

ORPHANS' COURT RECORD.

De vol. 4 Page 45.

Wife of

*Emma Taylor*

Deceased.

Filed

*May 25 1923*

4/45.

Specimen to answer as prayed.  
returnable June 2, 1925. Holog

In The Orphans'  
Court of Baltimore

In The Estate of  
Emma Taylor

Great, well

Mr Clerk please file  
~~the~~ file

Filed May 25/25

J.S. DAVIS  
J. DAVIS & BISHOP  
ATTORNEYS AT LAW  
BANNEKER BUILDING  
14 E. PLEASANT STREET  
BALTIMORE, MD.  
215 St. Paul Place

IN THE MATTER OF THE ESTATE : IN THE ORPHANS' COURT

OF : OF

EMMA TAYLOR, DECEASED : BALTIMORE CITY

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TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition and caveat of Emma Taylor <sup>(Jetterson)</sup> respectfully shows:

- (1) That the said Emma Taylor died on the 13th day of May, 1923, leaving her surviving as nearest of kin, two children, a son and an adopted daughter, Emma Taylor <sup>(Jetterson)</sup>
- (2) That after the death of the said Emma Taylor, one Nathaniel D. Sollers offered for probate in this Honorable Court, a paper writing dated the 23rd day of April 1923, purporting to be the Last Will and Testament of the said Emma Taylor, and without contest and order, was passed by this Honorable Court on the 17th day of May 1923, admitting the said alleged Will to probate, and on the 17th day of May, 1923 letters testamentary under same were granted said Nathaniel D. Sollers who was named as Executor in said alleged Will.
- (3) Your petitioner further shows and charges that said paper was not the Last Will and Testament of the said Emma Taylor but that the said Emma Taylor died intestate; and your petitioner further alleges:
- (4) That said alleged Will was not executed by said Emma Taylor when she was of sound and disposing mind and capable of executing a valid deed or contract.
- (5) That the said Emma Taylor was an uneducated person and



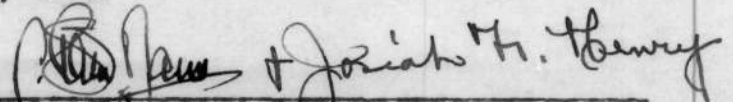
unable to read or write but slightly, and that at the time of the execution of the said alleged Will, she did not understand or know the contents thereof.

(6) That the execution of said Will was procured by undue influence exercised and practiced upon her, the said Emma Taylor and constraining her will therein.

And your petitioner prays that the said Nathaniel D. Sollers may be required to answer the premises and that the order of this Honorable Court admitting to probate the said alleged Will may be annulled and set aside, and the letters testamentary granted unto the said Nathaniel D. Sollers may be revoked.

AND as in duty bound, etc.

Mrs. Emma Jefferson.  
Petitioner

  
SOLICITOR FOR PETITIONER.

THE MATTER OF THE ESTATE OF

Emma Taylor, deceased.

Caveat to Will.

IN THE

Orphans' Court

FOR

BALTIMORE CITY.

191

J. Steward Davis, and  
Josiah Henry, Attorneys at Law,  
215 St. Paul St., City.

Sir:

I am instructed to notify you that Thursday  
the 28th day of June 1913, at 12 o'clock M.,  
has been set for a hearing in the above entitled cause.

By order of the Court,

Register of Wills.

Attorney for Plaintiff.

Attorney for Defendant.

The State of Maryland,

To the Sheriff of Baltimore City, Greeting:

You are hereby commanded to cite and summon Nathaniel D. Sollers,

942 Equitable Bldg. City

that laying all other matters aside, and notwithstanding any excuse, he personally be and appear before the Orphans' Court of Baltimore City, to be held in the Court House, in the City of Baltimore, on Saturday the 2nd. day of June, 1923 at 11 A.M. to answer the petition and caveat of Emma Taylor Jefferson filed to the last Will and Testament of Emma Taylor, deceased.

Whereof, he dare not fail at his peril. AND HEREOF, fail not at your peril, and have you then and there this writ.

Witness, the Honorable MYER J. BLOCK, Chief Judge of the said Court.

ISSUED this 25th. day of May, 1923.

TEST:

Edwin R. Jones  
Register of Wills for Baltimore City.



4/45

3

Summoned.

(Vinklerstein)

5-28-28.

Shawp O.C.O

Thomas F. III<sup>rd</sup> Nulty

Shawp

The State of Maryland

To the Sheriff of Baltimore City, Greeting:

4/23

46

to the effect that the petition and answer of James Taylor, deceased, ...  
1059 st 13 A.M.

RECORDED  
INDEXED  
MAY 1 1888  
SHERIFF OF BALTIMORE CITY  
THOMAS F. NULTY

In The  
Orphans' Court  
Of Baltimore City.

4/45.

In the matter of the Estate

of

Emma Taylor, deceased.

A N S W E R.

