

Devo m
Defendants

IN THE CIRCUIT COURT ~~NO. 1~~ OF
BALTIMORE CITY. *H52*
1921

JACOB GREEN,

VS.

MARTHA L. GREEN, et al.

BILL OF COMPLAINT.

③

Mr. Clerk:

Please file.

John C. Kemp
Atty. for Plaintiff.

A11202
(1) (3)

Oct. 17th August 1921
2-11-23

*Copy of the within Bill of Complaint and Order of Court
served on The Savings Bank of Baltimore, a Corporation
by service on James H. Stewart, its Assistant Treasurer on the
23rd day of August 1921 in the presence of Morris Jaffe.
Now sent as to Daniel B. Mack and Martha L. Green,
Honorable J. M. Mullen
Sheriff.
Fees \$0.50*

JACOB GREEN,

Plaintiff,

VS.

MARTHA L. GREEN AND DANIEL

B. MACK, Administrators of,

the Estate of Thomas William

Green, Deceased,

MARTHA L. GREEN, and

~~XXXXXXXXXXXXXXXXXXXX~~

THE SAVINGS BANK OF BALTIMORE,

a body corporate,

James K. Stewart Defendants.
8/23/21 (2)

IN THE

CIRCUIT COURT NO.

OF

BALTIMORE CITY.

:::

:::

:::

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

Your orator, complaining, respectfully shows unto your Honor:-

1. That your orator is a son by first marriage of Thomas William Green, deceased, who departed this life on or about the 3rd day of February, 1920, intestate, at Baltimore City, in the State of Maryland, and at the time of his death your orator was and is now a resident of Baltimore City, Maryland.

2. That the said Thomas William Green died possessed of a certain valuable leasehold lot of ground and premises in Baltimore City, State of Maryland, known as No. 112 North Vincent Street, and also died possessed of a large

amount of money deposited in The Savings Bank of Baltimore,
more than
to wit: the sum of \$5,000.00.

3. That at the time of his death he left surviving him a wife, namely, the defendant, Martha L. Green, and three children, to wit:- Jacob E. Green, John L. Green, and Joseph H. Green.

4. That said Thomas William Green, at the time of his death was more than ninety-one years of age, and while he was physically capable of performing duties for himself, mentally he was incapable of knowing right from wrong, or executing a valid deed or contract.

5. That due to the wiles, fraud and deceit practised in and upon said Thomas William Green, he was induced by the said Martha L. Green to marry her, although at the time of his marriage to the said Martha L. Green, his second wife, one of the defendants herein, he was about eighty-nine years of age, while she was about forty years of age.

6. That shortly after his said marriage to this defendant, she prevailed upon him by false statements and other machinations practised upon him, to transfer the account standing to his name in the Savings Bank of Baltimore to an account in the joint names of himself and his wife, the said Martha L. Green, the balance of said money, at the time of death of either, to belong to the survivor, there being at that time to the credit of said account ^{more than} the sum of \$5,000.00.

7. That the said Thomas William Green, deceased, was not, at the time of the said alleged transfer of his said bank account, and for a long time prior thereto, of

sound and disposing mind, memory and understanding, and was not capable of executing a valid deed or contract, and did not comprehend or understand the nature, meaning and legal effect of the transfer of said bank account as above stated, and that said assignment was obtained and procured from the said Thomas William Green by undue influence exercised and practised upon and against him by this defendant, Martha L. Green.

8. That within twelve hours after the death of said Thomas William Green, the said defendant, Martha L. Green, went to The Savings Bank of Baltimore, reported the death of said Thomas William Green, and then and there promptly had said account changed to her own name alone.

9. That the said Martha L. Green and Daniel B. Mack, upon being granted Letters of Administration in the Orphans' Court of Baltimore City, did, on or about the day of _____, 1921, file an inventory in the said Orphans' Court, showing that the entire estate of said Thomas William Green consisted of the said leasehold lot of ground and premises known as No. 112 North Vincent Street, as above mentioned, and which said property was appraised at the sum of \$400.00.

