

IN THE SUPERIOR COURT OF BALTIMORE CITY,

City of Baltimore, to wit:

Elvira Romero, Alfred Horne, Maria Horne, Malvina Vidiella and Frederico P. Vidiella, her husband, and Augusto Horne, by Michael A. Mullin and James Pollard, their attorneys, sue Murray Vandiver--For that, whereas the said Plaintiffs were in possession at Baltimore City of ninety-nine undivided equal parts, the whole into one hundred equal parts to be divided, in all that parcel of land, situate, lying and being in said city, and contained within the metes and bounds, courses and distances, following, that is to say--

B E G I N N I N G

----- for the same, at the corner formed by the intersection of (what is now) the North side of Fayette Street, and the West side of North Street, and running thence Westerly, binding on the North side of Fayette Street seventy-five feet, more or less, to the Westernmost outline of the lot of ground described in a Deed dated October 21st. 1765 from a certain Alexander Lawson to a certain John Smith and others, recorded among the Land Records of Baltimore County (now City) in Liber B. No. 0, folio 668 &c. thence Northerly, binding on said outline two hundred and thirty-five feet, more or less, to the Northwesternmost outline of said lot; thence Northeasterly on said last mentioned outline thirty-five feet, more or less, to (what is now) the South

side of Lexington Street; thence Easterly, binding on the South side of Lexington Street fifty-five feet to the corner formed by the intersection of (what is now) the South side of Lexington Street and the West side of North Street; thence Southerly, binding on the West side of North Street about two hundred and sixty feet to the place of beginning.

AND the said Murray Vandiver did, at Baltimore City aforesaid, wrongfully enter said parcel of land and eject them the said plaintiffs therefrom, and the said defendant ever since has retained and still retains possession of the said lot or parcel of land, and other wrongs to the said plaintiffs then and there did to their great damage.

AND the said plaintiffs claim the recovery of the said parcel of land, and for their damages, \$100,000.00

*Michael A. Mullin Son*  
.....

*James Farrell*  
.....

Attorneys for Plaintiffs.

TO MURRAY VANDIVER, the Defendant.

TAKE NOTICE--That an action of ejectment hath been commenced against you in the Superior Court of Baltimore City by the above-named Plaintiffs, by filing the declaration



2/19/1839

No. 164 <sup>51</sup> 1895 Su. Ct.

ELVIRA ROMERO, ALFRED HORNE,

MARIA HORNE, MALVINA VIDIELLA,  
FREDERICO P. VIDIELLA, her husband  
AUGUSTO HORNE,

Plaintiffs <sup>51</sup> 1895

VS.

MURRAY VANDIVER,  
Defendant.

*Bond No. 1,026*  
MR. JAMES BOND,  
Clerk of the Superior Ct  
of Baltimore City:

File this Declaration and Notice, issue Summons thereon and send copy of Declaration and Summons, under seal, to the Sheriff, to be served on the Defendant, or if he cannot be found, upon the person or persons in actual possession of the land described in the Declaration; and if there be no person in possession of the premises, or if the same be unimproved, vacant property, a copy of the Declaration and Summons to be conspicuously posted and set up upon the premises.

*Michael A. Muller*  
*James Talbot*  
Attorneys for Plaintiffs.

Filed *10<sup>th</sup>* day of *Jan'y*, 1895

No. 104 Du. Ct.

Eliza Rogers, Alfred Horne,  
Maria Horne, Malvina Vidiella  
of Frederico P. Vidiella her husband  
and Auguste Horne

Murray Vanduer

**Writ of Summons.**

~~in Exemption with~~

Copy of Nar. and notice to plead within  
to be served on Defendant.

Michael R. McMillin  
James Pollard  
Attorney.

Filed 14<sup>th</sup> day of July 1895.

Summons Murray Vanduer, defendant and a copy of the  
declaration returned to the defendant with a copy of this of  
summons served on Murray Vanduer, defendant on the 17th  
day of January 1895.  
(Horne)  
John Sumner  
Shuff



[WRIT OF SUMMONS.]

STATE OF MARYLAND,

BALTIMORE CITY, to wit:

TO THE SHERIFF OF BALTIMORE CITY, GREETING:

You are hereby commanded to summon.....

*Murray Vandiver*

of Baltimore City, to appear before the Superior Court of Baltimore City, to be held at the Court House in the same City, on the second Monday of *January, inst* ~~next~~, to answer an <sup>of Ejectment</sup> action at the suit of

*Elvira Romero, Alfred Horne, Maria Horne, Malvina Vidiella and Frederico P. Vidiella, her husband, and Augusto Horne.*

and have you then and there this writ.

WITNESS, the Honorable HENRY D. HARLAN, Chief Judge of the Supreme Bench of Baltimore City,

the *10th* day of *September* 189*4*

ISSUED *10th* day of *January* 189*5*

*James Bond* Clerk.

