

BILL OF COMPLAINT

WILLIAM A. WHEELER Plaintiff	:	No. 16686 Equity
	:	IN
VS.	:	
CHARLES E. MOYLAN	:	THE
and	:	
MABEL MOYLAN ELLIOTT,	:	CIRCUIT COURT
(surviving heirs of Mrs. D. E. Moylan, late of Frederick County, Md.)	:	FOR
and	:	
Jas. H. Falk County Treasurer of Frederick County, Maryland.	:	FREDERICK COUNTY, MARYLAND
and	:	
the heirs (if any) of	:	
ELIZABETH MIDDLEKAUFF, deceased,	:	
and	:	
ALL OTHER PERSONS HAVING OR CLAIM- ING TO HAVE AN INTEREST IN THE PROPERTY DESCRIBED IN THE BILL OF COMPLAINT	:	(IN EQUITY)
Defendants	:	

The Bill of Complaint of WILLIAM A. WHEELER, Plaintiff, respectfully represents unto this Honorable Court:

1. That on April 12, 1948, JAMES H. FALK, Frederick County Treasurer, and Collector of Taxes for the State of Maryland, in and for Frederick County, sold to the Plaintiff, at public auction, the hereinafter enumerated property, in fee simple, in conformity with the authority conferred upon him by Chapter 761 of the Acts of the General Assembly of Maryland, 1943, and by the Acts, if any, amendatory thereof.

2. That the serial number of the Certificate of Tax Sale, issued to the Plaintiff by the Collector as aforesaid, within six (6) months of the date of tax sale, and a description of the property in substantially the same form as the description appearing on the Collector's tax roll (the lot is 75 feet by 210 feet), and the amount of money required for redemption of the property herein described, as follows:

Certificate of Tax Sale Serial No. 68

3. That the original Certificate of Tax Sale is herewith attached to the Bill of Complaint, and prayed to be read and taken as a part hereof, as though fully incorporated herein, and marked, "Plaintiff's Exhibit No. 1. The dimensions of the property are, however, 75 feet by 210 feet.

4. That a search and examination of the Land Records of Frederick County, the records of the Register of Wills of Frederick County, the tax assessment records of Frederick County, and the records of all the courts of law and equity of Frederick County disclose that the title to the aforesaid property is in the name of MRS. D. E. MOYLAN, late of Ijamsville, Frederick County, Maryland, who died intestate and owing no debts, on June 13, 1935, -- leaving as her only surviving heirs, her husband, REV. DANIEL E. MOYLAN, late of Ijamsville, Frederick County, Maryland, who died intestate and owing no debts on January 8, 1943; and their two children, CHARLES E. MOYLAN and MABEL MOYLAN ELLIOTT, parties hereto.

Search and examination of all available records and evidence show that said property was purchased in 1895 by the said MRS. DANIEL E. MOYLAN from ELIZABETH MIDDLEKAUFF (long since deceased, without any known surviving heirs) by unrecorded Deed which was destroyed by fire--and that the said MRS. D. E. MOYLAN and her family occupied said property as their home and paid the taxes thereon from 1895 to the date of her death, and thereafter by said heirs and members of her said family, as will appear by reference to the tax records and files of the Office of the Treasurer and Collector of Frederick County.