10. That in said Administration Account the administrators did not account for or in any way reveal unto the Orphans' Court of Baltimore City that said Thomas William Green was possessed and seized of any other personal property excluding said lot of ground and premises, while your orator charges and therefore avers that his father, the said Thomas William Green, deceased, was possessed of large and valuable possessions of furniture and bric-a-brac in said premises of

No. 112 North Vincent Street, which said administrators did not account for in said Orphans' Court.

11. That your orator says that by reason of all the above mentioned facts, he, in addition to the other children of the said Thomas William Green, deceased, has been deprived of his just share and interest in the said estate of his father, Thomas William Green, deceased, and that the defendants, Martha L. Green and Daniel B. Mack, as administrators of Thomas William Green, deceased, and the said Martha L. Green, should be made to account for said sums of money so received by them as administrators, and in her individual capacity and the money be paid into Court to be distributed in accordance with the laws of the State of Maryland.

12.- That your orator further charges that the money so received by the defendant, Martha L. Green, has been deposited by her in the Savings Bank of Baltimore, and now stands in her name, and unless this Court will grant your orator the writ of injunction restraining said Martha L. Green from withdrawing said money, or any part thereof from said bank, and the said bank from paying out the same, or any part thereof to the said Martha L. Green, the defendant Martha L. Green will withdraw the same, and your orator will be and is remediless in an action at law, as the defendant is not possessed of any other property, real or personal, and thus your orator will be deprived of his lawful estate, right and property in said funds, and of his share as a rightful heir and distributee of his said deceased father.

WHEREFORE YOUR ORATOR PRAYS:-

1. That the transfer of the bank account in the SavingsBank of Baltimore, of the said "Thomas William

Green to himself and the said Martha L. Green, subject to the order of either, the balance, at the death of either, to belong to the survivor", be vacated and set aside and that the money to the credit of said account at the time of the said improper, fraudulent and illegal transfer thereof be declared to be a part of the estate and property of the said Thomas William Green, deceased.

2. That the said Martha L. Green, and the said Daniel B. Mack, and Martha L. Green, Administrators, be ordered and directed by a decree of this Court to account for the same as a part of the estate of said deceased.

3. That an order may be passed by this Honorable Court enjoining and restraining the defendant Martha L. Green, individually and as administratrix of the estate of Thomas William Green, deceased, from withdrawing, disposing of, assigning, or transferring any part or portion of said money so received by her, and comprising a portion of the estate of said Thomas William Green, deceased, now on deposit and standing in her name in the Savings Bank of Baltimore.

4. That an order may be passed by this Honorable Court enjoining and restraining the Savings Bank of Baltimore, a body corporate, from paying over any money or monies standing in the name of the above mentioned Martha L. Green, unto her, or unto any person for or on her behalf.

5. That your orator may have such other and further relief as the nature of his case may require.

And may it please Your Honor to grant unto your orator the State's writ of Subpoena, directed to the

defendants, Martha L. Green, and Daniel B. Mack, Administrators of the Estate of Thomas William Green, deceased, Martha L. Green, and The Savings Bank of Baltimore, a body corporate, residing in Baltimore City, Maryland, commanding them, and each of them, to be and appear in this Honorable Court, in person or by solicitor, on some certain day to be named therein, to show cause, if any they may have, why a decree should not be passed as prayed.

And as in duty bound, etc.

John Kump

Attorney for Plaintiff.

Jacob E Green
Plaintiff.

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

I HEREBY CERTIFY, that on this day of August, 1921, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared Jacob Green, the within named plaintiff, and made oath in due form of law that the matters and facts set forth herein are true to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

Meyer Steinberg
Notary Public.

