70.00 | |
| To 1965 State and County taxes | | 178.92 | |
| To 1966 State and County taxes - $168.00 | 1/6th | 28.00 | |
| To Trustees as commission | | 510.04 | |
| To balance to be distributed | | 6,076.04 | |
| | | $7,225.00 | $7,225.00 |

| | | | |
|---|---|---|---|
| Balance to be distributed | | | $6,076.04 |
| To Salisbury Production Credit Association | | | |
| Principal | $6,458.00 | | |
| Interest to August 30, 1966 | 183.04 | | |
| | $6,641.04 | | |
| Credit 100 shs. Class B.Stock | | | |
| 13 shs. Class A Stock | 565.00 | $6,076.04 | |
| | | $6,076.04 | $6,076.04 |

Respectfully submitted,

Edgar A. Jones

Alexander G. Jones
Trustees

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 30th day of August, in the year nineteen hundred and sixty-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 Alexander G. Jones, Trustees named in the aforegoing report of sale, and each 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.

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

Eunice Pilchard
Notary Public

| | | |
|---|---|---|
| Edgar A. Jones and Alexander G. Jones, | : | No. 8337 Chancery |
| Trustees, Ex Parte under power contained | : | In the Circuit Court for |
| in Deed of Trust from Stanley T. McCready | : | Somerset County, Maryland |
| and Mary S. McCready, his wife, and Hattie F. | : | |
| McCready | : | |

Purchaser's Affidavit

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 30th day of August, 1966, before me, the subscriber, a Notary Public of the State of Maryland and County aforesaid, personally appeared Lynwood W. Duncan, the purchaser of the real estate in the above entitled proceedings and made oath in due form of law.

1. That in making said purchase he was not acting as agent for anyone.

2. That others interest in said purchase, as principals, are none.

3. That he did not directly or indirectly discourage anyone from bidding for the said property.

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

Francis Richard
Notary Public

Order Nisi

| | | |
|---|---|---|
| Edgar A. Jones and Alexander G. Jones, | : | No. 8337 Chancery |
| Trustees, Ex Parte under power contained | : | In the Circuit Court for |
| in Deed of Trust from Stanley T. McCready | : | Somerset County, Maryland |
| and Mary S. McCready, his wife, and Hattie F. | : | |
| McCready | : | |

Ordered this 31st day of August, in the year nineteen hundred and sixty-six, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Edgar A. Jones and Alexander G. Jones, Trustees named in the above deed of trust, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of October, 1966, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 30th day of September, 1966.

The report states the amount of sales to be $7225.00.

Theodore Shockley
Clerk of the Circuit Court

| | | |
|---|---|---|
| Edgar A. Jones and Alexander G. Jones, | : | No. 8337 Chancery |
| Trustees, Ex Parte under power contained | : | In the Circuit Court for |
| in Deed of Trust from Stanley T. McCready | : | Somerset County, Maryland |
| and Mary S. McCready, his wife, and Hattie F. | : | |
| McCready | : | |

Ordered by the Circuit Court for Somerset County, in Equity, this 4th day of October, in the year nineteen hundred and sixty-six, that the sale of the real estate mentioned in these proceedings made and reported by Edgar A. Jones and Alexander G. Jones, Trustees mentioned in said deed of trust, 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.

E. McMaster Dryden
Judge

# ORDER NISI

No. 8337 Chancery

In the Circuit Court for Somerset County, Maryland
Edgar A. Jones and Alexander G. Jones, Trustees, Ex Parte under power contained In Deed of Trust from Stanley T. McCready and Mary S. McCready, his wife, and Hattie F. McCready.

Ordered this 31st day of August, in the year nineteen hundred and sixty-six, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Edgar A. Jones and Alexander G. Jones, Trustees named in the above deed of trust, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of October, 1966, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 30th day of September, 1966.

The report states the amount of sales to be $7,225.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court for Somerset County, Maryland
True Copy,
Test: I. Theodore Phoebus, Clk.
14-4tc

FILED
OCT 4 2 29 PM '66

PRINCESS ANNE, MD. October 3 1966

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said order

Dates Inserted: Sept 1, 8, 15, 1966

Florence L. Byrd
Business Manager MARYLANDER and HERALD

MAY 26 1967

| | | |
|---|---|---|
| Eldridge France<br>Deal Island, Somerset County,<br>Maryland | : | No. 8013 Chancery Docket |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Henry E. White<br>Deal Island, Somerset County,<br>Maryland | : | |
| | : | |
| | : | |

.. .. .. .. .. .. .. ..

To the Clerk of the Circuit Court for Somerset County.

Mr. Clerk:

Please docket the within Bill of Complaint, enter the appearance of Jones & Jones for the Complainant and issue subpoena for Henry E. White, Respondent, Deal Island, Maryland.

JONES & JONES

By _____
Attorneys for Complainant

COMPLAINANT:

Eldridge France
Deal Island, Somerset County,
Maryland

PLAINTIFFS' ATTORNEYS:

Jones & Jones
Main Street
Princess Anne, Maryland
Telephone: Princess Anne 161

RESPONDENT:

Henry E. White
Deal Island, Somerset County,
Maryland

| | | |
|---|---|---|
| Eldridge France<br>Deal Island, Somerset County,<br>Maryland | : | No. 8013 Chancery Docket |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Henry E. White<br>Deal Island, Somerset County,<br>Maryland | : | |

.. .. .. .. .. .. ..

BILL FOR DISSOLUTION OF A PARTNERSHIP AND FOR AN ACCOUNTING

To the Honorable, the Judge of said Court:

Eldridge France, by Jones & Jones, his Attorneys, respectfully represents:

1. That in May, 1963 the complainant Eldridge France and the defendant, Henry E. White agreed to form a partnership and did form a partnership for the purpose of establishing and operating a marina and all appurtenances incident thereto for financial profit.

2. That it was agreed by the parties hereto that the defendant would provide the real estate and the necessary funds to instruct and establish said marina and all facilities incident thereto including a canteen and that the complainant would supervise the construction, installation and operation of said facilities, the profits therefrom to be shared on an equal basis.

3. That in pursuance of such partnership agreement the defendant provided two (2) certain tracts of land owned by him adjoining the Deal Island harbor, said tracts or parcels of land in Tangier Election District, having been conveyed to the defendant, Henry E. White by the following deeds: (1) Deed dated September 25, 1958, recorded among the Land Records of Somerset County, G.J.B. 188, folio 569 from Eldon J. Willing et ux; (2) Deed dated July 5, 1951, recorded among the Land Records of Somerset County, Liber B.L.B. 154, folio 535 from Samuel B. White et ux, and construction of the facilities was commenced, included but not limited to dredging operations and the installation of piling, piers, slips, and other appurtenances. Independent contractors were employed and other laborers were employed who were reimbursed by the defendant and the work was supervised and participated in by the complainant who also provided certain necessary equipment all without compensation to the complainant.

The complainant negotiated the purchase of a building and arranged for its removal to the site of the marina and supervised and assisted in its renovation.

On or about September 13th, 1963, the defendant informed the complainant that he no longer wished to make further financial investment and requested the complainant to contribute financially to further improvements, whereupon the complainant purchased from his personal funds the necessary fixtures, plumbing, sinks, coolers, bar, chairs, floor tile, heating plant and other items to equip the aforesaid building as a canteen and in order to further the purpose of the partnership. The complainant at his personal cost and expense obtained the necessary Beer License, Traders License, Sales Tax number and other permits required by law for the operation of the marina and canteen and throughout the entire period of time referred to contribute his time and labor without compensation in the furtherance of the purpose of the partnership.

4. That in September, 1963, it became obvious that more area and facilities were needed for the profitable operation of the marina and the defendant agreed to enter a contract with an independant contractor for further dredging operations, the complainant France agreeing to be responsible for the sum of one thousand dollars, ($1,000.00) of this cost. That despite the fact that the complainant has in good faith and without compensation has fully complied with the terms of the partnership agreement on his part, the defendant has failed to abide by the terms of said agreement, thereby jeopardizing the entire agreement; specifically by the following acts: By his refusal to equip the canteen for the purpose for which it was intended, resulting in the performance of the defendants obligation by the complainant; by his refusal to make further improvements in the marina, by his violent and unlawful interference in the operation of the canteen including a disturbance involving gunfire by the defendant; exposing patrons and an employee of the canteen to physical danger; by his refusal to discuss the partnership and its problems with the complainant or his attorneys; by his refusal to abide by his promises, agreement and obligations to further the purposes of the partnership, thereby jeopardizing the operation of the marina and the complainants investment of time, labor and money in the partnership.

5. That as a result of the conditions set forth above, the complainant is in the position of having advanced in good faith his time, skills, labor, equipment, and personal funds without reimbursement or recoupment and without hope of reimbursement or recoupment, withput legal action, due solely to the failure of the defendant to abide by his promises, agreements and obligations.

That the monetary value of the complainants financial investment is as follows:

| | |
|---|---|
| To funds advanced for purchase of fixtures, etc. for canteen | $3138.44 |
| To purchase of Stock | 750.00 |
| To personal labor and supervisory services from May 15th, to September 15, 1963 | 1800.00 |
| Use of boat and pumping rig | 800.00 |
| To supervision of marina and canteen from September15th, to February 29th, 1964 | 2400.00 |
| To purchase of additional equipment for canteen | 365.00 |
| To obligation to contractor for additional dredging | 1000.00 |
| | $10253.44 |

That as a result of the defendants refusal to discuss the partnership affairs with the complainant and because there is no adaquate remedy at law available to the complainant, this action is brought for a dissolution of the partnership known as "Eldridge France and Henry E. White, partners and trading as The Breakwater Marina", and for an accounting, and for such other relief as the court may deem just and proper.

Eldridge France
Eldridge France, Complainant

By: JONES & JONES

Attorneys for Complainant

# THE STATE OF MARYLAND

**Somerset County, to Wit:**

TO Henry E. White
Deal Island, Somerset County,
Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of April next, and ending fifteen days thereafter, cause your answer or other defense to be filed to the complaint of Eldridge France
Deal Island, Somerset County, Maryland
vs.
Henry E. White
Deal Island, Somerset County, Maryland
against you exhibited in the Circuit Court, for Somerset County.

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

Witness the Honorable W. Laird Henry, Jr., Chief Judge of the First Judicial Circuit of Maryland, the 2nd day of March Nineteen Hundred and Sixty-Four.

Issued the 5th day of March 19 64.

**TO THE DEFENDANT(S)**

**You are required to file your answer or other defense in the Clerk's Office, Princess Anne, Maryland, within fifteen days after the return day named in the above subpoena. Personal attendance in Corut on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.**

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE APRIL 21, 1964, The Plaintiff may Obtain a Decree Pro Confesso Against you.

Solicitor(s) for Complainant(s)

Name JONES & JONES

Address PRINCESS ANNE, MARYLAND

J. Theodore Phoebus
Clerk.

SHERIFF'S RETURN
"Summoned and copy of Subpoena, Titling, Bill of Complaint for Dissolution of a Partnership and for an accounting left with Defendant March 12, 1964".
Isaac H. Dorsey, Sheriff
Edwin B. Muir, Deputy

| | | |
|---|---|---|
| ELDRIDGE FRANCE<br>Complainant | : | No. 8013 Chancery |
| Vs. | : | In the Circuit Court for |
| HENRY E. WHITE<br>Defendant | : | Somerset County, Maryland |

**********

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Henry E. White, Defendant, to the Bill of Complaint of Eldridge France, in the above entitled cause against him exhibited, respectfully shows:

1. Answering the first paragraph of said Bill of Complaint, this Respondent denies that in May, 1963, or in fact at any other time, did the Complainant and the Respondent agree to or did form a partnership for the purpose of establishing and operating a marina and all appurtenances incident thereto for financial profit or for any other purpose whatsoever.

2. Answering the second paragraph of said Bill of Complaint, this Respondent denies the allegations thereof; answering said paragraph further, this Respondent says that the only arrangement he had with the Complainant was one of contemplated employment of the Complainant by the Respondent after the improvement of Respondent's real estate by the construction of a marina, the entire capital investment for which was supplied by the Respondent; that such contemplated employment of Complainant by the Respondent was to the effect that after the Respondent recovered his full capital investment that the Complainant would be employed at will by the Respondent to operate the marina and that as compensation for Complainant's services he would receive as salary an amount equal to one-half the net profits from operation; that no capital contribution was made to Respondent's enterprise by the Complainant nor was any requested.

3. Answering the third paragraph of said Bill of Complaint, the Respondent says that he denies the existence of any partnership agreement at any time but admits the ownership of the land by him as

LAW OFFICES
ROBINS & ROBINS
130 EAST MAIN STREET
SALISBURY, MD. 21801

therein alleged and also that he, the Respondent, constructed certain marina facilities as therein alleged through the medium of independent contractors and laborers employed for that purpose; the Respondent denies that such work was supervised and participated in by the Complainant except to a very limited extent and then not at the request of the Respondent but purely on a voluntary gratuitous basis on the part of the Complainant in that Respondent operated a crab shanty near the marina and on occasion he would go over to the marina and voluntarily supervise minor construction such as walk ways and the driving of stakes therefor but the overall construction of the marina was supervised exclusively by the Respondent.

The Respondent denies that the Complainant negotiated the purchase of a building and arranged for its removal to the site of the marina but on the contrary the Respondent says that he was the sole purchaser of said building which was appropriated by the Complainant as his own property and proceeded to convert it to his own use, obtained a beer license in his individual name, obtained a trader's license in his individual name and operated an oil and gas business on Respondent's sole and separate property for his own personal account; that in connection with his unwarranted and unauthorized use of Respondent's real estate the Complainant did acquire certain used equipment such as tables and chairs for the said canteen and kept all income from said canteen as his own sole and separate property with no payment of rent whatsoever to the Respondent; that whatever the Complainant purchased as aforesaid and whatever he did in the way of personal service and supervision was for the Complainant's own account in furtherance of his own selfish interests and not in pursuance of any partnership agreement as alleged; the respondent admits that on or about September 13, 1963, the Respondent informed the Complainant that he would make no further financial investment for any improvements but denies requesting the Complainant to do so; that whatever the Complainant did in the way of purchasing personal

LAW OFFICES
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130 EAST MAIN STREET
SALISBURY, MD. 21801

property, permits and licenses in connection with his operation of the canteen as aforesaid was without sanction and authority from the Respondent and was for Complainant"s own account as hereinbefore stated and the Respondent denies that any partnership existed as in said paragraph alleged.

