

45A 716

Ex Parte

James  
Giffen

Petition and  
Order

21636-A

(42)

JUDGE

28 April 1956

CASE No. \_\_\_\_\_

FILED \_\_\_\_\_

EX PARTE

IN THE MATTER OF JAMES GRIFFIN,  
Incompetent

IN THE  
CIRCUIT COURT NO. 2

OF  
BALTIMORE CITY

Docket 45A

Folio 685

Case No. 21636A

P E T I T I O N

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Benjamin H. Foreman, Jr., Substituted Guardian of James Griffin, Incompetent in the above proceedings, respectfully shows unto Your Honor:

I.

That Your Petitioner was appointed Substituted Guardian on February 27, 1953 and qualified as such by posting a surety bond in the amount of \$2,000.00.

II.

That the assets of the estate at the time of Your Petitioner's appointment consisted of cash deposited in Fidelity Trust Company in the amount of \$609.41 and a United States Savings Bond, series F., with a face value of \$1,000.00 at maturity which bond matures in 1960.

III.

That subsequently the assets of the estate were reduced to less than \$1500.00 whereupon by petition, this Honorable Court reduced the bond to an amount commensurate with the assets of the estate.

IV.

That the assets of the estate now consist of the aforementioned United States Savings Bond and cash deposited in Fidelity Trust Company in the amount of \$217.51, thereby making

*My commission expires May 6, 1957*

the actual total assets in the present estate of slightly less than \$1000.00

V.

That prior to next Annual Report there will be no substantial increase in the assets of the estate, in fact the only increase, if any, will be the interest from the deposit in Fidelity Trust Company which deposit will be less than \$225.00 at the next Annual Report.

VI.

That the present bond of \$1500.00 is more than sufficient to protect the assets of the estate.

VII.

That by reducing the bond commensurate with the assets of the estate a savings to the estate will be effectuated thereby.

WHEREFORE Your Petitioner prays this Honorable Court to pass an appropriate Order permitting Your Petitioner to reduce the bond in the above entitled matter to \$1000.00.

AND, as in duty bound, etc.

*Benjamin H. Foreman Jr.*  
Benjamin H. Foreman, jr.  
Petitioner  
343 Dolphin Street  
Baltimore 17, Maryland

STATE OF MARYLAND, )  
CITY OF BALTIMORE, ) to wit:

I HEREBY CERTIFY, that on this 24<sup>TH</sup> day of April, 1956 before me, the subscriber, a Notary Public of the State of Maryland, City of Baltimore aforesaid, personally appeared BENJAMIN H. FOREMAN, JR., Petitioner in the above entitled case, who acknowledged the matters and facts in the above Petition to be true to the best of his knowledge.

WITNESS my hand and Notarial Seal the day and year last above written.

*Gilbert Burgen*  
Notary Public  
My commission expires May 6, 1957

*Plen. des.*

EX PARTE

IN THE MATTER OF JAMES GRIFFIN,  
Incompetent

IN THE  
CIRCUIT COURT NO. 2

OF  
BALTIMORE CITY

Docket 45A  
Folio 685  
Case No. 21636 A

: : : : : : : :

O R D E R

Upon the foregoing Petition and Affidavit, it is this  
24<sup>th</sup> day of April, 1956, by the Circuit Court No. 2 of  
Baltimore City, ORDERED, that Benjamin H. Foreman, Jr., Substituted  
Guardian of the Estate of James Griffin, incompetent, be and he is  
authorized to reduce the bond in this Estate to \$1000.00.

*Please Read*

*6194 7/10*

*Handwritten notes in left margin*

*Handwritten notes in center margin*

*[Signature]*

JUDGE

*Handwritten notes below signature*

*Handwritten notes in right margin*

45.A - 716

Ex parte

James Griffin

21636A

(60)

10-31-67

45A

# Know all Men by these Presents,

That I, BENJAMIN H. FOREMAN, Administrator of the Estate of JAMES GRIFFIN, Deceased hereby acknowledge receipt of the sum of \$1379.46 from Benjamin H. Foreman, Jr. Substituted Guardian of JAMES GRIFFIN, Incompetent.