ORDERED by the Circuit Court of Baltimore City,
this 27th day of August, 1921, upon the foregoing Bill
of Complaint and affidavit,

That the transfer of the bank account in the
✓ Savings Bank of Baltimore of said "Thomas William Green
to himself and the said Martha L. Green, subject to the
order of either, the balance, at the death of either, to
belong to the survivor", be and the same is hereby vacated
and set aside, and said account and the money to the credit
thereof at the time of the transfer thereof, be and the same
is hereby declared to be the account and property of the
estate of said Thomas William Green, deceased.

And further, that the said Martha L. Green, and
Daniel B. Mack, Administrators, account for the same as a
part of the estate of said deceased.

And further, that the Savings Bank of Baltimore
be and it is hereby enjoined and restrained from paying
over any money or monies standing in the name of Martha L.
Green, unto her or any person for or on her behalf.

And further, that the said Martha L. Green be
and she is hereby enjoined and restrained from withdrawing,
disposing of, or assigning or transferring any part or por-
tion of said money so received by her by reason of said
improper transfer of said bank account, now on deposit and
standing in her name in the Savings Bank of Baltimore.

Unless cause to the contrary be shown on or before
the 27th day of August, 1921, provided a copy of this

H. Arthur Stamp

order be served on the defendants, and each of them, on
or before the 23rd day of August, 1921.

H. Arthur Plump.

181

452
192

a

Ct. Ct.
Docket No. 61

Green
vs.
Green
et al.

2, 33 Am. & Co. v. ...

SUBPOENA TO ANSWER BILL OF COMPLAINT

4 Pro

No. 11202

(2)

Filed 13th September 1921
Pro. Gump
SOLICITOR

2-11-13

Summoned Martha L. Green, Also summoned
Martha L. Green, Daniel B. Mack, Administrator and a copy of the Process
left with each defendant. Also summoned the Savings
Bank of Baltimore, a corporation by service on James H.
Stewart, its Assistant Treasurer and a copy of the Process
left with said Assistant Treasurer. Also return of said summons
left on the Principal office of said corporation -

Thomas H. McKearty
Sheriff.

(Brook
Ritchie
Yaffe)

Fees \$3.40

644013 2/24/20

EQUITY SUBPOENA

The State of Maryland

On *Martha L. Green and Samuel B. Mack* ^{sparty 9/2/21 #13} *#112 N. Vincent St*
#133 Grand Hill Ave
Administrators of the Estate of
Thomas William Green,

deceased
Martha L. Green ^{sparty #13}
The Savings Bank of Baltimore ⁴¹⁰
-on *James K. Stewart, Asst Treas 8/29/21 (2)*

of Baltimore City, Greeting:

WE COMMAND AND ENJOIN YOU, That all excuses set aside, you do within the
time limited by law beginning on the second Monday of *September* next
cause an appearance to be entered for you and your answer to be filed to the complaint of

Jacob Green

against you exhibited in the Circuit Court of Baltimore City,

HEREOF fail not, as you will answer the contrary at your peril:

WITNESS, the Honorable MORRIS A. SOPER, Chief Judge of the Supreme Bench of
Baltimore City, the *11* day of *July* 192 *1*
Issued the *17* day of *August*, in the year 192 *1*

Chas. R. Whiteford
Clerk.

MEMORANDUM: You are required to file your answer or other defense in the Clerk's
Office, room 206, in the Court House, Baltimore City, within fifteen days
after return day.

(General Equity Rules 11.)

4576
CIRCUIT COURT

4576
19²¹ a Docket No.

Green

v.s.

Green et al.

ORDER OF APPEARANCE

Mr. Clerk

Please File

Sol. for

a No. *11202*

Filed *8th* day of *Sept.* 19²¹

Jacob Green

vs.

Martha Green et al

IN THE
Circuit Court
OF
BALTIMORE CITY

Term, '19

Mr. WHITEFORD, Clerk.

Enter my appearance for Defendant

Martha L Green

[Signature]

Solicitor

456
IN THE CIRCUIT COURT
OF
BALTIMORE CITY.

H52
A 1921

JACOB GREEN

VS

MARTHA L. GREEN et al, and
THE SAVINGS BANK OF BALTIMORE.