4. Answering the fourth paragraph of said Bill of Complaint, the Respondent denies that the Complainant agreed to or did become responsible to the extent of ONE THOUSAND DOLLARS ($1,000.00) of cost of dredging operations relating to the marina and further denies that the Complainant has any financial interest therein whatsoever; that the Respondent again denies the existence now or heretofore of any partnership agreement as alleged and further denies the existence of good faith on the part of the Complainant as alleged; the Respondent denies the allegations of the remainder of paragraph fourth and furthermore states that they are irrelevant, immaterial, trivial and inconsequential particularly in view of the fact that no partnership has ever existed as alleged or otherwise between the Complainant and the Respondent.

5. Answering the fifth paragraph of said Bill of Complaint, the Respondent denies that any position in which the Complainant finds himself is due to any fault or failure on the part of the Respondent and he denies further that he is bound to the Complainant by any promises, agreements or obligations other than an arrangement of contemplated employment at will as set forth in foregoing paragraph (2) of this Answer; the Respondent says that he is without knowledge as to the alleged financial investment of the Complainant or as to the purposes of such alleged investment and therefore requires strict proof thereof.

The Respondent again denies the existence now or heretofore of any partnership as alleged and denies that there is no adequate remedy at law available to the Complainant but on the contrary alleges

LAW OFFICES
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130 EAST MAIN STREET
SALISBURY, MD. 21801

that in the absence of a partnership as alleged the Complainant's sole remedy for the wrongs alleged is not in equity but in a Court of Law; that there is not now and never was a partnership known as "Eldridge France and Henry E. White, partners and trading as The Breakwater Marina" although the respondent is advised that by means of subterfuges the Complainant has attempted to create an impression that such a partnership exists.

Answering said Bill of Complaint further the Respondent denies that Complainant has any financial investment or interest in the said real estate of Respondent but on the contrary Respondent says that his interest in said marina real estate is to the extent of $35,000.00 representing the value of the land and approximately $24,500.00 invested for improvements to the marina.

To the end that said Bill of Complaint may be hence dismissed with proper costs to this Respondent.

And as in duty bound,

Henry E. White
Respondent

ROBINS & ROBINS

By: Harry F. Robins
Solicitors for Respondent
130 East Main Street
Salisbury, Maryland

I HEREBY CERTIFY that a copy of the foregoing Answer was mailed by First Class United States Mail, postage prepaid, to Jones & Jones, attorneys, Princess Anne, Maryland, solicitors for the Complainant, this 17th day of April, 1964.

Harry F. Robins
One of Solicitors for Respondent



LAW OFFICES
ROBINS & ROBINS
130 EAST MAIN STREET
SALISBURY, MD. 21801

LIBER 041 PAGE 550

| | | |
|---|---|---|
| ELDRIDGE FRANCE | : | No. 8013 Chancery Docket |
| Vs. | : | In the Circuit Court for |
| HENRY E. WHITE | : | Somerset County, Maryland |

**********

MR. CLERK:

Please strike out the appearance of Robins & Robins as Solicitors for the Defendant in the above entitled cause.

ROBINS & ROBINS

By: John B. Robins

LAW OFFICES
ROBINS & ROBINS
130 EAST MAIN STREET
SALISBURY, MD. 21801

| | | |
|---|---|---|
| ELDRIDGE FRANCE | : | No. 8013 Chancery Docket. |
| | : | |
| -VS- | | In the Circuit Court for |
| | : | |
| HENRY E. WHITE | : | Somerset County, Maryland. |

**********

CERTIFICATE OF ATTORNEY

I HEREBY CERTIFY that on June 8th, 1964, I sent to Henry E. White at Deal Island, Maryland, by first class mail, postage prepaid, a written notice of my intention to file a motion for leave to withdraw my appearance from the above entitled case and advising him to have counsel enter an appearance for him; and I hereby certify that a copy of this certificate and a copy of the motion to strike my appearance was mailed to Jones and Jones, Attorneys at Law, Princess Anne, Maryland, by first class mail, postage prepaid.

ROBINS AND ROBINS

By: _____
Stanley G. Robins



LAW OFFICES
ROBINS & ROBINS
130 EAST MAIN STREET
SALISBURY, MD. 21801

LIBER 641 PAGE 552

| | | |
|---|---|---|
| ELDRIDGE FRANCE | : | No. 8013 Chancery Docket. |
| | : | |
| -VS- | | In the Circuit Court for |
| | : | |
| HENRY E. WHITE | : | Somerset County, Maryland. |

**********

ORDER OF COURT

The motion of Robins and Robins, Attorneys, having been read and considered, it is, this 23 day of June, A.D., 1964, ORDERED that the leave to withdraw appearance requested in said motion be and it is hereby granted, and the Clerk of the Court is hereby directed to place the Defendant under rule to employ new counsel within 30 days from the date hereof.

Dated:_____

E. McMaster Dunn.
JUDGE

LAW OFFICES
ROBINS & ROBINS
130 EAST MAIN STREET
SALISBURY, MD. 21801

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery |
| vs. | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

.....

TO: HENRY E. WHITE, Deal Island, Somerset County, Maryland

TAKE NOTICE THAT THE APPEARANCE OF YOUR SOLICITORS, ROBINS AND ROBINS, HAS BEEN STRICKEN OUT, AND YOU ARE HEREBY LAID UNDER RULE BY THE CIRCUIT COURT FOR SOMERSET COUNTY, IN THE ABOVE ENTITLED SUIT, TO EMPLOY NEW COUNSEL BY JULY 23, 1964.

IN DEFAULT THEREOF YOU MAY HAVE A DECREE PRO CONFESSO RENDERED AGAINST YOU IN SAID SUIT.

J. Theodore Gaeline
Clerk of the Circuit Court
for Somerset County, Maryland

Sheriff's Return

"Served and copy hereof left with defendant, Henry E. White, June 25, 1964".

/s/ Isaa c H. Dorsey, Sheriff
Edwin B. Muir, Deputy

| | | |
|---|---|---|
| ELDRIDGE FRANCE<br>Deal Island<br>Maryland | *<br>*<br>* | No. 8013 Chancery Docket<br>In the Circuit Court |
| vs | *<br>* | For Somerset County, |
| HENRY E. WHITE<br>Deal Island<br>Maryland | *<br>*<br>* | State of Maryland |

*****

INTERROGATORIES

To: Eldridge France, Plaintiff

By: Henry E. White, Defendant

You are hereby requested to answer the following interrogatories:

a. These Interrogatories are continuing in character, so as to require you to file supplementary answers if you obtain further or different information before trial.

b. Where the name or identity of a person is requested, please state full name, home address, and also business address, if known.

c. Unless otherwise indicated, these Interrogatories refer to the time, place and circumstances of the occurrence mentioned or complained of in the pleadings.

d. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives and, unless privileged, his attorneys. When answer is made by a corporate defendant, state the name, address and title of the person supplying the information, and making the affidavit, and the source of his information.

e. The pronoun "you" refers to the party to whom these Interrogatories are addressed, and the persons mentioned in clause (d).

1. Describe in detail all facts, circumstances, conversations, or writings, upon which you base your contention that an agreement to form a partnership was entered into between you and the Respondent, specifying the dates, times, and places when and where such transpired.

2. Furnish a copy of any and all writings or other documents which you contend to be evidence of an agreement to form a partnership or the formation of a partnership between you and the Respondent.

3. Name all persons who are a witness to any of the conversations, agreements, or circumstances described in answer to Interrogatory No. 1, specifying the portion to which they are witnesses.

4. Describe in detail the negotiations for the purchase of a building and the arrangements for its removal to the Marina premises and its renovation, specifying the persons with whom you dealt and when and where such dealing took place.

5. Itemize all purchases made by you relating to the Marina premises, specifying the items purchased, date of purchase, costs, and name and address of Sellers.

6. Describe any evidence of such purchases which you have in your possession, such as receipts or cancelled checks.

7. Itemize all other outlays of moneys by you relating to the Marina premises and the names and addresses of persons to whom paid, and describe any evidence of such payments which you have in your possession.

8. Describe in detail all time, skills, labor, and equipment advanced by you relating to the Marina premises, specifying dates and amount of hours of such advancements.

9. Describe in detail all business operations conducted by you on the premises, and itemize, by months, the gross receipts from all such operations.

10. Name all persons employed by you in connection with any business operations conducted by you on the premises, stating the dates when so employed and the amounts paid by you to them.

11. List all bank accounts maintained by you relating to any operations conducted by you on the premises, stating, by month, the amount of deposits in such accounts and the present balance of such accounts.



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12. List all other banks where you have maintained accounts since May, 1963, and indicate the names in which such accounts were maintained.

13. Describe the bookkeeping maintained by you relating to all operations conducted by you on the premises and give the names and addresses of any persons who have participated in such bookkeeping or made audits or inspections thereof, and state where such books or records are regularly kept.

14. List all licenses, permits or tax numbers obtained by you relating to any operations on the premises, specifying the number and costs thereof, and the name and/or trade name in which such are issued.

15. List all accounts receivable or other credits due you by reason of any and all operations conducted by you on the premises, stating the names and addresses of persons involved and the amounts of such accounts or credits.

16. Describe all of your employment or gainful endeavor pursued by you, not in connection with the premises here involved, from May, 1963 to the present date, specifying the dates and places of such employment or endeavor, the hours and days involved in such employment or endeavor, the total amount of wages or income received by you arising from such employment or endeavor and the names and addresses of any persons who so employed you during such period.

17. State the amount reported as earned income in your income tax return for the year 1963, and the District in which such return was filed.

18. Name all persons who witnessed the conversations between you and the Respondent, material to your claim, indicating the time, place and general effect of such conversations witnessed by each such witness named.

19. Name any person, not heretofore mentioned, having personal knowledge of any facts material to this case, and briefly describe the facts of which they have knowledge.

20. Itemize any payments made by you to the Respondent in relation to the premises here involved or any operations conducted thereon.

Harry T. Phoebus, Jr.
Harry T. Phoebus, Jr.
Attorney for Respondent
Crisfield, Maryland
Crisfield 750

I hereby certify that I mailed a copy of the aforegoing Interrogatories to Jones & Jones, Attorneys, Princess Anne, Maryland, Attorneys for Complainant, this 20th day of July, 1964.

Harry T. Phoebus, Jr.
Attorney for Respondent

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| | | |
|---|---|---|
| ELDRIDGE FRANCE<br>Deal Island, Somerset County,<br>Maryland | *<br>*<br>*<br>* | No. 8013 Chancery Docket<br><br>In the Circuit Court |
| vs | *<br>* | For Somerset County, |
| HENRY B. WHITE<br>Deal Island, Somerset County,<br>Maryland | *<br>*<br>*<br>*<br>* | State of Maryland |

*****

ORDER TO ENTER APPEARANCE

MR. CLERK:

Please enter the appearance of Harry T. Phoebus, Jr. as Solicitor for Henry B. White, Respondent, in the above-entitled cause.

Harry T. Phoebus, Jr.
Crisfield, Maryland
Crisfield 750

I hereby certify that I mailed a copy of the aforegoing Order to Enter Appearance to Jones & Jones, Attorneys, Princess Anne, Maryland, Solicitors for Complainant, this 20th day of July, 1964.

Harry T. Phoebus, Jr.

| | | |
|---|---|---|
| Eldridge France<br>Deal Island, Maryland | : | No. 8013 Chancery Docket |
| vs | : | In the Circuit Court for |
| Henry E. White<br>Deal Island, Maryland | : | Somerset County, Maryland |

COMPLAINANT'S ANSWERS TO INTERROGATORIES

1. In April and May of 1963 the complainant and the defendant had several conversations relating to the establishment of a marina on the Deal Island Thorofare. The respondent suggested the partnership, and agreed to put up the land and capital; the complainant was to supervise the construction and operation and to be the proprietor, profits were to be shared on a fifty-fifty basis. During the following months both complainant and respondent had contacts with various parties relating to the establishment, construction and operation of the marina in which they held themselves out to be partners. The complainant is unable to specify the precise dates and times but most of the circumstances occurred in or around the marina site or in neighboring communities.

2. The complainant has no knowledge of any written document which would be evidence per se of an agreement to form a partnership.

3. The following named persons were witnesses to or participants in discussions or negotiations concerning the establishment, construction and operation of the marina in which the parties hereto held themselves out to be partners: Ronald White, Dames Quarter, Maryland, and Betty France, Deal Island, Maryland, as to the original discussions between Eldridge France and Henry E. White as well as later conversations; Robert Pollitt, Walter Powell and Hollis Riggin, all of Princess Anne, Maryland, Mitchell Bonneville, Marion Station, Maryland, James Steward, Delmar Maryland, Elton Wright and Paul Wright, Chance, Maryland, Roger Abbott, Deal Island, Maryland, Sigsby Noble, Oriole, Maryland, an unknown official of the Corps of Engineers, Baltimore, Maryland, Russell Parker, Salisbury, Maryland, Joseph Hastings and Paul Riley, Delmar, Maryland, Thomas Simpkins, attorney, Princess Anne, Maryland, George Crowell, Deal Island, Maryland, Frank Shebby, Edgewater, Maryland, Gus White, Venton, Maryland, Austin Jones, Chance, Maryland, and Otis White, Dames Quarter, Maryland.

The above named persons were contractors for or employees of the complainant and respondent operating as the Breakwater Marine from the period of May 1963 to October 1963.