Elvin Romero }  
                  *vs*           *dal* }  
Murray Vandiver }  
                                  } Superior Court  
                                  } of Salt Lake City

Mr Brundage

Enter my  
appearance for the  
defendant in the above  
entitled cause.

W L Mackay



In the  
Superior Court

Elvia Rogers

vs ~~or~~

Mary Vandiver

Feb. 14 January 1885

Elvira Romero, et al :  
vs.  
Murray Vandiver

In the  
Superior Court  
of Baltimore City.

Comes now the defendant by William L. Marbury,  
his attorney and defends the wrong and injury alleged in the  
plaintiff's declaration and for a first plea to said declar-  
ation, the defendant says, that <sup>he</sup> ~~it~~ did not commit the wrong  
alleged.

And for a second plea to the plaintiff's said  
declaration, the defendant says, that the said alleged cause  
of action in the plaintiff's declaration mentioned did not  
accrue within twenty years prior to the institution of this  
suit.

And for a third plea he says, that said alleg-  
ed cause of action in the plaintiff's declaration mentioned,  
did not accrue within three years prior to the institution  
of this suit.

*66  
13  
3  
3  
3  
3  
3*

*[Handwritten notes and signatures in the margin]*

*W. L. Marbury*

Attorney for defendant.



In the Superior Court  
of Baltimore City

Christa Romero, et al  
vs  
Murray Vandewer

Pleas

Mr. Bond, Clerk

Pleas file

H. K. Marbury  
for defendant

Service of copy admitted  
this 28th day of June 1895

Michael D. Mullin  
for Plaintiff

Feb. 28<sup>th</sup> June 1895

Attorney for defendant.

alleged.

And for a second plea to the plaintiff's said  
alleged.  
action, the defendant says, that ~~he~~ did not commit the wrong  
plaintiff's declaration and for a first plea to said declar-  
his attorney and defenda the wrong and injury alleged in the  
Comes now the defendant by William L. Marbury.

Wm Bond

Christa Romero et al

of Baltimore City.  
Superior Court

In the

Olivia Romero et al } in the  
                                  as } Superior  
Murray Baudier } Court.

The plaintiffs join issue on the  
defendants first plea.

Michael A. Muller and  
James S. Seward,  
attys for plaintiffs



51  
1895 Jan 195  
NY 164

In the Supreme Court

Elvira Rorero  
et al

vs

Murray Bandiera

Joining issue  
on Defendants 1<sup>st</sup>  
plea

Service of copy ad-  
mitted.

W. M. Mackinnon  
Atty for Defendant.

Mr Bond  
File this -  
Michael H. Muller  
James Saegebarth  
attys for plffs.  
Feb 9 February 1895



Elvira Rameo et al } In the  
vs } Superior Court.  
Murray Candron }

To the Honorable, the Judge of said Court.

The plaintiffs move to strike out the second and third pleas filed by the defendant to the plaintiffs' declaration:

1. Because the same are pleas of limitation and not properly pleadable in an action of Ejectment.
2. Because the defendant is entitled to every defence under the first plea by him filed.
3. Because said second and third pleas are unnecessary and calculated to raise issues immaterial to the proper decision of the cause.
4. Because of other matters to be assigned at the hearing.

Michael A. Muller & Son,  
James Deeney,  
Attys for plffs.



57  
1895  
Jan 25  
no 164

In Superior Court

Elvira Romero  
vs  
et al

Murray Bandivos

Motion to Strike out  
Def'ts 2 & 3 & Filas

Service of copy ad-  
mitted this  
day of February 1895.  
W. H. Mearns  
Att'y for Def't

for Bond -  
Feb this  
Michael A. Mallin for  
James J. J. J.,  
attys pro p[ro]p[ri]e

Feb 9 February 1895



Docket, 1895 (No. 1) folio 51.

Elvira Romero  
et al

v.

Murray Vandiver

In the  
Superior Court of  
Baltimore City

It is agreed that the above cu-  
litled cause be continued, this 22<sup>nd</sup>  
day of September 1896,

James Pollard  
Michael A. Muller

Attys for Plaintiffs

Wm L. Marburg

Jno. L. Lee,

Attorneys for  
defendant.

✓ Jan 1895 - 1895 folio 51.

In the Superior Court of  
Baltimore City.

Elvira Romero

vs.

Murray Vandiver

Mr. Clerk

Please file

Michael A. Mullin

Joseph C. Mullin

Plt's Atty.

Filed 24 Sept 1896

*Faint handwritten notes in the left margin, including the name 'Elvira Romero' and other illegible text.*

*Faint handwritten notes in the right margin, including the name 'Murray Vandiver' and other illegible text.*