.....
ORDER TO ENTER APPEARANCE

Mr. Clerk :

Please file.

Frank J. Hoen

Attorney for the Savings Bank
of Baltimore

A 11202
(5)

Frank J. Hoen,
Attorney-at-Law,
703 Union Trust Building,
City.

Sept 15 September 1921

JACOB GREEN

VS

MARTHA L. GREEN et al, and
THE SAVINGS BANK OF BALTIMORE

(
(IN THE CIRCUIT COURT

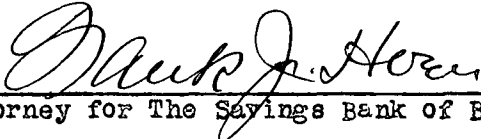
(
(OF

(
(BALTIMORE CITY
(
(

.

Mr. Clerk :

Please enter my appearance for the Defendant, The
Savings Bank of Baltimore.



Attorney for The Savings Bank of Baltimore

order be served on the defendant, and each of them, or
before the 10th day of August, 1881.

C. Jackson Dunning

Copy for
Daniel B Macks
2133 Duval Street

[Handwritten signature]

Sept 6
1881

By
[Signature]

amount of money deposited in The Savings Bank of Baltimore,
to wit: ^{more than} ~~the~~ sum of \$5,000.00.

3. That at the time of his death he left surviving him a wife, namely, the defendant, Martha L. Green, and three children, to wit:-Jacob E. Green, John L. Green, and Joseph H. Green.

4. That said Thomas William Green, at the time of his death was more than ninety-one years of age, and while he was physically capable of performing duties for himself, mentally he was incapable of knowing right from wrong, or executing a valid deed or contract.

5. That due to the wiles, fraud and deceit practised in and upon said Thomas William Green, he was induced by the said Martha L. Green to marry her, although at the time of his marriage to the said Martha L. Green, his second wife, one of the defendants herein, he was about eighty-nine years of age, while she was about forty years of age.

6. That shortly after his said marriage to this defendant, she prevailed upon him by false statements and other machinations practised upon him, to transfer the account standing to his name in the Savings Bank of Baltimore to an account in the joint names of himself and his wife, the said Martha L. Green, the balance of said money, at the time of death of either, to belong to the survivor, there being at that time to the credit of said account ^{more than} the sum of \$5,000.00.

7. That the said Thomas William Green, deceased, was not, at the time of the said alleged transfer of his said bank account, and for a long time prior thereto, of

sound and disposing mind, memory and understanding, and was not capable of executing a valid deed or contract, and did not comprehend or understand the nature, meaning and legal effect of the transfer of said bank account as above stated, and that said assignment was obtained and procured from the said Thomas William Green by undue influence exercised and practised upon and against him by this defendant, Martha L. Green.

8. That within twelve hours after the death of said Thomas William Green, the said defendant, Martha L. Green, went to The Savings Bank of Baltimore, reported the death of said Thomas William Green, and then and there promptly had said account changed to her own name alone.

9. That the said Martha L. Green and Daniel B. Mack, upon being granted Letters of Administration in the Orphans' Court of Baltimore City, did, on or about the day of _____, 1921, file an inventory in the said Orphans' Court, showing that the entire estate of said Thomas William Green consisted of the said leasehold lot of ground and premises known as No. 112 North Vincent Street, as above mentioned, and which said property was appraised at the sum of \$400.00.

10. That in said Administration Account the administrators did not account for or in any way reveal unto the Orphans' Court of Baltimore City that said Thomas William Green was possessed and seized of any other personal property excluding said lot of ground and premises, while your orator charges and therefore avers that his father, the said Thomas William Green, deceased, was possessed of large and valuable possessions of furniture and bric-a-brac in said premises of

No. 112 North Vincent Street, which said administrators did not account for in said Orphans' Court.

