

then owed, or which he might subsequently incur on obligations signed by himself and wife, as well as on notes given to either of said institutions which might be personally endorsed for him by the said Emory L. Coblentz, then and in that event the property was to be conveyed to the said John D. Keller, or his nominee, by the said Emory L. Coblentz; and further that in the event the obligations hereinbefore referred to were not paid by him at the time of his death, then the property described in the deed as aforesaid was to be sold by the said Emory L. Coblentz, and the proceeds therefrom applied to the payment of obligations described as above; and further that at the time of the death of the said John D. Keller there was due and owing unpaid obligations contemplated by said trust aggregating approximately \$10,914.18, which are more particularly set out and described in Exhibit A filed with the Bill of Complaint.

The Bill of Complaint further states that the original deed was lost or mislaid by the Complainant, Emory L. Coblentz, but that the officers of the Middletown Improvement Association of Frederick County, Maryland, were familiar with the circumstances surrounding the execution of the original deed, and have at the request of the said Emory L. Coblentz executed, acknowledged and delivered unto him a duplicate of the original deed, which has been duly recorded in the Land Records of Frederick County, a certified copy of which is filed with the Bill of Complaint and marked Exhibit B.

The Bill further states that the said Emory L. Coblentz is advised, believes and so charges that the said John D. Keller created an express trust as evidenced by the deed hereinbefore referred to, and by the declaration of trust filed with the bill of complaint and marked Exhibit A, and further that he, the said Emory L. Coblentz, is advised that he is entitled to the advice and supervision of the Court in carrying out the terms of the trust mentioned and described in said Bill of Complaint, and in the final disposition of the property and the distribution of the proceeds received therefrom.

The Bill of Complaint prays that the Court may pass an order assuming jurisdiction of the trust mentioned and described therein, and that the said Emory L. Coblentz may continue to administer said trust to a proper conclusion under the supervision and direction of the Court, and for such other and further relief as the nature and equity of the case may require.

It is thereupon ordered this 29 day of October, 1932, by the Circuit Court for Frederick County, and by the authority thereof, that the Complainant, Emory L. Coblentz, by causing a copy of this order to be inserted in some newspaper published in the said Frederick County, once a week for four successive weeks prior to the 3rd day of December, 1932, give notice to the non-resident defendants, namely, Anita Keller Gill, and William T. Gill, Jr., her husband, J. Elwood Keller, and Marjorie Keller, his wife, and Percy H. Keller, all of whom reside in the City of Washington, District of Columbia, and Ezra Olin Keller, who resides in New York City, State of New York, of the object and substance of this Bill of Complaint, and warning them to appear in this Court either in person or by solicitor, on or before the 19th day of December, 1932, and show cause, if any they have, why a decree ought not to be passed as prayed.

Eli G. Haugh
Clerk of the Circuit Court for
Frederick County.

C. McC. Mathias
L. N. Coblentz
Solicitors.

(Filed October 29, 1932)

CERTIFICATE OF PUBLICATION.

Valley Register Office

Middletown, Md., December 5, 1932.

I hereby certify that the annexed Order of Publication Emory L. Coblentz vs Mollie B. Keller was published in The Valley Register, a Newspaper published in Frederick County, Md.,