And in consideration thereof I do hereby Release, Acquit, Exonerate and Discharge the said Benjamin H. Foreman, Jr., Substituted Guardian in the matter, James Griffin, Incompetent Heirs, ~~Executors~~ and Administrators of and from all and every action, suit or demand which could or might possibly be brought, exhibited or prosecuted against him them or any of them, for or on account of Estate of James Griffin, Incompetent

or the payment thereof, hereby declaring himself satisfied, contented and paid as above specified. Given under my hand and seal this 31<sup>st</sup> day of October in the year nineteen hundred and ~~19~~ sixty-seven.

Signed, Sealed and Delivered  
in the presence of

*Benjamin H. Foreman* [SEAL]

[SEAL]

State of Maryland CITY OF BALTIMORE to Wit:

I hereby certify that on this 31<sup>st</sup> day of October in the year nineteen hundred and Sixty-seven before the subscriber a Notary Public, in Baltimore City of the said State, in and for said City and State, personally appeared Benjamin H. Foreman

partY to the above Release, and acknowledged the same to be his act and deed. And I do hereby certify that of my own personal knowledge I am satisfied that the said Benjamin H. Foreman

who has acknowledged the above Release is the person named and described and as professing to be the , the party in and to the same.

*Constance Spell*

45 A —  $\frac{716}{685}$

Epiparte

J. Griffen

21636 A

(57)

10-17-67

EX PARTE  
IN THE MATTER OF  
JAMES GRIFFIN,

IN THE  
CIRCUIT COURT #2

OF

BALTIMORE CITY  
Docket 45A - Folio 685  
Case No. 21636 A

Incompetent of the Incompetent and personally  
attended same.

9. That some legal skill and  
required throughout the guardian relationship.

10. That PETITION FOR COUNSEL FEE ved a fee of \$50.00

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Benjamin H. Foreman, Jr., Substituted  
Guardian of James Griffin, Incompetent, in the above proceedings  
respectfully represents unto Your Honor:

1. That Your Petitioner was appointed Substituted  
Guardian of James Griffin, Incompetent, February 27, 1953 and  
qualified as such by posting a surety bond in the amount of  
\$2000.00.

2. That James Griffin, Incompetent, died on September  
4, 1967 at the Veterans Administration Facility, Perry Point,  
Maryland.

3. That the Estate of James Griffin consists only of  
cash in the amount of \$1805.46 on deposit with  
Maryland National Bank.

4. That since the appointment of your Petitioner as  
Substituted Guardian he has filed many petitions with this Honor-  
able Court in interest of James Griffin, Incompetent.

5. That your Petitioner has filed the necessary  
annual Fiduciary reports with the Trust Clerk.

6. That your Petitioner has made collections from the  
Veterans Administration which were deposited and has disbursed  
funds to Veterans Administration Facility at Perry Point, Mary-  
land for the welfare and creature comforts of the incompetent.

7. That your Petitioner has had contacts, personally,  
by correspondence and by telephone with various personnel of the  
Veterans Administration in the interest of the incompetent and pro-  
per guardianship.



8. That your Petitioner made the necessary arrangements for the funeral and burial of the Incompetent and personally attended same.

9. That some legal skill and many hours of work were required throughout the guardian relationship.

10. That Your Petitioner has received a fee of \$50.00 by Order of this Honorable Court dated July 16, 1953 and since appointment has received no other fee, compensation or commission.

WHEREFORE Your Petitioner prays this Honorable Court pass an Order authorizing a reasonable fee in lieu of commission for services performed by him as hereinabove described.

AND AS IN DUTY BOUND, Etc.

*Benjamin H. Foreman Jr*  
Benjamin H. Foreman, Jr.,  
Petitioner

The Veterans Administration does not object to the granting of this Order.

STATE OF MARYLAND)

to wit:

CITY OF BALTIMORE)

I HEREBY CERTIFY that on this 6 16 day of October, 1967, before me, the subscriber, a Notary Public of the State of Maryland, City of Baltimore aforesaid, personally appeared Benjamin H. Foreman, Jr., Petitioner in the above entitled case, who acknowledged the matters and facts in the above Petition to be true to the best of his knowledge.