4. On or about June 20, 1963 the complainant negotiated with Mattie Muir, owner, Oriole, Maryland, and Sigsby Noble, Oriole, Maryland, for the purchase of the building known as the Oriole Post Office. Eldridge France represented the Marina and Henry White who paid the purchase price of $500.00. In June 1963 Eldridge France negotiated with Mitchell W. Bonneville, General Contractor, of Marion Station, Maryland, for the removal of the building, providing a fill and grading for the site, which said work was done from July 1, 1963 to July 8, 1963 at a total price of $1195.50. The Bonneville bill was presented to Mr. France and paid by Mr. White.

5.

| Item | Date | Seller | Cost |
|---|---|---|---|
| a. Pepsi cooler | July 16, 1963 | Pepsi Cola Co. | $20.00 |
| b. Plumbing supplies | Sept. 22, 1963 | Speakman Co. | 132.16 |
| c. Beer | Sept. 1963 | William Givans | 70.88 |
| d. Furniture and fixtures | Sept. 17, 1963 | Robert Kirk | 433.85 |
| e. Advertising calendars | October 1963 | Myers Manufacturing Co. | 23.50 |
| f. Building material | Oct. 23, 1963 | Community Builders | 14.11 |
| g. Plumbing | July 26, 1963 | Theodore Tarleton | 52.02 |
| h. Plumbing | Oct. 6, 1963 | Theodore Tarleton | 57.50 |
| i. Truck parts | October 1963 | Wharton & Barnard | 14.42 |
| j. Furnace | Oct. 14, 1963 | Speakman Co. | 457.99 |
| k. Furniture | Sept. 16, 20 Oct. 3, 4 & 19, 1963 | Eastern Shore Equip. Co. | 283.25 |
| l. Miscellaneous supplies | Sept. 18, 19 Oct. 22, 1963 | Sears Roebuck & Co. | 20.71 |
| m. Marine hardware | Oct. 31, 1963 | Anderson Marine | 22.04 |
| n. Marine hardware | Nov. 1963 | Anderson Marine | 4.18 |
| o. Kitchen equipment | Jan. 24, 1964 | Sam Graham, Sheriff | 365.00 |
| p. Hardware | Nov. 12, 1963 | Warwick's | 4.30 |
| q. Advertising | Aug. 12, 1963 | Chance Lions Club | 12.50 |
| r. Electric inspection | Sept. 1963 | E. S. P. S. | 21.00 |

| Item | Date | Seller | Cost |
|---|---|---|---|
| s. Plumbing | Nov. 8, 1963 | Theodore Tarleton | $22.00 |
| t. Electric supplies | Aug. 28, 1963 | Artcraft Electric | 110.98 |
| u. Oyster crackers | Oct. 23, 1963 | Keebler Co. | 3.07 |
| v. Electric & plumbing | Oct. 11, 1963 | Theodore Tarleton | 57.50 |
| w. Beer | Sept. 14 to Oct. 6, 1963 | Henry E. Morris | 147.75 |
| x. Beer | Sept. 20 to Oct. 14, 1963 | W. R. Pease Dist., Inc, | 361.00 |
| y. Beer | Sept. 20, to Oct. 14, 1963 | Wyatt Wholesale Co. | 80.80 |
| z. Beer | Sept. 18 to Oct. 11, 1963 | Ed Williams | 181.00 |
| ai. Tobacco | Oct. 3, 1963 | H. S. Todd Co. | 6.47 |
| bi. Hardware supplies | May 11, 1963 | Anderson Marine | 15.79 |
| ci. Temporary inspection | May 11, 1963 | E. S. P. S. | 4.00 |
| di. Electricity | May 11, 1963 | Theodore Tarleton | 11.00 |
| ei. Plumbing parts | Aug. 10, 1963 | McGee Hardware | 9.29 |
| | | | $3,020.06 |

6. The complainant can substantiate the answers to number 5 above by receipts or canceled checks.

| 7. | Outlay | To Whom | Amount |
|---|---|---|---|
| a. | Labor | Paul Riley | $42.50 |
| b. | Freight | James Steward | 14.00 |
| c. | Piling | C. & P. Telephone Co. | 50.00 |
| d. | Piling | Elbert Gladden | 30.00 |
| e. | Labor | Bennie Bozman | 16.00 |
| f. | Labor | Bennie Bozman | 55.00 |
| g. | Beer license adv. | Clerk of Court | 12.00 |
| h. | Piling | Robert Pollitt | 150.00 |
| i. | Piling | Hollis Riggin | 133.73 |
| j. | Labor | Ernest Coulbourne, Otis White and Ronald White | 221.50 |
| k. | Loans to Breakwater Marina from complainant's personal resources | | 1,555.43 |
| | | | $2,280.16 |

8. The complainant did from May 15, 1963 to September 15, 1963 personally

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supervise the construction and operation of the Marina and canteen without compensation. His services are valued at $100.00 per week or $1800.00. The complainant provided and operated a boat and pumping rig for the installation of the marina facilities from May 1963 to September 1963, placing hundreds of piling. The fair value of the use of this equipment computed at $40.00 a week for 20 weeks or $800.00. The complainant has personally supervised the operation of the marina and canteen from September 15, 1963 to date. The value of those services as of August 31, 1964 is computed at $150.00 per week for 50 weeks or $7500.00. In addition the complainant's wife, Betty France, was employed at the canteen from January 1, 1964 to date. Her services through August 31, 1964 are valuedat $50.00 per week for 39 weeks or $1950.00.

9. The Marine business consists of renting harbor mooring, service to boat customers, sale of fuel and boating supplies, and the sale of beer, food and beverages and miscellaneous items at the canteen. The gross receipts are as follows:

| | |
|---|---|
| September 15 to September 30, 1963 | $940.82 |
| October 1963 | 1,947.02 |
| November 1963 | 1,683.42 |
| December 1963 | 1,286.39 |
| January 1964 | 1,646.55 |
| February 1964 | 806.33 |
| March 1964 | 1,088.95 |
| April 1964 | 802.31 |
| May 1964 | 1,114.44 |
| June 1964 | 2,038.29 |
| July 1964 | 2,755.22 |
| August 1964 | 3,440.75 |

10.

| Name | Date | Amount |
|---|---|---|
| Stanford Harrison, Jr. | January 15 to January 25, 1964 | $96.40 |
| Stanford Harrison, Jr. | January 26 to February 1, 1964 | 30.00 |
| Pauline Taylor Webster | January 15 to January 25, 1964 | 96.36 |
| Pauline Taylor Webster | January 26 to February 1, 1964 | 25.00 |

11. The only bank account is in the name of Henry White and Eldridge France, trading as Breakwater Marina, Bank of Somerset, Princess Anne, Maryland. Deposits are as follows:

| | |
|---|---|
| September 15 to September 30, 1963 | $940.82 |
| October 1963 | 1,946.02 |
| November 1963 | 1,405.75 |
| December 1963 | 3,001.56 |
| January 1964 | 1,646.55 |
| February 1964 | 806.33 |
| March 1964 | 1,088.95 |
| April 1964 | 802.31 |
| May 1964 | 1,114.44 |
| June 1964 | 2,038.29 |
| July 1964 | 2,755.22 |
| August 1964 | 2,755.34 |

Balance as of August 31, 1964 $438.07.

12. None

13. The Marina is on an accrual accounting system which is audited monthly by the accounting firm of Harold R. White Company, Salisbury, Maryland. Books and records are regularly kept at the Marina, Chance, Maryland.

14.

| Number | Cost | Type | Name |
|---|---|---|---|
| 20B3 | $50.00 | Class B Beer License | Eldridge France, trading as Breakwater Marina |
| 40545 | 16.00 | Trader's license | " |
| A48926 | No charge | Retail tax license | " |
| 41553 | 25.00 | Cigarette license | " |
| 41516 | 11.00 | Juke box license | " |
| 4155246 | 250.00 | Gaming stamp | " |

15. Public Seafood Company owes Breakwater Marina $524.32

16. The complainant refuses to answer this interrogatory as it is irrevalent and immaterial to this proceeding.

17. The complainant refuses to answer this interrogatory as it is irrevalent and immaterial to this proceeding.

18. See answer to number 3 above.

19. None known at the present time.

20. The complainant paid $81.33 to the respondent on September 9, 1963 and $110.36 on December 6, 1963 in payment of the gasoline inventory which was thereafter sold and credited to the Marina account.

Eldridge France

Eldridge France

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 8th day of October, 1964, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Eldridge France and made oath in due form of law that the matters and facts contained in the aforegoing Complainant's Answers to Interrogatories are true and correct to the best of his knowledge, information and belief.

As witness my hand and Notarial Seal.

ELSIE M. KOCH
NOTARY PUBLIC
SOMERSET COUNTY, MD.

Elsie M. Koch

Notary Public

I hereby certify, that on this 8th day of October, in the year nineteen hundred and sixty-four, a copy of the aforegoing Complainant's Answers to Interrogatories was mailed by regular U. S. Mail, postage prepaid, to Harry T. Phoebus, Jr., Crisfield, Maryland, Attorney for Respondent.

| | | |
|---|---|---|
| Eldridge France<br>Deal Island, Maryland | : | No. 8013 Chancery Docket |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Henry E. White<br>Deal Island, Maryland | : | |

PLAINTIFF'S INTERROGATORIES

To: Henry E. White, Defendant

By: Eldridge France, Plaintiff

You are hereby requested to answer the following interrogatories:

a. These interrogatories are continuing in character, so as to require you to file supplementary answers if you obtain further or different information before trial.

b. Where the name or identity of a person is requested, please state full name, home address, and also business address, if known.

c. Unless otherwise indicated, these interrogatories refer to the time, place and circumstances of the occurrence mentioned or complained of in the pleadings.

d. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives and, unless privileged, his attorneys. When answer is made by a corporate defendant, state the name, address and title of the person supplying the information, and making the affidavit, and the source of his information.

e. The pronoun "you" refers to the party to whom these interrogatories are addressed, and the persons mentioned in clause (d).

1. Describe in detail all facts, circumstances, conversations, or writings, upon which you base your contention that "the only arrangement" that defendant had with the complainant was one of "contemplated employment", specifying the dates, times, and places when and where such transpired.

2. Furnish a copy of any and all writings or other documents which you contend to be evidence of an arrangement of contemplated employment of the complainant by the respondent.

3. Name all persons who are a witness to any of the conversations, agreements, or circumstances described in answer to Interrogatory No. 1, specifying the portion to which they are witnesses.

4. Described in detail the negotiations for the purchase of a building and the arrangements for its removal to the Marina premises and its renovation, specifying the persons with whom you dealt and when and where such dealing took place.

5. Itemize all purchases made by you relating to the Marina premises, specifying the items purchased, date of purchase, costs, and name and address of Sellers.

6. Describe any evidence of such purchases which you have in your possession, such as receipts or cancelled checks.

7. Itemize all other outlays of moneys by you relating to the Marina premises and the names and addresses of persons to whom paid, and describe any evidence of such payments which you have in your possession.

8. Describe in detail all time, skills, labor, and equipment advanced by you relating to the Marina premises, specifying dates and amount of hours of such advancements.

9. Describe in detail all business operations conducted by you on the premises, and itemize, by months, the gross receipts from all such operations.

10. Name all persons employed by you in connection with any business operations conducted by you on the premises, stating the dates when so employed and the amounts paid by you to them.

11. List all bank accounts maintained by you relating to any operations conducted by you on the premises, stating, by month, the amount of deposits in such accounts and the present balance of such accounts.

12. List all other banks where you have maintained accounts since May, 1963, and indicate the names in which such accounts were maintained.

13. Describe the bookkeeping maintained by you relating to all operations conducted by you on the premises and give the names and addresses of any persons who have participated in such bookkeeping or made audits or inspections thereof, and state where such books or records are regularly kept.

14. List all licenses, permits or tax numbers obtained by you relating to any operations on the premises, specifying the number and costs thereof, and the name and/or trade name in which such are issued.

15. List all accounts receivable or other credits due you by reason of any and all operations conducted by you on the premises, stating the names and addresses of persons involved and the amounts of such accounts or credits.

16. State the details of an occurrence involving Thomas Harrison and you which took place in the canteen located on the Marina site during the month of October, 1963.

17. State what moneys, if any, defendant has received arising out of the operation of the Marina including, but not limited to, receipts for sales of fuel and boat slip rentals.

18. State what disposition was made of any income received as set forth in Interrogatory No. 17.

19. State the source of title to the real estate now used as the Marina site, indicating the date acquired and the purchase price paid by the defendant.

20. Describe any evidence of such purchase price as set forth in Interrogatory No. 19 which you have in your possession such as receipts or cancelled checks.

21. Itemize and describe any financial records, payroll records, time records and bookkeeping records maintained by or for the defendant relating to the Marina and state the names and addresses of any persons who have participated in the keeping of such records, stating where such records are regularly kept.

22. State as accurately as possible, specifying dates, the times when defendant has visited the premises during the past year.

JONES & JONES

By

Attorneys for Plaintiff

I hereby certify that I mailed a copy of the aforegoing Plaintiff's Interrogatories to Harry T. Phoebus, Jr., Crisfield, Maryland, Attorney for Defendant, this 19th day of November, 1964.

