

DECREE PRO CONFESSO

Charles T. Turnbull, et al.	"	No. 11851 Equity, In the Circuit Court for Frederick County, In Equity.
Vs.	"	
Charles Leslie Turnbull, et al	"	

-----O-----

It appearing from the proceedings in this cause that the order of publication heretofore issued therein has been duly published in the Frederick News, a newspaper printed and published in Frederick, in Frederick County, Maryland, as prescribed by said order, and the Defendants, Charles Leslie Turnbull, and Helen Turnbull, his wife, having failed to appear, either in person or by solicitor, and answer the Bill of Complaint therein filed against them, it is thereupon this 14th day of June, 1929, by the Circuit Court for Frederick County, in Equity, adjudged, ordered and decreed that said Bill of Complaint be and the same is hereby taken pro confesso against said non-resident Defendants.

And it is further ordered that depositions be taken before one of the Standing Examiners of this Court in support of the allegations of the Bill.

(Filed June 14, 1929)

John S. Newman
Judge.

T E S T I M O N Y.

Charles T. Turnbull, et al.	"	No. 11.851 Equity.
Vs.	"	In the Circuit Court
Charles Leslie Turnbull, et al.	"	For Frederick County, In Equity.

-----O-----

TO THE HONORABLE, THE JUDGES OF SAID COURT;-

Pursuant to an order of your Honorable Court contained in the decree pro confesso filed in this cause and notice have been given me by the solicitor for the Plaintiff of a desire to take testimony in said cause, I, Albert S. Brown, one of the regular examiners of your Honorable Court, duly appointed, qualified and sworn, having assigned the 18th day of June 1929, at 2 o'clock p.m. at the law office of Leslie N. Coblentz, Esquire, in Frederick City, Maryland, as the time and place for taking testimony in said cause, did, at the appointed time and place, proceed to take the following depositions, to-wit;-

Present; Attorney and witness.

Leslie N. Coblentz, Solicitor for Plaintiffs.
No appearance for Defendants.

VERNON W. NICODEMUS, a witness of lawful age, produced on the part of the Plaintiff, after having first been duly sworn, deposes and says as follows;

My name is Vernon W. Nicodemus, and I am 58 years of age. I am the owner of a grain and feed business at Monrovia, and also Vice-President of the Central Trust Company of Maryland. I have lived in Monrovia about thirty years and I am personally acquainted with all the parties to this case, and knew during their lifetime J. Bradley Hyatt, Mary Irene Shaw and Nettie Hyatt Turnbull. J. Bradley Hyatt, who is mentioned in these proceedings as I. Bradley Hyatt, died sometime during the year 1910, and Mary Irene Shaw, who was his sister, died only a short time thereafter, probably within a year. Mary Irene Shaw left no will and died without issue, but left surviving her as her only heir at law her sister, Nettie Hyatt Turnbull. There were other brothers and sisters of Mrs. Shaw, but I am almost sure that they all predeceased Mrs. Shaw. It has been sometime since this death but if my memory serves me correctly there are the facts.

Nettie Hyatt Turnbull was the wife of Charles T. Turnbull and she died about twelve or thirteen years ago, I think in 1917, and left surviving her, her husband, Charles T. Turnbull, and three children, James Howard Turnbull, Rhoda E. Turnbull and Charles Leslie Turnbull. Rhoda remains