11. That your orator says that by reason of all the above mentioned facts, he, in addition to the other children of the said Thomas William Green, deceased, has been deprived of his just share and interest in the said estate of his father, Thomas William Green, deceased, and that the defendants, Martha L. Green and Daniel B. Mack, as administrators of Thomas William Green, deceased, and the said Martha L. Green, should be made to account for said sums of money so received by them as administrators, and in her individual capacity and the money be paid into Court to be distributed in accordance with the laws of the State of Maryland.

12.- That your orator further charges that the money so received by the defendant, Martha L. Green, has been deposited by her in the Savings Bank of Baltimore, and now stands in her name, and unless this Court will grant your orator the writ of injunction restraining said Martha L. Green from withdrawing said money, or any part thereof from said bank, and the said bank from paying out the same, or any part thereof to the said Martha L. Green, the defendant Martha L. Green will withdraw the same, and your orator will be and is remediless in an action at law, as the defendant is not possessed of any other property, real or personal, and thus your orator will be deprived of his lawful estate, right and property in said funds, and of his share as a rightful heir and distributee of his said deceased father.

WHEREFORE YOUR ORATOR PRAYS:-

1. That the transfer of the bank account in the Savings Bank of Baltimore, of the said "Thomas William

Green to himself and the said Martha L. Green, subject to the order of either, the balance, at the death of either, to belong to the survivor", be vacated and set aside and that the money to the credit of said account at the time of the said improper, fraudulent and illegal transfer thereof be declared to be a part of the estate and property of the said Thomas William Green, deceased.

2. That the said Martha L. Green, and the said Daniel B. Mack, and Martha L. Green, Administrators, be ordered and directed by a decree of this Court to account for the same as a part of the estate of said deceased.

3. That an order may be passed by this Honorable Court enjoining and restraining the defendant Martha L. Green, individually and as administratrix of the estate of Thomas William Green, deceased, from withdrawing, disposing of, assigning, or transferring any part or portion of said money so received by her, and comprising a portion of the estate of said Thomas William Green, deceased, now on deposit and standing in her name in the Savings Bank of Baltimore.

4. That an order may be passed by this Honorable Court enjoining and restraining the Savings Bank of Baltimore, a body corporate, from paying over any money or monies standing in the name of the above mentioned Martha L. Green, unto her, or unto any person for or on her behalf.

5. That your orator may have such other and further relief as the nature of his case may require.

And may it please Your Honor to grant unto your orator the State's writ of Subpoena, directed to the

defendants, Martha L. Green, and Daniel B. Mack, Administrators of the Estate of Thomas William Green, deceased, Martha L. Green, and The Savings Bank of Baltimore, a body corporate, residing in Baltimore City, Maryland, commanding them, and each of them, to be and appear in this Honorable Court, in person or by solicitor, on some certain day to be named therein, to show cause, if any they may have, why a decree should not be passed as prayed.

And as in duty bound, etc.

John C. Kump

Attorney for Plaintiff.

Plaintiff.

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

I HEREBY CERTIFY, that on this day of August, 1921, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared Jacob Green, the within named plaintiff, and made oath in due form of law that the matters and facts set forth herein are true to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

Notary Public.

ORDERED by the Circuit Court of Baltimore City,
this 17th day of August, 1921, upon the foregoing Bill
of Complaint and affidavit.

That the transfer of the bank account in the
Savings Bank of Baltimore of said "Thomas William Green
to himself and the said Martha L. Green, subject to the
order of either, the balance, at the death of either, to
belong to the survivor", be and the same is hereby vacated
and set aside, and said account and the money to the credit
thereof at the time of the transfer thereof, be and the same
is hereby declared to be the account and property of the
estate of said Thomas William Green, deceased.

And further, that the said Martha L. Green, and
Daniel B. Mack, Administrators, account for the same as a
part of the estate of said deceased.

And further, that the Savings Bank of Baltimore
be and it is hereby enjoined and restrained from paying
over any money or monies standing in the name of Martha L.
Green, unto her or any person for or on her behalf.