Alexander G. Jones
Of Attorneys for Plaintiff

| | | |
|---|---|---|
| Eldridge France<br>Deal Island, Maryland | : | No. 8013 Chancery Docket |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Henry E. White<br>Deal Island, Maryland | : | |

Mr. Clerk:

Please issue a writ of subpoena directed to the following named person to testify on behalf of the plaintiff in the above entitled proceeding in the Circuit Court for Somerset County, Princess Anne, Maryland, on Monday, January 11, 1965, at 10:00 o'clock A. M.:

Harold R. White, Jr.
218 Hall Drive
Salisbury, Maryland

JONES & JONES

By _____
Attorneys for Plaintiff

WITNESS

No. 8013 Chancery Docket

Circuit Court for ~~Somerset County, Md.~~ Wicomico
To the Sheriff of ~~Somerset~~ Wicomico County,
Greeting:
You are hereby commanded to summon
Harold R. White, Jr.
218 Hall Drive
Salisbury, Maryland

SHERIFF'S RETURN
"Summoned 1/8/65. Dep. D. S. Nouham"

to appear before the Circuit Court for Somerset County on Mon. the 11th day of January 1965 at 10:00 A.M. to testify the truth of his knowledge in ~~the~~ behalf of Eldridge France vs. Henry E. White
Hereof fail not at your peril and have you then and there this writ.
Witness the Honorable ~~W. Lane Duer~~ E. McMaster ~~Henry, Jr.~~, Chief Judge of the First Judicial Circuit of Maryland, the 28th day of Sep 1964.
Issued the 6th day of Jan. 1965.
Clerk

Jones & Jones Plaintiff's Attorneys

| | | |
|---|---|---|
| ELDRIDGE FRANCE<br>Deal Island<br>Maryland | *<br>*<br>* | No. 8013 Chancery Docket<br><br>In the Circuit Court |
| vs | *<br>*<br>* | For Somerset County, |
| HENRY E. WHITE<br>Deal Island<br>Maryland | *<br>*<br>*<br>*<br>***** | State of Maryland |

RESPONDENT'S ANSWERS TO INTERROGATORIES

TO: ELDRIDGE FRANCE, Plaintiff

BY: HENRY E. WHITE, Defendant

Henry E. White, Respondent, answers the interrogatories propounded herein as follows:

1. The defendant and complainant had several conversations over the period of about a month previous to May 10, 1963, generally relating to the possibility of improving the defendant's property, in question in this case, by a Marina. The final conversation, leading to the commencement of work, was to the effect that the complainant and defendant would participate in the placing of 25 slips at the defendant's property, with the dredging and piling and likewise involved. In this conversation, the parties worked on figures of approximately $2,000 or $3,000 in order to do the work, although eventually the cost was substantially greater. The effect of the conversations was that the plaintiff would contribute all of his time to the supervision of the work and the operation of the Marina when established, even sleeping on the premises, completely without salary, until all original investment on the part of the defendant was repaid. From the time that the full investment of the

full investment of the defendant was repaid to him, the plaintiff was then to share 50% of the profits for work that he had done and was to do for the business. The principal conversation in this regard took place at the crab house, then operated by the plaintiff on Deal Island, shortly before May 10, 1963.

2. There are no writings or other documents which would be evidence of such an agreement.

3. There are no witnesses to such conversations.

4. Sometime before June 19, 1963, the defendent went to Oriole when the contents of the old Post Office building and the building itself were sold at public auction. The building was purchased by Mattie Muir, widow of the owner, for approximately $1,600. Some days later, a young woman, who the defendant believes to be Mrs. Muir's daughter, contacted him regarding any interest he might have in the purchase of the building, and he told her that he no longer was interested. Thereafter, he was contacted by the man who was Mrs. Muir's brother, and who the defendant believes to be Sigsby Noble, regarding his interest. At that time, the defendant told Mr. Noble that he would give $500 for the building if Mrs. Muir would accept it, and the following day, Mr. Noble told the defendant that Mrs. Muir would accept it, and the defendant paid him $200 and gave him a check for the balance on the following day, when he was given a Bill of Sale. The defendant marked the location on the premises where he wanted the building put down, and instructed the plaintiff to make arrangements for moving the building from Oriole on to that location. The levelling of the land and the moving of the building was done by Mitchell Bonneville who was doing other bulldozing work for the defendant, and the defendant paid for such work. The defendant further had Bonneville put in fill dirt

on to the premises, constituting approximately 300 loads. The dealings with Mrs. Muir's daughter took place in my home on Deal Island; the dealings with Mr. Sigsby Noble took place at the plaintiff's crab house on Deal Island; the dealings with Mr. Bonneville took place on the premises.

5. The purchases made by me relating to the Marina premises are itemized on the attached sheets, marked "Answers to Interrogatory No. 5."

6. The defendant has receipts or cancelled checks relating to the purchases set forth above.

7. All of the moneys outlaid by me are set forth on the sheets referred to.

8. From the commencement of the enterprise, around May 10, 1963 until the building renovations were completed, around July 12, 1963, the defendant contributed daily supervision for the work being done on the premises, primarily the landscaping and filling, and the renovations of the building, and the dredging and pile driving. This work was advanced on a daily basis with the time varying from 2 to 6 hours per day.

9. The only receipts received by the defendant from any operations conducted on the premises are slip rentals, totaling $548.00, representing approximately the first 2 months of the operation. The defendant generally supervised the operations on the premises, but the above are the only receipts which he received.

10. The defendant did not employ any persons other than the above-described arrangement with the plaintiff in connection with the business operations on the premises.

11. The defendant did not maintain any bank account relating to operations conducted on the premises. The funds paid by the



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defendant, as indicated above, were all paid from his own personal account.

12. Bank of Somerset, Henry E. White.

13. The only bookkeeping maintained by me relating to the premises is comprised of the sheets attached relating to Interrogatory No. 5 describing the expenditures made by me, other than cards maintained on the boat rentals, totaling $548.00, described above. My sister, INDIA R. CROWELL, assisted in such bookkeeping, which books are kept by me at my residence.

14. None.

15. The accounts receivable from the operations on the premises would constitute information possessed by the plaintiff. There are no other accounts receivable or credits to me, other than the money owed to me by the plaintiff.

16. In going to the premises one night to see the plaintiff, I found he was not there, and I instructed Thomas Harrison, who was working as a bar tender, to close the place and for him and the other people in the place to get out. He refused and said that he was going to call the plaintiff. I told him not to do so, but he insisted upon doing it. I warned him that I would shoot the telephone if he persisted, and when he did persist, I shot the telephone wires, discommissioning the telephone.

17. The defendant has received $548.00 for boat slip rentals, and no other receipts other than that described above.

In addition to purchases for the establishment of the business in the nature of capital improvements, all described above, the defendant made purchases of gas and oil as follows: 7/9/63 - $578.65; 8/15/63 - $244.02; 10/30/63 - $526.99; Total - $1,348.67. Around October, the defendant turned over the gas ~~and~~ in the tanks to

the plaintiff, worth $191.69, which the plaintiff eventually ~~paid~~ "credited" to the defendant; in addition to such ~~payment~~ "credit", the defendant estimates his receipts from the sale of such gas and oil to be approximately $1,000.00. No particular record of such receipts was maintained.

18. The receipts from gas and oil, as well as the boat rentals, all were mingled in the personal funds of the defendant in the nature of reimbursements for expenditures by him for such gas and oil and reimbursement for capital expenditures, all described above.

19. The sources of title are as described in the plaintiff's bill. The total purchase price was $4,500.00.

20. None.

21. See Answer to Interrogatory No. 13 above.

22. None.

Henry E. White
HENRY E. WHITE

STATE OF MARYLAND, ~~Somerset~~ Worcester County, to wit:

I hereby certify that on this 7th day of January, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Henry E. White, and he made oath in due form of law that the matters and facts contained in the aforegoing Respondent's Answers to Interrogatories are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

P. WALTERS NOTARY PUBLIC

Henry P. Walters
NOTARY PUBLIC

I HEREBY CERTIFY that on this 16 day of January, 1965, a copy of the aforegoing Respondent's Answers to Interrogatories was mailed by regular U.S. mail, postage prepaid, to Alexander G. Jones, Esquire, Princess Anne, Maryland, Attorney for Plaintiff.

Harry T. Phoebus, Jr.
Attorney for Defendant

"ANSWERS TO INTERROGATORY NO. 5"

| | Page |
|---|---|
| Marine - Material | 4 |
| Marine - Labor | 5 |
| | 21 |
| Pei Lin Pooling B. J. Pilsbury | 35 |
| R. Dicneau, Sec | 50 |

5

Vouchers - Potendae, etc.

| | | | |
|---|---|---|---|
| [illegible] | [illegible] | 1 | 15000 |
| " 12 | Indiana Marine Drive | 2 | 1579 |
| " [illegible] | [illegible] | 3 | 62 |
| " 3 | Colorado | 4 | 600 |
| " 12 | [illegible] - [illegible] | 5 | 1500 |
| " | [illegible] | 6 | 6429 |
| 6 10 | [illegible] | 7 | 1300 |
| | [illegible] Pride | 8 | 50000 |
| " 10 | [illegible] - [illegible] | 9 | 5000 |
| " 21 | [illegible] | 10 | 1231 |
| | [illegible] | 11 | 13349 |
| " 10 | [illegible] - [illegible] | 12 | 30269 |
| 6 5 | [illegible] | 13 | 2500 |
| | [illegible] | 14 | 74817 |
| " 12 | [illegible] | 15 | 40105 |
| " | [illegible] | 16 | 5200 |
| " | [illegible] - [illegible] | 17 | 5202 |
| " | [illegible] - [illegible] | 18 | 6040 |
| " | [illegible] - [illegible] | 19 | 3573 |
| " | [illegible] Building | 20 | 9000 |
| " | [illegible] | 21 | 23607 |
| " | [illegible] Lake Lumber | 22 | 2150 |
| | [illegible] | 23 | 53 |
| | [illegible] | 24 | 87 |
| " | Indiana Marine Drive | 25 | 3446 |
| | [illegible] | 26 | 133[illegible] |
| | [illegible] | 27 | 150 |
| | [illegible] | 28 | [illegible] |
| | [illegible] | 29 | [illegible] |
| | [illegible] | 30 | [illegible] |
| | [illegible] | 31 | [illegible] |
| | [illegible] | 32 | [illegible] |
| | | 33 | 220 |
| | | 34 | [illegible] |
| | | 35 | [illegible] |

Payroll - Industrial Dept.

| | | | | |
|---|---|---|---|---|
| 1963 | | | | |
| 9 | 20 | [illegible] | 36 | [illegible] |
| " | 2 | [illegible] | 37 | [illegible] |
| " | [illegible] | [illegible] | 38 | [illegible] |
| 10 | 3 | [illegible] | 39 | [illegible] |
| " | 5 | [illegible] | 40 | [illegible] |
| " | [illegible] | [illegible] | | [illegible] |
| " | 9 | [illegible] | 41 | [illegible] |
| " | 11 | [illegible] | 42 | [illegible] |
| " | [illegible] | [illegible] | 43 | [illegible] |
| " | 21 | Sears, Roebuck & Co. | 44 | 118 |
| " | | Thorington, Hard & Co. | 45 | 6878 |
| " | 28 | Artcraft Office Supply | 46 | 57785 |
| " | 15 | Ralph - Labor 50% under | 47 | [illegible] |
| 11 | 4 | Mitchell W. Bonney [illegible] | 48 | [illegible] |
| 12 | 16 | The Cohu & Bock Co | 49 | [illegible] |
| 1964 | | | | |
| 7 | 6 | The Hardester Corp. | 50 | 2276 |
| | | Payee - 86.90 - 36.76 | 51 | 12266 |

| | | |
|---|---|---|
| [illegible] | [illegible] | 52 |
| [illegible] | 4700 | 53 |
| [illegible] | 500 | 54 |
| [illegible] | [illegible] | 55 |
| [illegible] | 1000 | 56 |
| [illegible] | 1400 | 57 |
| [illegible] | 11000 | 58 |
| [illegible] | 400 | 59 |
| [illegible] | 9350 | 60 |
| [illegible] | 5700 | 61 |
| [illegible] | 32200 | 62 |
| [illegible] | [illegible] | 63 |
| [illegible] | [illegible] | 64 |
| [illegible] | 7700 | 65 |
| [illegible] | 5400 | 66 |
| [illegible] | 2000 | 67 |
| [illegible] | 18650 | 68 |
| [illegible] | 17500 | 69 |
| [illegible] | [illegible] | 70 |
| [illegible] | 1000 | 71 |
| [illegible] | [illegible] | 72 |
| [illegible] | 25200 | 73 |
| [illegible] | [illegible] | 74 |
| [illegible] | 1500 | 75 |
| [illegible] | [illegible] | 76 |
| [illegible] | [illegible] | 77 |
| [illegible] | 400 00 | 78 |
| [illegible] | 1500 | 79 |
| [illegible] | [illegible] | 80 |
| [illegible] | [illegible] | 81 |
| [illegible] | [illegible] | 82 |
| [illegible] | [illegible] | 83 |
| [illegible] | [illegible] | 84 |
| [illegible] | [illegible] | 85 |
| [illegible] | [illegible] | 86 |

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| | | 97 |
| | | 98 |
| 1918 Paul Kelly | | 99 |
| 1921 Kean, Robert | | 100 |
| 1921 Montgomery | | 101 |
| 1925 Paul Kelly | | 102 |
| 1928 Arthur Jones, Elizabeth | 20 88 | 103 |
| | | 104 |
| | | 105 |
| | | 106 |
| 1929 Joe Hoeling | | 107 |
| | | 108 |
| 1904 1/6 Dewey Andrews | | 109 |
| 4/21 | | 110 |
| 8/63 | | 111 |
| | | 112 |
| | | 113 |

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|---|---|---|
| [illegible] | 6250 | 116 |
| [illegible] | 3100 | 117 |
| [illegible] | 7000 | 118 |
| [illegible] | 5570 | 119 |
| [illegible] | 2750 | 120 |
| [illegible] | 6000 | 121 |
| [illegible] | 7000 | 122 |
| [illegible] | 10000 | 123 |
| [illegible] | 5750 | 124 |
| [illegible] | 5000 | 125 |
| [illegible] | 6000 | 126 |
| [illegible] | 5750 | 127 |
| [illegible] | 10050 | 128 |
| [illegible] | 3500 | 129 |
| [illegible] | 2500 | 130 |

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| 7 03 | | |
| 7 22 | Recording Officer | 20 00 |
| 7 26 | | 20 00 |
| | | 20 00 |

[redacted] [redacted] [redacted]

511

C. R. Kennedy [illegible]

1963

LIBER 041 PAGE 583

7 7 [illegible] 528

5 15 [illegible] 29

[illegible]

10 30 [illegible] 526

| | | |
|---|---|---|
| Eldridge France<br>Deal Island, Maryland | : | No. 8013 Chancery Docket |
| | : | In the Circuit Court for |
| -vs- | : | Somerset County |
| Henry E. White<br>Deal Island, Maryland | : | State of Maryland |

.....

