

PETITION

M. L. Creager and Raymond D. Creager, trading as M. L. Creager and Son	"	No. 13,263 Equity
vs	"	In the Circuit Court for Frederick County, in Equity.
Olive A. Recher and John L. Recher, her husband, et al.	"	
	"	

The Petition of Olive A. Recher, in the above entitled cause respectfully shows unto your Honorable Court:

FIRST: That heretofore a Bill of Complaint was filed in the nature of a Creditors Bill by M. L. Creager and Raymond D. Creager, trading as M. L. Creager and Son, in the above entitled case.

SECOND: That as will appear by reference to the said Bill of Complaint Brinton Toms of Thurmont, Maryland was one of the Defendants named therein.

THIRD: That the writ of subpoena was issued against him as one of the Defendants in the above entitled cause and as will appear from the Sheriff's return on said subpoena filed in this cause, the said Brinton Toms was returned non est.

FOURTH: That the said Defendant, Brinton Toms hath kept out of the way, or secreted himself to avoid the service of the subpoena, in that he has left the State of Maryland and informed your Petitioner that it was his object and intention to hold up this proceeding and has taken up his residence in the State of Pennsylvania.

WHEREFORE your Petitioner prays that your Honorable Court will pass an Order permitting the Complainants in the above entitled cause to proceed against the said Brinton Toms as if he were a non resident of the State of Maryland in accordance with the provisions of Section 134 of Article 16 of the Annotated Code of Maryland.

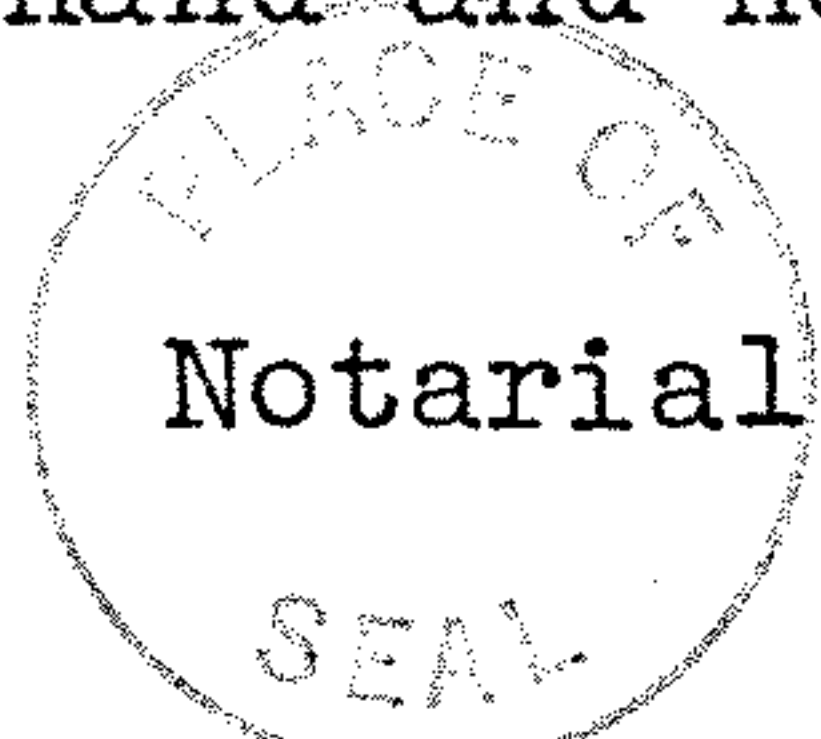
Olive A. Recher
Petitioner.

Patrick M. Schnauffer
Solicitor for Petitioner.

STATE OF MARYLAND, FREDERICK COUNTY, TO WIT:

I hereby certify that on this 28 day of Feb. 1938, personally appeared, before me, the Subscriber a Notary Public of the State of Maryland, in and for Frederick County, Olive A. Recher, the above named Petitioner and made oath in due form of law that the matters and things contained in the said Petition are true as therein setforth and that the said Brinton Toms hath kept out of the way, or secreted himself to avoid service of the subpoena issued against him in the above entitled cause.

Witness my hand and notarial seal the day and year first written above.



A. M. Ecker
Notary Public

The above Petition and Affidavit having been submitted to, read and considered by the Court it is thereupon this 1st day of March, 1938, Ordered by the Circuit Court for Frederick County, sitting as a Court of Equity and by the authority therein vested, that Brinton Toms a defendant in this cause, be proceeded against as a non resident of the State of Maryland in accordance with Section 134 of Article 16 of the Annotated Code of the State of Maryland.

Arthur D. Willard

Filed March 2, 1938.