And further, that the said Martha L. Green be
and she is hereby enjoined and restrained from withdrawing,
disposing of, or assigning or transferring any part or por-
tion of said money so received by her by reason of said
improper transfer of said bank account, now on deposit and
standing in her name in the Savings Bank of Baltimore.

Unless cause to the contrary be shown on or before
the 27th day of August, 1921, provided a copy of this

order be served on the defendants, and each of them, on
or before the 13th day of August, 1921.

B. Arthur Stump.

True copy,
Test:
Frank Whitford
Clerk.

Received by
D. M. [unclear]
[unclear]
[unclear]

In The Circuit Court of
Baltimore City Md

Jacob Green
vs
Martha L. Green
et al

Answer of Martha Green

Mr Clerk please file

~~(Handwritten signature)~~
a/t 202
26)

DAVIS & BISHOP
ATTORNEYS AT LAW
BANNEKER BUILDING
4 E. PLEASANT STREET
BALTIMORE, MD.

At. J. Sept 1951

JACOB GREEN :
 PLAINTIFF :
 VS. : IN THE
 MARTHA L.GREEN AND DANIEL :
 B.MACK, ADMINISTRATORS OF : CIRCUIT COURT
 the estate of Thomas William:
 Green, Deceased, : OF
 MARTHA L.GREEN, :
 and BALTIMORE CITY
 THE SAVINGS BANK OF BALTIMORE,
 a body corporate,
 Defendants. :

::: ::: ::: :::

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

Your oratrix complaining respectfully says:-

The answer of Martha L.Green, ^{individually and administratively} one of the co-defendants in the above case exhibited is as follows:

FIRST, She admits the allegations as contained in the first paragraph of the complainants petition.

SECOND, She admits the allegations as contained in the second paragraph of the complainants petition.

THIRD, She admits the allegations as contained in the third paragraph of the complainants petition.

FOURTH, She denies emphatically the allegations as contained in the fourth paragraph of the complainants petition.

FIFTH, She denies that she induced the deceased Thomas William Green to marry her by any wiles whatsoever, but avers that she refused upon several occasion to marry the said Thomas William Green(deceased) and only upon the persistant pro-
 -posals of the aforesaid Thomas William Green(deceased) did the said Martha Green covenant to marry the aforesaid Thomas William

Green(deceased).

SIXTH, She denies with great emphasis that she prevailed upon the aforesaid Thomas William Green with any false statements or other machinations to transfer his account in the Savings Bank of Baltimore to the joint names of Thomas William Green and Martha Green.

SEVENTH, She denies emphatically that the deceased Thomas William Green was not of sound and disposing mind, memory and understanding, she further denies that the deceased Thomas William Green was incapable of executing a valid deed or contract and avers that the said Thomas William Green(deceased) did comprehend and understand the legal nature and meaning of the said transfer. She denies that any undue influence whatsoever was exercised.

EIGHTH, She avers that she was within her rights when she reported the death of the said Thomas William Green to the Savings Bank of Baltimore and had aforesaid account changed to her name alone.

NINTH, She admits the allegations as contained in the ninth paragraph of the complainants petition.

TENTH, The defendant denies that the petitioner and other children of the aforesaid Thomas William Green(deceased) have been deprived of their just share and interest in the estate of Thomas William Green(deceased) and avers that she has no monies due them in her hands, as executrix.

ELEVENTH, She avers that she has no money now deposited in the Savings Bank of Baltimore either in her name alone or in her name as executrix.

WHEREFORE the defendant prays:-

a-a that the aforesaid bill of the complainant be dismissed,

with costs on the complainant.

b-b That the order of court vacating the transfer of the account in the Savings Bank of Baltimore in the name of Thomas William Green to himself and the said Martha L. Green, subject to the order of either the balance, at the death of either to belong to the survivors, and ordering the said Martha Green to account for said account as executrix, be dissolved.

c-c And that order restraining the said Martha Green from disposing of or assigning or transferring any part of money so received, be dissolved.