Mr. Clerk:

Please issue a writ of subpoena directed to the following named person to testify on behalf of the defendant in the above entitled proceeding in the Circuit Court for Somerset County, Princess Anne, Maryland, on Monday, January 11, 1965, at 10:00 A.M.:

Carl P. Hoffman
Wenona
Maryland

Harry T. Phoebus, Jr.
Attorney for Defendant

WITNESS

No. 8013 Chancery

Circuit Court for Somerset County, Md.

To the Sheriff of Somerset County,
Greeting:

You are hereby commanded to summon,

Carl P. Hoffman
Wenona, Maryland

Sheriff's Return

"Summoned 1/9/65. Isaac H. Dorsey.
Sheriff. Edwin B. Muir, Deputy".

to appear before the Circuit Court for Somerset County on Mon. the 11th day of January 1965 at 10:00 A.M. to testify the truth of his knowledge in behalf of Eldrige France vs. Henry E. White
Hereof fail not at your peril and have you then and there this writ.
Witness the Honorable E. McMaster Duer Chief Judge of the First Judicial Circuit of Maryland, the 28th day of Sep 1964.

Issued the 7th day of Jan. 1965.
Theodore Sheridan
Clerk

Harry T. Phoebus, Jr.
Defendant's Attorney

| | | |
|---|---|---|
| Eldridge France<br>Deal Island, Maryland | : | No. 8013 Chancery Docket |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Henry E. White<br>Deal Island | : | |

COMPLAINANTS SUPPLEMENTARY ANSWER TO INTERROGATORIES

3. Edward G. Haase, Liberty Parkway, Dundalk, Maryland.

5. Omit item "o".

8. Additional services from August 31, 1964 to January 11,1965: 19 weeks at $150.00 or $2,950.00. Total value of services of Betty France from January 1, 1964 to January 11, 1965: 54 weeks at $50.00 or $2,700.00.

9. September 1964 $3,315.61; October $2929.57; November $1,662.48.

7. To supplement Answer 7, the complainant states that he has loaned to Breakwater Marina the total sum of ~~$1,855.00~~ 2090.43 of which $402.00 has been repaid leaving a balance of ~~$1,453.00~~ 1688.43.

11. September $2,571.40; October $1,383.96; November $1,444.86; balance as of November 30, 1964 minus $111.24.

Eldridge France
Eldridge France

State of Maryland, Somerset County, to wit:

I hereby certify, that on the 11 day of November, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Eldridge France, the Complainant in the above entitled case, and made oath in due form of law that the matters and things set forth in the aforegoing Complainants Supplementary Answer to Interrogatories are true and correct to the best of his knowledge and belief.

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

Jane L Crockett
Notary Public

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| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery |
| vs | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

Mr. Clerk:

Please issue a writ of subpoena directed to the following named persons to testify on behalf of the complainant in the above entitled proceeding in the Circuit Court for Somerset County, Princess Anne, Maryland, on Monday, January 11, 1965, at 10:00 o'clock A. M., and Tuesday, January 12, 1965, at 10:00 O'clock A. M.:

Edward G. Haase, temporarily residing at Chance, Maryland.
Joseph Hastings, Delmar, Maryland.
Harold R. White, Hall Drive, Salisbury, Md.

JONES & JONES

By _____
Attorneys for Complainant

WITNESS

No. 8013 Chancery

Circuit Court for Somerset County, Md.

To the Sheriff of Somerset County,
Greeting:
You are hereby commanded to summon
Harold R. White

Sheriff's Return
"Summoned Jan. 11, 1967.
Isaac H. Dorsey, Sheriff"

to appear before the Circuit Court for Somerset County on Tues. the 12th day of Jan. 1965 at 10:00 A.M. to testify the truth of his knowledge in behalf of Eldridge France vs. Henry E. White
Hereof fail not at your peril and have you then and there this writ.
Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland, the 28th day of Sep 1964.
Issued the 11th day of Jan. 1965.
J. Theodore Shockley Clerk
Jones & Jones Plaintiff's Attorney

WITNESS

No. 8013 Chancery

Circuit Court for Somerset County, Md.

To the Sheriff of Somerset County,
Greeting:
You are hereby commanded to summon
Edward G. Haase

Joseph Hastings

Sheriff's Return
"Summoned 1-11-64. Isaac H. Dorsey, Sheriff. Edwin L. Sterling, Deputy.

to appear before the Circuit Court for Somerset County on Mon. & Tues. the 11th & 12th day of Jan. 1965 at 10:00A.M. to testify the truth of the knowledge in behalf of Eldridge France vs. Henry E. White
Hereof fail not at your peril and have you then and there this writ.
Witness the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland, the 28th day of Sep 1964
Issued the 11th day of Jan. 1965.
J. Theodore Shockley Clerk
Jones & Jones Complainant's Attorney

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery |
| vs | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

Mr. Clerk:

Please issue a writ of subpoena directed to the following named persons to testify on behalf of the complainant in the above entitled proceeding in the Circuit Court for Somerset County, Princess Anne, Maryland, on Monday, January 18, 1965, at 10:00 o'clock A. M.

Edward G. Haase, temporarily residing at Chance, Maryland
Joseph Hastings, Delmar, Maryland

JONES & JONES

By _____
Attorneys for Complainant

WITNESS

No. 8013 Chancery

Circuit Court for Somerset County, Md.

To the Sheriff of Somerset County,
Greeting:
You are hereby commanded to summon

Edward G. Haase

Joseph Hastings

Sheriff's Return
"Summoned January 12, 1965.
Isaac H. Dorsey, Sheriff".

to appear before the Circuit Court for Somerset County on Mon. the 18th day of Jan., 1965 at 10:00 A.M. to testify the truth of their knowledge in in behalf of Eldridge France vs. Henry E. White
Hereof fail not at your peril and have you then and there this writ.
Witness the Honorable W. Lane McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland, the 28th day of Sep. 1964.

Issued the 12th day of Jan. 1965
S. Thurlow Thrasher
Clerk

Jones & Jones
Complainant's Attorneys

| | | |
|---|---|---|
| Eldridge France | * | In the Circuit Court for |
| v. | * | Somerset County, Maryland |
| Henry White | * | No. 3073 Chancery |

* * * *

ORDER FOR PROCESS

Mr. Clerk:

Please issue the writ of sub poena duces tecum to the Bank of Somerset, Princess Anne, Maryland, directing it, through its officers, to produce all records or papers in its possession relating to a bank account or bank accounts in the name of Eldridge France, Betty France, Breakwater Marina, or Eldridge France and Henry White, t/a Breakwater Marina, said records to include the period June 1, 1963 to date;

and to produce the same in the Circuit Court room, Court House, Princess Anne, Maryland, on Monday, January 18, 1965, at 11:00 a.m.

Harry T. Phoebus, Jr.
Attorney for Defendant

**Maryland, Somerset County, Sct:**

# State of Maryland

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon Bank of Somerset
Princess Anne, Maryland
Directed to Edward J. Price, President

that all excuses and delays being laid aside .....he..... be and appear before the Circuit Court for Somerset County, at Princess Anne, Maryland on Monday, January 18, 1965, at 11:00 A.M. and ....he.... then and there bring with ...him.... and produce at the time and place aforesaid

to produce all records or papers in its possession relating to a bank account or bank accounts in the name of Eldridge France, Betty France, Breakwater Marina, or Eldridge France and Henry White, t/a Breakwater Marina, said records to include the period June 1, 1963 to date

and then and there to testify, and show all and singular those things which .....he..... knows, or the said records do import of and concerning a certain matter of controversy in the said Court depending between

Eldridge France ..... Plaintiff and

Henry White ..... Defendant on

the part of the ...Defendant..... whereof .....he..... is not to fail, and fail not at your peril, and have you then and there this writ.

Witness the Honorable ~~XXXXXXXXX~~ E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland the ...4th... day of ...January..... Nineteen Hundred and ...Sixty-five.....

Issued January 18, 1965.....

Attorney for ~~PXXXXXX~~ Defendant:

Harry T. Phoebus, Jr.

S. Theodore Phoebus
Clerk of the Circuit Court for Somerset County

Address:

Crisfield, Maryland

Sheriff's Return
"Summoned and copy of Summons left with Edward J. Price. January 18, 1965.
Isaac H. Dorsey, Sheriff, Edwin B. Nuir, Deputy."

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| | | |
|---|---|---|
| ELDRIDGE FRANCE<br>Deal Island<br>Maryland | * | NO. 8013 CHANCERY DOCKET |
| | * | IN THE CIRCUIT COURT |
| vs | * | FOR SOMERSET COUNTY, |
| HENRY B. WHITE<br>Deal Island<br>Maryland | * | STATE OF MARYLAND |

*****

## DEFENDANT'S BRIEF

### I

The Court must first resolve the question of whether or not there was a partnership formed between the plaintiff and defendant. There was no written agreement of any kind, nor was any suggested or requested by the plaintiff, although the plaintiff is a shrewd and knowledgeable businessman. The plaintiff bases his case in this regard on his own testimony to the effect that there was an agreement between the parties that the would be partners, and the testimony of third parties that they heard the defendant refer to the plaintiff as his partner. The other acts upon which the plaintiff relies were either within the control of the plaintiff or were equally consistent with the existence of an employment relationship as contended by the defendant.

The defendant contends that, at most, he agreed that there would be an employment relationship, the plaintiff to be paid on the basis of a share of the profits, but this relationship to come into being only after he had received back his entire capital investment. The defendant contends that he was convinced to enter into the transaction by the plaintiff upon the indication that the necessary investment would be relatively small, and that the plaintiff would devote all of his time to the promotion of the project.

Instead, the investment required of the defendant was quite considerable, and the plaintiff did not devote his full time to the project until he had ultimately buffaloed the defendant into surrendering the project to him. Thereafter, the plaintiff operated the Marina as his own private venture, obtained licenses therefor in his own name, and in various ways, held it out to the public as his private enterprise.

II

As to the relative investment of the two parties, certain figures have been stipulated to by counsel as at least reflecting uncontested testimony on the two sides. Another group of claims remain contested and were contested in the testimony presented.

However, the defendant would remind the court that, for much of the time during which the plaintiff claims that he applied his time and services and his wife's time and services and some of his money to this project, the plaintiff was then operating this project as his private enterprise to all intents and purposes. Consequently, as to the actual figures involved, we have only such information as is furnished by the plaintiff from data completely within the control of the plaintiff. The accountant's testimony did little to bolster these figures; it admittedly was based solely on information furnished to the accountant by the plaintiff; the accountant admitted that all of the 1963 daily sheets, which on their face apparently reflected daily interest, were actually not prepared until sometime in 1964; and the accountant genereally exhibited an insufficient grasp of the entire picture for his testimony to be of any real assistance to the court. Further, inasmuch as the plaintiff, during this substantial period of time, was actually merely operating a business for his own purpose on the

defendant's land, it is respectfully suggested that, during that period, the plaintiff's investment should rightfully be considered a private investment to his own end and not charged against any mutual accounting.

HARRY T. PHOEBUS, JR.
Attorney for Defendant

FILED

APR 9 5 02 PM '65

LIBER 041 PAGE 593

RECORDED IN _____
LIBER NO. _____ FOLIO _____
I. THEODORE [illegible], CLK. CT. CT.
BY _____ DEPUTY

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery Court |
| vs | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

COMPLAINANT'S MEMORANDUM

This proceeding is an action brought by Eldridge France against Henry E. White seeking (1) a dissolution of a partnership known as Eldridge France and Henry E. White, trading as Breakwater Marina, (2) an accounting, and (3) such other relief as the Court may deem just and proper. Dissolution by direction of the Court is sought pursuant to the provisions of the Annotated Code of Maryland, Article 73A (Uniform Partnership Act) Section 32, (1), (c), (d) and (e).

To sustain this action, Complainant must prove (A) the existence of a partnership and (B) the existence of the conditions set forth by the above sections of the Code.

A. A partnership is defined by numerous Court decisions and the Uniform Partnership Act (Article 73A, Section 6) as :an association of two or more persons to carry on as co-owners a business for profit".

The pleadings and the evidence establish that France and White held certain discussions and negotiations in the Spring of 1963. France's Bill of Complaint alleges, and his answers to interrogatories and testimony support his contention that these conversations resulted in an agreement whereby White was to contribute certain stipulated land together with capital to the creation of a Marina, and that France was to contribute his time, labor, and skill to the construction, installation, and ooperation of the facilities, the profits to be shared on a fifty-fifty basis.

White's Answer contends that White "denies that such work was supervised and participated in by the Complainant except to a very limited extent and then not at the request of the Respondent but purely on a voluntary gratuitous basis on the part of the Complainant in that Respondent ooerated a crab shanty near the Marina and on occasion he would go over to the Marina and voluntarily supervise minor construction such as walkways and the driving of stakes therefor, but the overall construction of the Marina was supervised exclusively by the Respondent". This allegation is flatly contradicted by White's answer to

Interrogatory No. 1 in which White stated that the effect of the conversation was that France "would contribute all of his time to the supervision of the work and the operation of the Marina when established, even sleeping on the premises". According to the testimony of the witnesses Haase and Hastings, White referred to France as a partner and their testimony, together with that of France and Harold White, as witnesses familiar with the operation, together with the numerous accountings, statements, receipts, etc., establish that France did, in fact, supervise the construction and operation of the Marina; that he devoted full time to it (even occupying a house trailer he moved to the premises) and that he has continued to operate the Marina to the present time.

In addition to the value of these services, France has contributed capital to the business, a portion of which amount is conceded by White. The truth of the basic contentions of France with respect to his contribution to the superivision and operation of the business is implicit in White's own testimony that France would periodically submit statements and vouchers to White as the work progressed which White would acknowledge and pay, that many of the arrangements for labor and materials were made by France and approved by White, that a beer license was obtained with the knowledge, consent and assistance of White, that White was on the site only part time in 1963 and not at all from October 1963 to the present, yet the construction and operation moved ahead as a going business. In addition, an accountant was employed to set up the books in the name of Breakwater Marina and a bank account was opened and maintained in the name of Eldridge R. France and Henry E. White.

