

PETITION AND COURT'S ORDER

George McKenzie, et. al.	:	No. 15,705 Equity
vs.	:	In the Circuit Court
John McKenzie, et. al.	:	For Frederick County
	:	In Equity.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of George McKenzie and Sadie A. McKenzie, his wife, William McKenzie and Alice McKenzie, his wife, respectfully shows unto your Honors:

1. That on the 13th day of November, 1943, your Petitioners filed in your Honorable Court a Bill of Complaint against the several Defendants named therein praying that a decree of your Honorable Court may be passed for the sale of the real estate of which the late James E. McKenzie died seized and possessed, and that the proceeds thereof may be divided among the parties entitled thereto according to their respective interests.

2. That in connection with the proceedings in the above-numbered cause subpoenas were issued to Theresa McKenzie Hahn and William Hahn, residing at 321 South Augusta Avenue, Baltimore, Maryland, and unto John McKenzie and Rosie McKenzie, his wife, Daniel McKenzie and Orpha McKenzie, his wife, Clara McKenzie, Bertha I. McKenzie, Helen McKenzie Kreh, Ray Burrier, Grover Harne, Ava Harne, Kenneth Harne, Lorence Harne, an infant, Leo Harne, Joseph S. McKenzie and Amy McKenzie, his wife, and Charles A. McKenzie, all residents of Frederick County, Maryland, which said subpoenas were duly served requiring the said Defendants to file their answers or other defense with the Clerk of your Honorable Court within fifteen days from the first Monday of January, 1944, the return date of said subpoena.

3. That to date the several Defendants have failed to appear as commanded by said subpoenas, either in person or by solicitor, and consequently no demurrer, answer or other defense has been filed in these proceedings on behalf of said Defendants.

4. That Lorene Harne, one of the aforesaid Defendants, is an infant under the age of eighteen years, and thus cannot answer and defend the aforesaid suit in her own behalf.

WHEREFORE, your Petitioners pray that your Honorable Court will pass an order appointing a guardian ad litem to appear and answer for the said infant Defendant in these proceedings; and will further order that the Bill of Complaint be taken pro confesso against the several adult Defendants aforesaid.

And as in duty bound, etc.

Amos A. Holter

W. Clinton McSherry
Solicitors for Plaintiffs

The foregoing petition having been by the Court read and considered, it is thereupon, this 7th day of June, 1944, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, ordered that Arthur H. Lambert be and he is hereby appointed guardian ad litem to appear for and answer the Bill of Complaint heretofore filed in this cause on behalf of Lorene Harne, infant.

And it is further ordered that the said Bill of Complaint filed in these proceedings be and the same is hereby taken pro confesso against Theresa McKenzie Hahn and William Hahn, John McKenzie and Rosie McKenzie, his wife, Daniel McKenzie and Orpha McKenzie, his wife, Clara McKenzie, Bertha I. McKenzie, Helen McKenzie Kreh, Ray Burrier, Grover Harne, Ava Harne, Kenneth Harne, Leo Harne, Joseph S. McKenzie and Amy McKenzie, his wife, and Charles A. McKenzie.

Patrick M. Schnauffer
Judge of the Circuit Court for
Frederick County

Filed June 7, 1944