AS Witness my Hand and Notarial Seal

*John F. Mueller*  
NOTARY PUBLIC

My Commission Expires July 1969.

EX PARTE  
IN THE MATTER OF  
THE ESTATE OF

IN THE  
CIRCUIT COURT NO. 2  
OF

CERTIFICATE OF COUNSEL BALTIMORE CITY

JAMES GRIFFIN, Incompetent

Docket 434 - Police 645  
Case No. 21636 A

WE, the undersigned members of the Baltimore City Bar, do hereby certify that in our opinion a fee of \$350.00 would be fair and reasonable compensation for the services rendered as set forth in the foregoing Petition.

this 17 day of October, 1967, by the Circuit Court No. 2 of Baltimore City.

Lena K. Lee

ORDERED that Benjamin H. Ferguson Jr. substitute guardian of the Estate of James Griffin, incompetent, be allowed the sum of \$350.00 as compensation for services rendered and that said substitute guardian be allowed the same in his next report filed in this case.

Solomon Baylor

The Veterans Administration does not object to the passage of this Order.

William S. Howard

EX PARTE  
IN THE MATTER OF  
THE ESTATE OF  
JAMES GRIFFIN, Incompetent

\* IN THE  
\* CIRCUIT COURT #2  
\* OF  
\* BALTIMORE CITY  
\* Docket 43A - Folio 685  
\* Case No. 21636 A  
\*

ORDER

UPON the foregoing Petition and Affidavit, it is  
this 17 day of October, 1967, by the  
Circuit Court No. 2 of Baltimore City,

ORDERED that Benjamin H. Foreman Jr. substitute  
guardian of the Estate of James Griffin, incompetent, be allowed  
the sum of \$350.00 as counsel fee for services rendered and that said substitute guardian be allowed the same  
in his next report filed in this cause.

*James H. Foreman Jr.*  
JUDGE

424-  
5/10  
992

*of  
trust  
Benjamin H. Foreman Jr.*

*5/10/67  
(25)  
10-15-67*

45A-685

*Of part*

*James Griffin*

21636-A

58

10-26-67

AND IT IS FURTHER ORDERED THAT UPON THE FILING OF A VALID  
RELEASE OF BENJAMIN H. FOREMAN, JR., SUBSTITUTED GUARDIAN FOR  
JAMES GRIFFIN, INCOMPETENT, BY THE QUALIFIED ADMINISTRATOR OF  
THE ESTATE OF JAMES GRIFFIN, DECEASED, THAT SAID BENJAMIN H. FORE-

*James Griffin*  
RUCHE  
*[Signature]*

EX PARTE

IN THE  
CIRCUIT COURT #2

IN THE MATTER OF

THE ESTATE OF

JAMES GRIFFIN,

Incompetent

BALTIMORE CITY  
Docket 45A - Folio 685  
Case No. 21636 A

PETITION FOR APPROVAL OF FINAL REPORT  
AND AUTHORITY TO SURRENDER ASSETS TO  
ADMINISTRATOR

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Benjamin H. Foreman, Jr., Substituted Guardian in the matter of the Estate of James Griffin, respectfully represents unto Your Honor:

1. That by Order of this Honorable Court, dated February 27, 1953 your Petitioner was appointed Substituted Guardian for James Griffin, Incompetent and filed his approved bond with the Clerk of this Court.

2. That during the period of his guardianship, your Petitioner has made collection of certain payments made by the Veterans Administration and has made only necessary disbursements as authorized by this Honorable Court, and has made certain disbursements to the Veterans Administration Facility, Perry Point, Maryland for creature comforts of said incompetent, and has preserved the balance of the funds by deposit in Maryland National Bank, Baltimore, Maryland, which are the only assets of the within estate.

3. That the said James Griffin, Incompetent, died in Perry Point, Maryland on September 4, 1967, which death is evidenced by a certificate of death, attached hereto and marked Exhibit "A".