Without belaboring the point further, the Complainant contends that the pleadings and the record clearly establishes that the partnership was created; it would strain the credulity of the Court to ask it to believe that the Complainant has now devoted nearly twenty months to a business under an arrangement promising him only "contemplated employment....at will by the Respondent" and then only "after the Respondent recovered his full capital investment".



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(See Respondent's Answer, paragraph 2).

The Complainant contends that there was a meeting of the minds between the parties in the Spring of 1963; that the Respondent, a man of advanced years and failing health but with capital resources available, agreed to provide such capital in return for the full time services of the Complainant toward the establishment of a mutual enterprise for profit, and that the Complainant contributed his experience, knowledge, time, and labor to the establishment and operation of the business. The Complainant respectfully submits that the evidence permits no other construction of the agreement.

B. The record establishes that the contemplated Marina was, in fact, constructed and placed in operation pursuant to the agreement and as the direct result of the respective contributions of the parties to the agreement. However, this continued only to the point at which White breached the agreement, thereby creating the grounds for dissolution. The testimony of France, of the accountant Harold White, and the financial records of the Breakwater Marina introduced by France, establish that the business at first lost money and has continued to do so until the present time, the loans and advances by France being responsible for the books reflecting at best only a "break even" balance. The reason given by the accountant and by France, supported by the business records, is lack of sufficient volume. The business, in short, needed more customers to generate more business thereby creating profits. Recognizing this, France and White employed Shebbey Dredging Company to dredge a new channel adjacent to the property for the purpose of creating a site for the construction of an additional seventy boat slips to supplement the twenty-eight slips then in existence, thereby nearly quadrupling the potential of the business. Although White contributed the funds for the dredging as contemplated by the agreement, he refused to advance the capital to complete the necessary work, namely the construction of the slips and the road to this area, thereby rendering useless the dredging operation and effectively negating the entire purpose of the expansion. This continued refusal, France contends, together with White's refusal to even discuss the matter, and White's incredible conduct as exemplified by the shooting incident, was such that it was "not reasonably practicable to carry on the business in partnership" with White. (See Code, Article 73A, Section 32, (1),(c),(d),(e).

Faced with this situation, France testified that he consulted counsel and when attempted negotiations proved unavailing, France instituted suit on March 5, 1964, seeking the relief set forth above. Through circumstances beyond the control of France, hearing was delayed until January, 1965. Due to the nature of the business and in order to continue its operation and protect the investment of the parties, France has continued to operate the Marina to the present time.

The Complainant France seeks a dissolution by Court Decree, and, beyond that, an accounting for the purpose of having the value of the partner's interest in the partnership ascertained, i. e., their respective share of the profits and surplus at the time of the dissolution, as contemplated by the Uniform Partnership Act. Note: (See Article 73A, Sections 26, 37, 38, 40, 42 and 43).

The business known as Breakwater Marina is a valuable asset with an even greater potential value. This value is the sole and direct result of the substantial contributions made by each of the parties; without the contributions of each party the business could not have been created nor could it have continued to exist. Since it is apparent that the business cannot continue under the present circumstances, it is within the broad jurisdiction of this Court of Equity to order a dissolution and settlement of accounts between the parties with due regard for the rights of any third persons. To this end counsel have cooperated to assist the Court in reaching its determination of the respective rights of the parties and such third persons. Much of the evidence concerned this phase of the case; counsel have attempted by stipulation and arbitration to clarify and establish the rights and claims of the parties. The attached schedule is the result of these efforts and are submitted for the convenience and use of the Court with the consent of the parties. Should the Court so desire, counsel for the Complainant is prepared to submit additional memoranda concerning the attached schedule or any other phase of the case.

Counsel for the Complainant also submits for the consideration of the Court, the following authorities:

McBriety v Phillips (1942, 180 Md. 569-572-574)
Miller v Salabes (1961, 225 Md. 531, 55 and 62)
17 M.L.E. Partnership, Sections 241-249 incl., especially 247; also Sections 1 - 16 incl., 41-43 incl., 52, 63, 64, 71-79 incl., 201, 204, 221-227 incl.
40 Am. Jur. Partnership, Sections 328-332 incl., re jurisdiction of equity.

Respectfully submitted,

Jones & Jones

by _____
Attorneys for Complainant,
Eldridge France

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery Docket |
| vs | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

SCHEDULE FILED BY COUNSEL FOR COMPLAINANT AND RESPONDENT

SCHEDULE A

I. Out of pocket expenditures of Eldridge France (see Interrogatory 5) the following items are stipulated by counsel:

| | | |
|---|---|---|
| | b. | $132.16 |
| | c. | 70.88 |
| | e. | 23.50 |
| | f. | 14.11 |
| | i. | 14.42 |
| | k. | 283.25 |
| | l. | 20.71 |
| | p. | 4.30 |
| | q. | 12.50 |
| | s. | 22.00 |
| | t. | 110.98 |
| | u. | 3.07 |
| | v. | 57.50 |
| | w. | 147.75 |
| | x. | 361.00 |
| | y. | 80.80 |
| | z. | 181.00 |
| | ai. | 6.47 |
| (See Interrgatory 6) | a. | 42.50 |
| | e. | 16.00 |
| | f. | 55.00 |
| | | $1,659.90 |

II. Out of pocket expenditures of Eldridge France contested by Henry E. White (see Interrogatory 5):

| | | |
|---|---|---|
| | a. | $20.00 |
| | d. | 433.85 |
| | h. | 57.50 |
| | r. | 21.00 |
| | bi. | 15.79 |
| | ci. | 4.00 |
| | di. | 11.06 |
| (See Interrogatory 6) | b. | 14.00 |
| | c. | 50.00 |
| | d. | 30.00 |
| | g. | 12.00 |
| | h. | 150.00 |
| | j. | 221.50 |
| | | $1,040.64 |

III. Items dropped by Eldridge France (see Interrogatory 5):

| | |
|---|---|
| g. | $52.02 |
| j. | 457.99 |
| m. | 22.04 |
| n. | 4.18 |
| o. | 365.00 |
| ei. | 9.29 |
| | $910.52 |

IV. Sums advanced to Breakwater Marina as loans by Eldridge France $2,090.43

V. Value of services:

| | |
|---|---|
| Eldridge France from 5-15-63 to 9-15-63 18 weeks at $100.00 per week | $1,800.00 |
| Eldridge France from 9-16-63 to 1-10-65 69 weeks at $150.00 per week | 10,350.00 |
| Eldridge France from 1-11-65 to 1-31-65 3 weeks at $150.00 per week | 450.00 |
| Betty France from 1-1-64 to 1-10-65 54 weeks at $50.00 per week | 2,700.00 |
| Betty France from 1-11-65 to 1-31-65 3 weeks at $50.00 per week | 150.00 |
| | $15,450.00 |

VI. Use of pump rig during the Spring and Summer of 1963 40 weeks at $20.00 per week $800.00

VII. Setoffs to be deducted from the claim of Eldridge France:

| | |
|---|---|
| 1. Advances to Eldridge France for personal items including fuel and insurance and taxes | $402.00 |
| 2. Account with Public Seafood Co. wholly owned by Eldridge France | 524.32 |
| | $926.32 |

- - - - - - - - - - - - - -

SCHEDULE B

I. Out of pocket expenditures of Henry E. White (see Respondent's answers to Interrogatory 5):

| | |
|---|---|
| Mitchell Bonneville (Items 40 and 48) | $1195.00 |
| Shebby Dredging Co. (Items 104, 105, 106, 109 and 110) | 7500.00 |
| Joseph Hastings and Paul Riley (Items 77, 80, 81, 86, 88, 91,94, 95, 96, 97, 98, 99, 102, 107 and 108) | 1928.07 |
| Hollis Riggin (Items 11, 15 and 26) | 668.27 |
| Mattie Muir (House purchase Item 8) | 500.00 |
| Subtotal - - - - - - | $11791.34 |
| Item 2 | 15.79 |
| Item 3 | .62 |
| Item 6 | 61.29 |
| Item 12 | 302.69 |
| Item 14 | 448.19 |
| Item 17 | 52.02 |
| Item 18 | 60.60 |
| Item 20 | 90.00 |
| Item 21 | 246.07 |
| Item 22 | 21.50 |
| Item 25 | 34.46 |
| Item 32 | 1604.83 |
| Item 39 | 2.50 |
| Item 41 | 19.15 |
| Item 42 | 401.83 |
| Item 45 | 68.78 |
| Item 46 | 57.85 |
| Item 47 | 205.81 |
| Item 49 | 20.67 |
| Item 50 | 163.00 |
| Item 51 | 122.66 |
| Item 52 | 331.50 |
| Item 53 | 97.00 |
| Item 54 | 5.00 |
| Item 56 | 50.00 |
| Item 60 | 93.50 |
| Item 61 | 519.00 |
| Item 62 | 522.00 |
| Item 63 | 94.00 |
| Item 64 | 468.00 |
| Item 65 | 77.00 |
| Item 66 | 54.00 |
| Item 67 | 20.00 |
| Item 68 | 186.50 |
| Item 69 | 175.00 |
| Item 73 | 282.00 |
| Item 78 | 400.00 |
| Item 82 | 35.45 |
| Item 83 | 57.00 |
| Item 84 | 48.75 |
| Item 85 | 110.00 |
| Item 87 | 18.00 |
| Item 92 | 79.75 |
| Item 93 | 85.85 |
| Item 103 | 120.88 |
| Item 112 | 111.40 |
| Item 114 | 295.07 |
| Subtotal - - - - - - | $8336.96 |

II. Out of pocket expenditures of Henry E. White contested by Eldridge France:

| | |
|---|---|
| Item 1 | $150.00 |
| Item 4 | 6.00 |
| Item 5 | 15.00 |
| Item 7 | 13.00 |
| Item 9 | 50.00 |
| Item 10 | 12.31 |
| Item 13 | 25.00 |
| Item 16 | 52.00 |
| Item 19 | 35.73 |
| Item 23 | .83 |
| Item 24 | .84 |
| Item 27 | 1.40 |
| Item 28 | 1.05 |
| Item 30 | 22.77 |
| Item 31 | 4.11 |
| Item 33 | 2.20 |
| Item 34 | 18.41 |
| Item 35 | 3.00 |
| Item 36 | 1.29 |
| Item 37 | .45 |
| Item 38 | 12.62 |
| Item 43 | 274.21 |
| Item 44 | 11.78 |
| Item 55 | 90.00 |
| Item 57 | 14.00 |
| Item 58 | 11.00 |
| Item 59 | 4.00 |
| Item 74 | 203.00 |
| Item 75 | 15.00 |
| Item 76 | 450.00 |
| Item 79 | 130.00 |
| Item 100 | 11.88 |
| Item 111 | 408.00 |
| Item 113 | 1,116.00 |
| Item 115 | 131.50 |
| | $3,298.38 |

III. Items dropped by Henry E. White (see Interrogatory 5):

| | |
|---|---|
| Item 29 | $5.00 |
| Item 89 | 59.00 |
| Item 90 | 30.00 |
| Item 101 | 68.78 |
| | $162.78 |

IV. Additional claims of Henry E. White contested by Eldridge France (see Respondent's answers to Interrogatory 5, "Miscellaneous"):

| | |
|---|---|
| Items 116 to 130 inclusive | $1,376.50 |
| except Item 118 now dropped by White | 400.00 |
| | $976.50 |

As to Items 116 and 117, totaling $94.00, White testified these were not paid (see White's answer to Interrogatory 17). France testified they were paid.

Remaining Items 119 to 130 inclusive refer to items allegedly brought to the Marina premises by White for use thereon; the values were arbitrarily established and testified to by White. Testimony by France and Hastings was to the effect that only Item 122 was used by the Marina and that the value of this item and the values assigned to the other items, allegedly in use, were exaggerated by White.

V. Setoffs to be deducted from the claim of Henry E. White:

| | |
|---|---|
| 1. Sums received by Henry E. White for boat rentals (see White's answer to Interrogatory 5) | $548.00 |
| 2. Profits received by Henry E. White from sale of gas and oil (see White's answer to Interrogatory 17) | ? |

VI. Value of Land.

White testified that he paid a total of $5500.00 for the two tracts of land referred to in the bill of complaint (see White's answer to Interrogatory 19 wherein White states the purchase price was $4500.00.) The deeds referred to in the bill of complaint and throughout the proceedings specifically recite a total purchase price of $2,000.00 corroborated by federal and state stamps.

SUMMARY

SCHEDULE C

| | | | | |
|---|---|---|---|---|
| SCHEDULE A. | I. | Stipulated expenditures by France | | $1,659.90 |
| | II. | Expenditures of France contested by White | | 1,040.64 |
| | IV. | Sums advanced or loaned by France | | 2,090.43 |
| | V. | Value of services rendered by Eldridge France and Betty France | | 15,450.00 |
| | VI. | Use of pump rig | | 800.00 |
| | | Total France claim - - - - - - | | $21,040.97 |
| | | Deductions to be charged against France: | | |
| | VII. | 1. Advances to France | $402.00 | |
| | | 2. Account with Public Seafood | 524.32 | 926.32 |
| | | Balance - - - - - - - - - - - - - | | $20,114.65 |

************************

| | | | | |
|---|---|---|---|---|
| SCHEDULE B. | I. | Stipulated expenditures by White | | $20,128.30 |
| | II. | Expenditures of White contested by France | | 3,298.38 |
| | IV. | Additional claims of White contested by France | | 976.50 |
| | V. | Value of Land | | ? |
| | | Total White claim - - - - - - - | | ? |
| | | Deductions to be charged against White: | | |
| | V. | 1. Boat rentals | $548.00 | |
| | | 2. Gas and oil profits | ? | ? |
| | | Balance - - - - - - - - - - - - | | ? |

************************

CREDITORS OF BREAKWATER MARINA

SCHEDULE D

| | | |
|---|---|---|
| Hollis Riggin | $108.15 | |
| C. K. Duncan | 1,393.55 | |
| Air Products | 6.20 | |
| C. & P. Telephone Co. | 59.73 | |
| Eastern Shore Public Service Co. | 54.03 | |
| Suburban Propane | 7.93 | |
| Anderson Hardware | 41.09 | |
| Public Seafood Co. | 470.00 | |
| T. L. Ruark | 10.71 | |
| Loan from Eldridge France (1-27-65) | 150.00 | |
| Cohn & Bock Co. | 257.62 | |
| Subtotal - - - - - | $2,559.01 | |
| Balance due on equipment: | | |
| National Cash Register Co. | $243.01 | |
| Bill Johnson | 200.00 | |
| Pepsi Cola Bottling Co. | 220.00 | |
| Subtotal - - - - | $ 663.01 | |
| Accrued taxes: | | |
| Federal unemployment | $30.67 | |
| FICA | 73.22 | |
| Maryland Unemployment Insurance Fund | 42.44 | |
| Subtotal - - - - | $146.33 | |
| TOTAL - - - - - - - - - - - - - - - | | $3368.35 |

The aforegoing schedules respectfully submitted by

JONES & JONES

By _____
Attorneys for Complainant

_____
Attorney for Respondent

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery |
| -vs- | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

.....