ATTORNEY

State of Maryland }
Baltimore City } To Wit

I hereby certify that on this 21st of Sept. September, before me the subscriber, a Notary Public in and for Baltimore City, State of Maryland, personally appeared before me Martha L. Green and made oath in due form of law that the above facts contained therein are true to the best of her knowledge and belief.

As witness my hand and Seal.

Caroline Murray
NOTARY PUBLIC.

In the Circuit Court
of ⁴⁵⁶
Baltimore Md 1921

James B. Gray

vs

Martha Gray

Answer of Martha Gray

W. C. Clark, Clerk

(Signature)

11/20/21

(Signature)

DAVIS & BISHOP
ATTORNEYS AT LAW
BANNEKER BUILDING
14 E. PLEASANT STREET
BALTIMORE, MD.

(Signature) September 1921

JACOB GREEN :
 PLAINTIFF :
 VS. : IN THE
 MARTHA L. GREEN AND DANIEL :
 B. MACK, ADMINISTRATORS OF : CIRCUIT COURT
 the estate of Thomas William :
 Green, Deceased, : OF
 MARTHA L. GREEN, :
 and : BALTIMORE CITY
 THE SAVINGS BANK OF BALTIMORE,
 a body corporate,
 Defendants. :
 ::: :::

TO THE HONORABLE, THE JUDGE OF SAID COURT: ~~3~~---
underduly and administratively.
 The defendant Martha Green by her Attorney J. Steward Davis
 says as to the 10th. paragraph of the plaintiffs' bill of com-
 plaint.

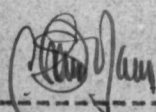
FIRST, That on the 9th. day of March 1921, be-
 fore the Orphans' Court of Baltimore City upon petition filed
 by the plaintiff and others, that the aforesaid Orphans' Court
 decided that the articles of furniture etc. mentioned in the
 10th. paragraph of the plaintiffs bill of complaint, were the
 property of the defendant Martha Green and that they had been
 her property prior to the death of the said William Thomas
 Green.

SECOND, And for a second plea the defendant
 says that if the plaintiff is aggrieved at the decree of the
Orphan Court of Balt. in the aforesaid petition, the plaintiff is
 then bound to appeal from said decree as provided by the Pub-
 lic Code.

WHEREFORE the defendant says that this Honorable Court

-2-

has no jurisdiction to decide the matters set out in the tenth paragraph of the plaintiffs' bill of complaint.



ATTORNEY FOR PLAINTIFF .

61A-456

3/2/12/29

IN THE CIRCUIT COURT
OF
BALTIMORE CITY.

*a 456
1931*

JACOB GREEN, PLAINTIFF

VS

MARTHA L. GREEN and DANIEL B. MACK,
Administrators, etc., et al
and THE SAVINGS BANK OF BALTIMORE
DEFENDANTS.

Answer of
THE SAVINGS BANK OF BALTIMORE

Mr. Clerk :-

Please file.

Mark J. Moran
Solicitor for respondent
THE SAVINGS BANK OF BALTIMORE

*a 11202
(5)*

707 Union Trust Building,
Baltimore, Maryland.

Filed in Plaintiff's 1931

JACOB GREEN, PLAINTIFF

VS

MARTHA L. GREEN and
DANIEL B. MACK, ADMINISTRATORS, etc., et al
and THE SAVINGS BANK OF BALTIMORE
DEFENDANTS

IN

THE CIRCUIT COURT

OF

BALTIMORE CITY

TO THE HONORABLE THE JUDGE OF SAID COURT :

The answer of THE SAVINGS BANK OF BALTIMORE, a body corporate, duly incorporated by an Act of the General Assembly of Maryland, to the Bill of Complaint of JACOB GREEN against it and others exhibited in the above entitled cause, respectfully shows :

Answering the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and last paragraphs of said Bill of Complaint, this respondent now shows that it has no knowledge of the matters and facts therein alleged, other than the facts bearing upon the various deposits with this respondent and which facts it hereinafter fully sets forth and discloses, and except as to such facts, it neither admits nor denies the allegations in said Bill of Complaint contained, but demands strict proof thereof.