Mr. Clerk:-

Please file.

Jacob F. Burbach.  
Attorney for Executor.

Filed June 2-1923.



In the matter of the Estate  
of  
Emma Taylor, deceased.

In The  
Orphans' Court  
Of Baltimore City.

To the Honorable, The Judges of said Court:-

The Answer of Nathaniel D. Sollers, Executor of the last will and testament of Emma Taylor, late of Baltimore City, deceased, to the Petition and Caveat of Emma Taylor Jefferson, against him and against the said last will and testament in this honorable court exhibited.

This respondent admits the death of the said Emma Taylor at the time mentioned in the said petition, but your respondent denies that the said Emma Taylor left surviving her as nearest of kin two children, a son and an adopted daughter, Emma Taylor Jefferson; the latter, the petitioner and caveator aforesaid.

That this respondent admits the probate of said will by this honorable court on the seventeenth day of May, nineteen hundred and twenty-three, and admits that he was appointed executor thereof; and this respondent says that he qualified as such executor, gave the necessary bond, and admits the issuance to him of letters testamentary on said will.

This respondent denies all and singular the remaining allegations of the said petition, and on the contrary avers that the paper writing referred to in the said petition is, in fact and in truth, the last will and testament of the said Emma Taylor, and the respondent further alleges:-

1. That the said will was signed by the said Emma Taylor, and attested and subscribed in her presence by two creditable witnesses.

2. That the said will was executed by the said Emma Taylor when she was of sound and disposing mind, memory and understanding, and capable of executing a valid deed or contract.

3. That the execution of the said will was not procured by any undue influence, exercised or practised by the said Nathaniel D. Sollers, or by any other person, upon the said Emma Taylor, and that her mind was not in any manner influenced or constrained therein.

This respondent further denies that the said Emma Taylor was an uneducated person and unable to read or write, and that at the time of the execution of said will she did not understand or know the contents thereof; your respondent on the contrary says that at the time of the execution of said will the same was read to the said Emma Taylor in the presence of the attesting witnesses, and that she thoroughly understood and knew the contents thereof.

And having answered fully the said petition, he prays to be hence dismissed with the costs.

*Jacob F. Mowbach*

Attorney for Executor.

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:-

I hereby certify that on this 31<sup>st</sup> day of May, nineteen hundred and twenty-three, before me, the subscriber,

a Notary Public, of the State of Maryland, in and for the city of Baltimore, personally appeared Nathaniel D. Sollers, the executor in the above and foregoing Answer, and made oath in due form of law that the matters and facts set forth in the said Answer were true to the best of his knowledge and belief.

Witness my hand and Notarial seal.

Howard P. Adams.

Notary Public.



4/45. In The  
Orphans' Court  
Of Baltimore City.

676

In The Matter of the Estate

of

EMMA TAYLOR, Deceased, late  
of Baltimore City.

Reh

ORDER DENYING PRAYER OF A PETITION

**FILED**

JUN 28 1923

EDWIN R. DOWNES,  
REGISTER.

637

In the Matter of the Estate  
of  
EMMA TAYLOR, Deceased, late  
of Baltimore City.

In The  
Orphans' Court  
of  
Baltimore City.

The Petition of Emma Taylor Jefferson, filed  
on the 25<sup>th</sup> day of ~~June~~ <sup>May</sup>, nineteen hundred and twenty-three,  
praying that the reception and admission to probate of the  
last will and testament of Emma Taylor, late of Baltimore  
City, deceased, may be again examined and heard and that the  
probate thereof and the grant of letters testamentary unto  
Nathaniel D. Sollers, the executor named therein, may be  
revoked together with the answer of the said executor there-  
to having been set for hearing on the twenty-eighth day of

June, nineteen hundred and twenty-three, and the said <sup>petitioner</sup> ~~parties~~  
~~having failed to appear and defendant having appeared and~~  
~~to the said controversy, with their respective counsel having~~  
~~attended, and the evidence and arguments of the said~~ <sup>defendant</sup> ~~respective~~  
~~parties~~ having been duly heard and considered by the court,  
and it appearing to the said court:

That the said Emma Taylor Jefferson, the peti-  
tioner, ~~was not~~ <sup>and it not appearing that she was</sup> legally adopted as a daughter by the said Emma  
Taylor, deceased, and therefore has no right to maintain these  
proceedings;

It is thereupon this 28 day of June, nineteen  
hundred and twenty-three, by the Orphans' Court for Baltimore  
City, adjudged, ordered and decreed that the prayers of the  
said petitioner that the probate of the said will be set aside  
and the letters thereon revoked be denied with costs. *And the*  
*cause be and is hereby dismissed*

And it is further adjudged, ordered and decreed that the orders of this court bearing date whereby the said will was admitted to probate and letters testamentary thereon were granted to Nathaniel D. Sollers, the executor named therein, be and the same are hereby affirmed.

*Handwritten signature*  
William M. Dunn