OPINION OF COURT

In this proceeding Eldridge France, the Complainant, filed a bill in Equity for disolution of a partnership and for an accounting. This Bill of Complaint was filed on March 5, 1964. An answer by Henry E. White, Defendant, was filed on April 20, 1964 and after several delays, one of which was the change of counsel, the taking of interrogatories, etc. this case was finally heard in open Court on January 11, 12 and 18, 1965, counsel for both parties were present. Complainant alleges in his bill that he and the defendant, Henry E. White agreed to form a partnership and did in fact form a partnership for the purpose of establishing and operating a marina in Somerset County. It also alleged that the Defendant was to provide the real estate and the necessary funds to construct and establish the marina. The facilities would include a canteen and that the Complainant would supervise the construction, installation and operation of said facilities and the profits therefrom were to be shared on an equal basis. In support of these allegations France testified that in April and May of 1963 he had several conversations with Henry E. White concerning this proposed operation, that they were to develop the marina which would include cleaning off the property, putting in walkways, driving pile, constructing slips, etc. That he, France, would supervise and help with the construction. After the marina was in operation they were to go on a 50 - 50 basis. It was also disclosed from the testimony that White, the Defendant, had bought an old building and had it moved to the property in question, that this building was renovated and is now used as the canteen on the premises. The enterprise has been operated by the Complainant and is being so operated to date.

The evidence concerning the partnership as testified by the Complainant was substantiated in part by Joseph Hastings, of Delmar, Delaware, a carpenter and contractor who was employed to construct the canteen and was paid by the Defendant, White. Hastings testified that he had heard the defendant refer to the Complainant as "my partner". There was also testimony from one Edward Haase, a Sergeant of the Baltimore County Police Bureau, who in a conversation with the Defendant had heard the Defendant say "I have the money and he has the knowledge". The question of a posible partnership is denied by the Defendant, White. There was no written agreement nor was any ever suggested by either party as far as this Court knows. The Defendant further contended that the Complainant operated a crab shanty near the Marina and on occasion would go over to the marina and voluntarily supervise some of the construction work. On the contrary there was ample evidence to establish that the Complainant did in fact supervise the construction and operation of the marina and that he devoted a great majority of his working hours to this enterprise. It is conceded and was so stipulated by counsel that the Complainant had used from his own funds for expenditures on the marina the sum of $1,659.90. The Complainant testified that he spent further sums of money on this enterprise however these were contested by the Defendant. A beer license was originally obtained by the Complainant for the premises in question with the knowledge of the Defendant. It is to be noted that the conversations which started in April of 1963 between the Complainant and the Defendant and as a result thereof a marina and canteen were constructed and it was operated by the Complainant, without any objection from the Defendant and only by the filing of this bill by the Complainant has this matter been presented to the Court for a determination.

The Court must first resolve the question of whether or not there was a partnership formed between the Complainant and the Defendant.

The law seems well settled where property held in the name of one partner is treated as a partnership asset depends upon the intention of the partners. The case turns upon the question of fact.--- Kokler vs. Greenberg - 220 Md., page 332 and cases therein cited. A partnership is defined in the Uniform Partnership Act (Art. 73a, Sec. 6) as "a partnership is an association of two or more persons to carry on as co-owners of a business for profit". It is the belief of this Court that as a result of the talks in April and May of 1963 between France, the Complainant, and White, the Defendant, that the intentions of both parties at that time was to create a partnership for the purpose of establishing and operating a marina. The undisputed evidence shows that the great majority of out of pocket expenditures concerning this establishment were furnished by the Defendant and by far the great majority of work as far as supervision and operation of the enterpsie is concerned was furnished by the Complainant.

It is the opinion of this Court that as a result of certain conversations that took place between the Complainant and Defendant during the months of April and May of 1963 and the subsequent acts of both the Complainant and the Defendant namely the furnishing of substantial funds by the Defendant and the supervision and work of the Complainant that a partnership does exist and that said partnership has existed from the time of their first conversation during the month of April, 1963. The Court is aware that the burden is upon the Complainant to show that the partnership exists. I am satisfied from the evidence that I have heard and the actions taken by the parties in this proceeding that a partnership does exist and that the assets of the partnership consist of the real estate involved together with any improvements thereon and any monies that might be held by the Complainant that have been derived as a result of this joint venture.

Under the Bill of Complaint the Complainant, France, has asked

for a disolution of the partnership and an accounting and for such other relief as the Court may deem proper and just. Counsel for both the Complainant and Defendant have been most helpful in entering into certain stipulations as to monies that have been advanced by each partner and it was stipulated as stated before that France had expended money of his own for partnership purposes the sum of $1,659.90. He also testified that he advanced certain other monies that had been contested by White but which this Court believes that he (France) did advance the sum of $1,040.64. I further find that France had advanced to the partnership the sum of $2,090.43. France and his wife, Betty France, are claiming by way of services rendered to the Marina the sum of $15,450.00. This sum seems to the Court to be excessive and I am sure any figure that I might submit would be an arbitrary one however it seems just and reasonable that the services performed at the Marina as described during the hearing of this case would amount of $9,000.00. The Complainant also claims under this accounting the sum of $800.00 which was used for the use of a pump rig which was used by the Complainant in the construction of the piers. It is my further opinion that the Complainant is due the sum of $800.00. It is also stipulated that certain advances which were made to France and the Public Seafood Company of which he is the owner, would total $926.32. Deducting this last figure from the total of the figures stated above due the Complainant I find that France's interest from monies advanced and for services performed due him from the partnership amount to $13,664.65.

Concerning the Defendant, White's interest, it was stipulated that White had advanced the sum of $20,128.30 and Defendant claims additional expenditures of $3,298.38. This amount will be allowed under this accounting. Additional claims of White which were contested by France were small items taken from Whites property to the Marina property. I have not allowed these. It is now necessary for the



LIBER 041 PAGE 609

Court to consider the value of the land upon which the Marina is now operating at the time this partnership was formed. It is my opinion after hearing the evidence as to the amount paid for it by White and the condition of the land at the time the partnership was formed that the real estate which is now an asset of the partnership was worth at the time of the inception of the partnership in 1963 the sum of $5,500.00. These three figures combined make the interest of Defendant, White, total $28,926.68. It was also stipulated that Mr. White received from boat rentals for his own use the sum of $548.00. Subtracting the last mentioned figure from White's total investment I find that White's interest in the partnership which includes monies advanced, expenditures made and the value of the real estate total $28,378.68. The total investment under this partnership contributed by both parties would amount of $42,043.33. Referring to the total figures due to each of the partners I find that the Complainant, France is due .325019 per cent and the Defendant, White is due .674981 per cent.

If an agreement is not reached by the partners under this opinion then I will sign an order disolving the partnership, appointing Alexander G. Jones, Esquire and Harry T. Phoebus, Jr., Esquire (Attorneys of record in the proceeding) Trustees, to sell the assets of this partnership at public sale and the proceeds therefrom to be disbursed as follows: all debts of the partnership to be paid to the date of the sale and the costs of this proceeding together with the trustees' commission and the rest of the monies derived from this sale to be divided between the partners in the percentage stated above namely .325019 per cent to the Complainant, France, and .674981 per cent to the Defendant, White.

In the event that the partnership property is sold and the amount of the sale exceeds the sum of $42,043.33 which I have found to be the total investment of the partnership, then and in that event any excess of that amount is to be divided equally between the two

partners - White and France.

I will sign an appropriate order when presented by counsel.

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery |
| vs | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

.. .. .. .. .. .. ..

ORDER OF COURT

Pursuant to the Opinion of Court previously filed in these proceedings, it is thereupon this 22nd day of June, 1965, by the Circuit Court for Somerset County, Maryland, ADJUDGED, ORDERED AND DECREED that the partnership known as "Eldridge France and Henry E. White, partners trading as Breakwater Marina" be, and the same is hereby dissolved and that the property mentioned in the proceedings be sold, that said property consists of all real, personal, and mixed property and all fixtures thereon annexed, of the partnership known as "Eldridge France and Henry E. White, partners trading as Breakwater Marina", including but not limited to the two parcels of real estate and all improvements thereupon erected, made or being, which were conveyed to Henry E. White by the following deeds: (1) Deed dated September 25, 1958, recorded among the Land Records of Somerset County in Liber G.J.B. No. 188, folio 569, from Eldon J. Willing, et ux; (2) deed dated July 5, 1951, recorded among the Land Reoords of Somerset County in Liber B.L.B. No. 154, folio 535, from Samuel B. White, et ux; said real estate and improvements having been determined by this Court to be an asset of the said partnership; that Alexander G. Jones and Harry T. Phoebus, Jr.,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 surities, to be approved by this Court, in the penalty of Forty five thousand Dollars ($45,000.00), 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 weekly newspapee or newspapers published in Somerset County, Maryland, and in such other newspapers and by such other means, as they shall think proper, of the time, place,manner and terms of sale, of sale, which terms shall be one-third cash, on day of sale, and balance to be paid upon the ratification of sale, or all cash, at the option of the purchaser

or purchasers, the credit portions to bear interest and to be secured to the satisfaction of the trustees, and, as soon as may be convenient after such sale or sales, the said trustees shall return to this court a full and partic ular 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, and other instruments, to be executed, acknowledged, and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, plaintiff and defendant, and those claiming by, from or under them, or either of them; and the said trustees shall bring into this court the money arising from said sale, to be distributed under the direction of this court as follows: all debts or the said parties, including preferred liens and valid claims of general creditors, and taxes are to be paid to the date of said sale; of the remaining balance the trustees shall pay the costs of this suit and such commission to the said trustees as this Court shall deem proper to allow in consideration of the skill, attention and fidelity wherewith they sahll appear to have discharged their trust, and in accordance with the rules of Court in such cases provided; and the balance then remaining shall be paid and distributed between the parties to this action in the following manner: to the complainant, Eldridge France, 32.5019 per cent; to the defendant, Henry E. White, 67.4981 per cent; provided, however, that should the balance remaining to be distributed to the said partners, Eldridge France and Henry E. White, exceed the sum of $42,043.33 which this Court has found to be the total investment of the said partners, then,and in that event, any excess of that amount is to paid and distributed equally between the parties to this action.

JUN 22 1965

E. McMaster Duncan
Judge

FOR BOND SEE BOND BOOK I.T.P. NO. 9, FOLIO 73

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery |
| vs | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

To the Honorable, the Judge of said Court:

The report of Alexander G. Jones and Harry T. Phoebus, Jr., Trustees appointed by a decree of this Court, passed in the above entitled cause, dated the 22nd day of June, in the year nineteen hundred and sixty-five, to make sale of certain real, personal, and mixed property and all fixtures thereon annexed, of the partnership known as "Eldridge France and Henry E. White, partners trading as Breakwater Marina", respectfully shows:

That after giving bond with security for the faithful performance of their trust, and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement inserted in the "Marylander and Herald", a weekly newspaper published in Somerset County, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, they did, pursuant to said notice, attend in front of the Court House in Princess Anne, Maryland, on the 7th day of September, 1965, at 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:

Your trustees offered at public sale to the highest bidder the property mentioned in said decree, and described as follows: All those lots or parcels of land situate in Tangier Election District, Somerset County, Maryland, and particularly described as follows:

1. All that lot or parcel of land, situate as aforesaid, beginning for the outlines of the same at a point at the high water mark on the easterly side of the Deal Island Harbor, said point of beginning being designated by the numeral (3), as shown on a certain plat drawn by W. Ballard Miles S.S.C., on July 15, 1946 and recorded among the Land Records of Somerset County in Plat Book No. 1, folio 38; thence (1) North 42° 15' East 21.5 rods by and with the land of Henry E. White to the high water mark on the westerly side of Scotts Cove; thence (2) in a southerly direction by and with the meanderings of the high water mark of Scotts Cove to the easterly high water mark of the Deal Island Harbor; thence (3) in a northwesterly direction by and with the easterly high water mark of the Deal Island Harbor to the place of beginning, containing 1½ acres, more or less, being the same and all the land conveyed to the said Henry E. White by Eldon J. Willing and wife by deed dated September 25, 1958 and recorded among the Land Records of Somerset County in liber G.J.B. No. 188, folio 569.

2. All that lot or parcel of land, situate as aforesaid, and lying and binding on the easterly side of Deal Island Harbor, bounded on the east by Scotts Cove, and on the south by the land of Eldon S. Willing, and being the same land as laid down on a plat prepared by W. Ballard Miles, Surveyor, on July 15, 1946 and recorded among the aforesaid Land Records in Plat Book B.L.B. No. 1, folio 36, containing 5.89 acres, more or less; together with a right of way 12 feet wide running along the easterly side of the land reserved by Eldon S. Willing and wife; and which said right of way

is also shown on the plat herein referred to, being the same and all the land conveyed unto the said Henry E. White by Samuel B. White and wife by deed dated July 5, 1951 and recorded among the aforesaid Land Records in Liber B.L.B. No. 154, folio 535.