Further answering the said Bill of Complaint, this respondent now shows that on or about the fifteenth day of June, 1869, there was opened with

it an account in the name of Thomas W. Green and Mary I. Green, joint owners, subject to the order of either or survivor, by the deposit of \$1,035.99, and for which its Pass Book #381240 was issued; that on or about the third day of January, 1912, the above referred to account was closed by the withdrawal of the amount then standing to the credit of said account, to wit, the sum of \$6,135.19, and a new account was opened by the deposit of the aforesaid amount \$6,135.19, in the name of Thomas W. Green, in Trust for himself and Martha L. Green, joint owners, subject to the order of either, the balance at death of either to belong to the survivor, and for which its Pass Book #644013 was issued; that the last above mentioned account was closed on the fourth day of February, 1920, by the withdrawal of the amount then standing to the credit of said account, to wit, the sum of \$5,646.24, of which amount, the sum of \$5,246.24 was redeposited with this respondent in an account then opened in the name of Martha L. Green, and for which its Pass Book #649888 was issued; that the account last above mentioned, after various withdrawals made from time to time was finally closed on the twenty-fifth day of February, 1921, by the withdrawal of the balance then in said account, amounting to \$57.65.

This Respondent further shows that neither at the time of the institution of this suit, did it have, nor has it now, an account in the name of Martha L. Green.

AND having fully answered all of the paragraphs of the said Bill of Complaint, this respondent prays to be hence dismissed with its proper costs,

AND AS IN DUTY, ETC.

THE SAVINGS BANK OF BALTIMORE


BY *Arthur H. Kin*
Vice-President

Mark J. Hovee
Solicitor for respondent
THE SAVINGS BANK OF BALTIMORE

STATE OF MARYLAND, BALTIMORE CITY, TO WIT :

I HEREBY CERTIFY that on this 26th day of September
in the year one thousand nine hundred and twenty-one, before me, the
Subscriber, A Notary Public of the State of Maryland, in and for Baltimore
City aforesaid, personally appeared S. STERETT MCKIM, Vice-President of
THE SAVINGS BANK OF BALTIMORE, and made oath in due form of law that the
matters and facts set forth in the foregoing Answer are true to the best
of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.


Thomas Gradock
Notary Public.

Ct. Ct.

1921

Docket $\frac{61a}{456}$

Jacob Green

vs.

Daniel B Mack,
Adm.

Decree Pro Confesso.

a No. 11202
29)

Filed

H. C. Atkin 1921

Circuit Court

BALTIMORE CITY

Jacob Green
vs.

IN THE
Circuit Court
OF
BALTIMORE CITY.

Daniel B. Mack et al.
Administrators

September Term, 1921

Daniel B Mack,

The Defendant, having been duly summoned (~~notified by Order of Publication~~) to appear to the Bill of Complaint, and having failed to appear thereto, according to the exigency of the writ, (said Order).

It is thereupon this *26th* day of *October* in the year nineteen hundred and *twentysix* by the Circuit Court of Baltimore City, ADJUDGED, ORDERED and DECREED, that the complainant is entitled to relief in the premises, and that the bill of Complaint be and is hereby taken pro confesso against said defendant. But because it doth not certainly appear to what relief the Plaintiff is entitled, it is further *Adjudged*, and *Ordered*, that one of the Examiners of this Court, take testimony to support the allegations of the bill.

Charles H. Miller

STATE OF MARYLAND,
BALTIMORE CITY, SCT :

I hereby certify that on this _____ day of _____ 19____ before me, the subscriber, a Notary Public, of the State of Maryland, in and for the City aforesaid, personally appeared _____ and made oath in due form of law that her (his) husband (wife) the defendant in the above entitled case is not in the Military or Naval service of the United States Government, to the best of her (his) knowledge, information and belief.

As Witness my hand and Notarial Seal.

Notary Public.