4. That on October 18, 1967 your Petitioner was appointed Administrator of the Estate of the said James Griffin, deceased, by the Orphans' Court of Baltimore City, which appointment is evidenced by a Certificate of Appointment attached hereto and marked Exhibit "B".

STATE OF MARYLAND  
5. That your Petitioner has filed a Final Fiduciary Report with the Trust Department of Baltimore City accounting to the date of death of the said James Griffin, deceased; and that said account was approved by the Trust Clerk on Oct. 25<sup>th</sup> 1967, 1967, without necessity for further audit.

6. That the assets which your Petitioner is charged as Substituted Guardian of the Estate of James Griffin, at the time of his death is as follows: Account No. 68723 Cash - Maryland National Bank - \$1762.12.

WHEREFORE, Your Petitioner respectfully prays:

(a) That this Honorable Court may pass an Order approving and ratifying the Final Fiduciary Report and Account filed on December 1, 1966, and authorize and direct your Petitioner as substituted Guardian of the Estate of James Griffin, Incompetent, to turn over to himself as the duly qualified Administrator of the Estate of James Griffin, deceased, all assets which he holds as Substituted Guardian as reflected by the Final Fiduciary Report, less such amount as may be necessary to defray Court costs and other expenses incident to the termination of this proceeding.

(b) That, upon the filing of a valid release of your Petitioner as Substituted Guardian aforesaid, by the duly qualified Administrator, Your Petitioner, be discharged from any further liability and responsibility as Substituted Guardian for James Griffin, Incompetent.

(c) That your Petitioner may be granted such other and further relief as the nature of this cause may require.

AND, AS IN DUTY COUND, etc.

Benjamin H. Foreman  
Benjamin H. Foreman, Petitioner  
1531 Pennsylvania Avenue  
Baltimore, Maryland 21217  
523-5600

STATE OF MARYLAND)  
to wit:  
CITY OF BALTIMORE)

I HEREBY CERTIFY that on this 25 day of Oct.,  
1967 before me, the subscriber, a Notary Public of the State of  
Maryland in and for the City aforesaid, personally appeared  
Benjamin H. Foreman, Jr., the Petitioner herein, and made oath in  
due form of law that the matters and facts contained in the fore-  
going Petition are true and correct to the best of his knowledge,  
information and belief.

AS WITNESS my hand and Notarial Seal.



John F. Mueller  
NOTARY PUBLIC

Court costs and other expenses incident to the termination of this  
proceeding.

AND it is further Ordered that upon the filing of a valid  
release of Benjamin H. Foreman, Jr., Substituted Guardian for  
James Griffin, Incompetent, by the duly qualified Administrator of  
the Estate of James Griffin, deceased, that said Benjamin H. Fore-  
man, Jr., be discharged from any further liability and responsibil-  
ity as Substituted Guardian for James Griffin, Incompetent.

James Griffin

10/25/67  
Final Report  
Filed  
John F. Mueller  
Notary Public

ORDERED

UPON the Aforegoing Petition, Affidavit and Exhibits, it is this 26 day of October, 1967, by the Circuit Court of Baltimore City

ORDERED, That the Final Fiduciary Report in this cause is hereby ~~approved~~ *accepted in lieu of a final audit.*

AND it is further Ordered that Benjamin H. Foreman, Jr. Substituted Guardian for James Griffin, Incompetent, is hereby authorized and directed to turn over to himself, as duly qualified Administrator of the Estate of James Griffin, deceased, all of the assets of said Guardianship as reflected by the approved Final Fiduciary Report, less such amounts as may be necessary to defray Court costs and other expenses incident to the termination of this proceeding.

AND it is further Ordered that upon <sup>*the payment of costs and*</sup> the filing of a valid release of Benjamin H. Foreman, Jr., Substituted Guardian for James Griffin, Incompetent, by the duly qualified Administrator of the Estate of James Griffin, deceased, that said Benjamin H. Foreman, Jr., be discharged from any further liability and responsibility as Substituted Guardian for James Griffin, Incompetent.

*[Signature]*  
JUDGE

*10/25/67  
Final Report  
filed & approved  
Charles J. [unclear]  
Treas. Court*

*10/25/67*