3. All improvements erected upon the above described real estate including a fully equipped building now used as a canteen or snack bar. The canteen measures 30 feet by 36 feet, is fully screened and completely finished with all necessary plumbing, wiring, and telephone and contains two restrooms.

4. All fixtures, furniture, appliances, located in or about the canteen, including beer cooler, stainless steel refrigerator sandwich table, refrigerator, soft drink cooler, gas stove, deep fryer, tables and chairs, bar, bar stools, utensils, and other items too numerous to mention.

5. All piling, docks, wharves, boat slips, bulkheads, small boat ramp, and all other fixtures, equipment and personal property located at the marina above referred to.

And your Trustees sold the above described property, at said time and place, to Eldridge R. France, trading as Public Seafood Co., at and for the sum of fifty thousand dollars ($50,000.00), he being at said sum the highest bidder therefor.

Your Trustees further report that the said purchaser has complied fully with the terms of sale.

Respectfully submitted,

Alexander G. Jones

Harry T. Phoebus, Jr.

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 7th day of September, in the year nineteen hundred and sixty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones and Harry T. Phoebus, Jr., Trustees, named in the above report of sale, and each made oath in due form of law that the matters and facts 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.

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

Eunice Pilchard
Notary Public

FILED
OCT 11 4 24 PM '65
RECORDED ... LIBER ... FOLIO ... CIR. CT. CT. ... DEPUTY
BY

PRINCESS ANNE, MD., October 11 1965

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Sept 9, 16, 23, 30

Clarence F. Byrd
Business Manager MARYLANDER and HERALD

# ORDER NISI

No. 8018 Chancery

In the Circuit Court for Somerset County, Maryland

Eldridge France
vs.
Henry E. White

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones and Harry T. Phoebus, Jr., Trustees 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 11th day of October, 1965, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 7th day of October, 1965.

The report states the amount of sale to be fifty thousand dollars ($50,000.00).

I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
True Copy,
Test: I Theodore Phoebus, Clk.
19-4tc

Order Nisi

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery |
| vs | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones and Harry T. Phoebus, Jr., Trustees 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 11th day of October, 1965, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 7th day of October, 1965.

The report states the amount of sale to be fifty thousand dollars ($50,000.00).

I Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 13th day of October, 1965, that the sale made and reported by the Trustees aforesaid, be, and the same is hereby, finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the order nisi passed in said cause; and the Trustees are allowed the usual commissions and such proper expenses as they shall produce vouchers for to the auditor.

E. Norris Dryer.
Judge

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery |
| vs | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

.. .. .. .. .. .. .. .. .. ..

Purchaser's Affidavit

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 7th day of September, 1965, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Eldridge R. France individually and Eldridge R. France, trading as Public Seafood Co., the purchaser of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone.

2. That others interested in said purchase, as principals, are none.

3. That they did not directly or indirectly discourage anyone from bidding for the said property.

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

EUNICE PILCHARD NOTARY PUBLIC

Eunice Pilchard
Notary Public

| | | |
|---|---|---|
| Eldridge France | : | No. 8013 Chancery Docket |
| vs | : | In the Circuit Court for |
| Henry E. White | : | Somerset County, Maryland |

## A U D I T

To the Honorable, the Judges of the Circuit Court, in Equity:

The report of the Auditor stating the account in the within mentioned cause, respectfully represents:

That your Auditor has charged the Trustees with the whole amount of the sale of the real estate, as reported by the Trustees in their report of sale. The said Trustees have been allowed Commissions on said sale and a special attorney's fee as per the Chancery Rules of this Court and their costs and expenses not personal.

The balance of the funds in the hands of the Trustees has been distributed to the parties in the above entitled action.

| | | | |
|---|---|---|---|
| By the whole amount of sale of the real estate as reported by the Trustees: | | | $50,000.00 |
| Net Profits | | | 258.00 |
| | | | $50,258.00 |
| To: Trustees for their commissions | $2,650.00 | | |
| Special Attorney's Fee | 25.00 | | |
| To: Trustees for their costs and expenses, not personal: | | | |
| 1. Clerk of the Circuit Court for Somerset County | 198.75 | | |
| 2. Auctioneer | 50.00 | | |
| 3. Marylander and Herald | 131.40 | | |
| 4. Salisbury Times | 60.00 | | |
| 5. Bond premium | 180.00 | | |
| 6. Auditor stating this account | 10.00 | $3,305.15 | |
| To: Claims | | | |
| 1. Simpkins & Simpkins | $94.08 | | |
| 2. C. K. Duncan, Inc. | 1,526.83 | | |
| 3. Public Seafood Co. | 620.00 | | |
| 4. Hollis A. Riggin | 108.15 | | |
| * 5. Shebby Dredging Co. | 1,000.00 | | |
| 6. Eldridge and Betty France | 1,320.00 | | |
| 7. National Cash Register Co. | 155.01 | | |
| 8. William J. Johnson | 200.00 | | |
| 9. The Cohn & Bock Co. | 260.23 | 5,284.30 | 8,589.45 |
| | | | $41,668.55 |
| To Eldridge France .325019 | | 13,543.08 | |
| To Henry E. White .674981 | | 28,125.47 | 41,668.55 |

* Claim of Shebby Dredging Co. of Edgewood, Maryland, in the amount of $1,000.00 withheld in escrow by Trustees pending final court order pursuant to show cause order filed in these proceedings.

Respectfully submitted,

Harry C. Dashiell

Harry C. Dashiell, Auditor

Eldridge France

vs.

Henry E. White

No. 8013 Chancery

In the Circuit Court for

Somerset County, Maryland

*Ordered by the Subscriber, Clerk of the Circuit Court for County, in Equity, this 26th day of November 1965, that the within Report of the Auditor be ratified and confirmed, unless cause to the contrary be shewn exceptions filed, on or before the 27th day of December 1965.*

*I. Theodore Shockley Clerk*

8013 Chancery Vs.

IN THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that no exceptions have been filed in the above proceedings to the final ratification of the Auditor's Report. and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date December 27, 1965

I. Theodore Shockley Clerk.

***No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this 27th day of December, 1965, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.***

*I. Theodore Shockley*

LIBER 041 PAGE 621

| | | |
|---|---|---|
| Eldridge France | * | In The Circuit Court for |
| | * | |
| vs. | * | Somerset County, Maryland |
| | * | |
| Henry E. White | * | No. 8013 Chancery |
| | ***** | |

PETITION

The Petition of Alexander G. Jones and Harry T. Phoebus, Jr., Trustees, respectfully represents:

1. That by Order of this Honorable Court dated June 22, 1965 they were appointed Trustees to sell the property, real, personal and mixed, of the parties hereto, in connection with the order of dissolution of the partnership of the parties.

2. That pursuant to such order, your Petitioners advertised and sold the said property, and further published a notice to creditors to exhibit any claims against the said partnership to the trustees on or before October 8, 1965.

3. Your petitioners have in fact sold said property and there have been filed with them certain claims which are reflected in an audit filed herein.

4. That among the claims filed with your petitioners there is a claim of Shebby Dredging Company, Edgewood, Maryland based on a promissory note signed by Harry E. White, dated October 21, 1963, due May 4, 1964 in the amount of $1,000, purporting to represent the final payment due for dredging work performed at the partnership property. However, both of these parties to this proceedings advise your petitioners that the dredging work which the claimant had contracted to perform, was not in fact completed; the testimony taken in the trial of this case was to the same effect.

5. In the audit filed by your petitioners, your petitioners have set forth the said claim, as a claim against the funds in their hands, but your petitioners respectfully represent that upon the facts of the claim as presented to them, the claim should be disallowed and the funds disbursed to the parties. A copy of a letter directed to the claimant to this effect is attached hereto as Exhibit 1.

WHEREFORE your petitioners respectfully petition this Honorable Court to pass an Order authorizing your petitoners, as Trustees as aforesaid, to disburse the said $1,000, held by them against the claim of Shebby Dredging Company, to the parties in a manner consistent with the said Order of Court, unless the said Shebby Dredging Company show good cause to the contrary within a time set by Order of this Court.

AND as in duty bound, etc.

Alexander G. Jones

Harry T. Phoebus, Jr.
Trustees

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 26th day of November, in the year 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Alexander G. Jones and Harry T. Phoebus, Jr. and made oath in due form of law that the matters and facts set forth in the aforegoing Petition are true and correct to the best of their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

LIBER 041 PAGE 623

| | | |
|---|---|---|
| Eldridge France | * | In the Circuit Court for |
| | * | |
| vs | * | Somerset County, Maryland |
| | * | |
| Henry E. White | * | No. 8013 Chancery |
| | ******* | |

ORDER OF COURT

Upon the aforegoing Petition and Affidavit, it is this 29th day of November, 1965 by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED, that Shebby Dredging Company, of Edgewood, Maryland, be and it is hereby ordered to show cause, if any it has, on or before the 29th day of December, 1965, why Alexander G. Jones and Harry T. Phoebus, Jr., Trustees in the above entitled case, should not be authorized and directed to disallow the claim filed with them by the said Shebby Dredging Company, and to disburse the $1,000, held by them in consideration of the said claim, in a manner consistent with the Order of Sale;

Provided, however, that a copy of the Petition, Affidavit and this Order of Court be served on Frank J. Shebby, of Shebby Dredging Company, 817 Edgewood Road, Edgewood, Maryland, on or before the 10th day of December, 1965.

E. McMaster Duer

E. McMaster Duer
Judge

Sheriff's Return

"November 30, 1965 Summoned Frank J. Shebby and a copy of Petition, Affidavit and Show Cause read to and left with him. /s/ William J. Künkel, Sheriff of Harford Co.

Eldridge France

vs

Henry E. White

No. 8013 Chancery

In the Circuit Court for

Somerset County, Maryland

ANSWER OF SHEBBY DREDGING COMPANY

Frank J. Shebby, trading as Shebby Dredging Company, by Lionel Bennett, his attorney, for his answer to the petition herein, verified November 26, 1965, says:

1. He is without knowledge as to the allegations of paragraphs 1, 2 and 3.

2. He admits that Shebby Dredging Company filed a claim with the petitioners in the amount of $1,000.00, but denies that the dredging work mentioned therein was not completed, and he is without knowledge of any other allegations of paragraph 4.

3. He is without knowledge as to the allegation of paragraph 5.

Lionel Bennett

Lionel Bennett
940 Main Street, Box 582
Crisfield, Maryland
Phone: 968-1166
Attorney for Respondent
Shebby Dredging Company

I certify that on December 30, 1965, I mailed a copy of the above to Alexander G. Jones, at Princess Anne, Maryland, and to Harry T. Phoebus, Jr., at Crisfield, Maryland.

Lionel Bennett

Lionel Bennett
Attorney for Respondent
Shebby Dredging Company

Eldridge France
vs
Henry E. White

No. 8013 Chancery
In the Circuit Court for
Somerset County, Maryland

MOTION TO EMPLOY NEW COUNSEL

Shebby Dredging Company, by Lionel Bennett, its attorney, moves this Court for an order directed to Henry E. White to employ new counsel on the ground that Harry T. Phoebus, Jr, sole attorney of Henry E. White, has been suspended from practice.

Lionel Bennett
Lionel Bennett
Attorney for Shebby Dredging Co.

ORDER

On motion of Shebby Dredging Company, it is this 29th day of Sept, 1966, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that Henry E. White employ new counsel on or before the 31st day of Oct, 1966, provided that a copy of this order be served on him on or before the 5th day of Oct, 1966.

E. McMaster Duer
E. McMaster Duer
Judge

Sheriff's Return
"Order to employ new counsel served upon and copy left with Henry E. White, this September 30, 1966. Isaac H. Dorsey, Sheriff, Edwin B. Muir, Deputy."

| | | |
|---|---|---|
| ELDRIDGE FRANCE | : | NO. 8013 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| HENRY E. WHITE | : | SOMERSET COUNTY, MARYLAND |

::::::

ORDER TO ENTER APPEARANCE

MR. CLERK:

Please enter my appearance on behalf of Henry E. White in the above entitled case.

Walter D. Webster,
Solicitor for Defendant
104A N. Division Street
Salisbury, Maryland
Phone: 749-7100

I HEREBY CERTIFY, that I mailed a copy of the aforegoing Order to Enter Appearance to Alexander G. Jones, Esquire, Princess Anne, Maryland, and Lionel Bennett, Esquire, Crisfield, Maryland, by regular United States Mail, postage prepaid, this 3rd day of October, A.D., 1966.

Walter D. Webster
Solicitor for Defendant

LIBER 041 PAGE 627

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

Eldridge France

vs

Henry E. White

No. 8013 Chancery

In the Circuit Court for

Somerset County, Maryland

LIBER 041 PAGE 628

ORDER

A petition having been filed herein by Alexander G. Jones and Harry T. Phoebus, Jr., Trustees appointed by this Court in the above entitled action, for instructions as to the disbursement of a balance of $1,000.00 held by them, and this Court ordered the Shebby Dredging Company to show cause why its claim filed with the trustees should not be disallowed, and Shebby Dredging Company having filed an answer to said petition, and a hearing having been held and testimony having been taken in the matter, and after hearing Lionel Bennett, attorney for Shebby Dredging Company, Alexander G. Jones, sole remaining trustee, and Walter D. Webster, attorney for Henry E. White,

It is hereby ordered this 2nd day of ~~October~~ November, 1966, by the Circuit Court for Somerset County, Maryland, in Equity, that Alexander G. Jones, sole remaining trustee herein, allow the claim of Frank J. Shebby, trading as Shebby Dredging Company, in the amount of $1,000.00, and

It is further ordered that Alexander G. Jones, sole remaining trustee, disburse the said $1,000.00 to Frank J. Shebby, trading as Shebby Dredging Company, by check executed with his sole signature.

E. McMaster Duer

E. McMaster Duer
Judge