

# CERTIFICATE OF PUBLICATION

From The New Citizen, Frederick, Md.

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Frederick, Md., October 1, 1938

This is to certify, That the annexed Order of Publication

#13,427 Eq. was published in New Citizen  
a Newspaper Published in Frederick County, once a week for  
four successive weeks prior to the first  
day of October 1938

The New Citizen Pub. & Mfg. Co.,  
Per *[Signature]* Bookkeeper  
Filed Oct. 8, 1938

Exhibit Deed No. 3, and the deed above referred to from George H. Shank and wife, to the said Mary S. Donelle, marked "Exhibit Deed No. 4", all of which it was prayed to be taken and considered as a part of said Bill.

Second: That the said lots of ground are subject to a ground rent of One Dollar (\$1.00) per annum, payable on the eighth day of February in each and every year, and that the present owner of the said ground rents is George F. Smith, to whom the said rents were conveyed by deed from Benjamin W. Saxton and Mary M. Saxton, his wife, bearing date on the twentieth day of August, 1914, and recorded in Liber H. W. E. No. 310, Folio 494, one of the Land Records of Frederick County, a certified copy of which was filed with said Bill and marked "Exhibit Deed No. 5".

Third: That the said Mary S. Donelle left her surviving as her only heirs at law, her husband, Otto J. Donelle, who has since departed this life on the eleventh day of November, in the year 1934, and the following children and of deceased children:

(1) A son, William Luther Donelle, who has departed this life since the death of his mother, intestate, leaving him surviving a widow, Emma Donelle, a son, William Luther Donelle, Jr., who is divorced, and a daughter, Evelyn N. Donelle, who is unmarried, and a daughter, Ruth D. Hall, whose husband is Gilbert Hall, and all of whom reside in Frederick City and County, Maryland;

(2) A daughter, Emma Gertrude Donelle Davison, whose husband is James G. Davison, who reside in or near Woodboro, Frederick County, Maryland;

(3) A daughter, Anna Matilda Donelle Aumen, a widow, one of the complainants in said Bill, who resides in Woodboro, Frederick County, Maryland;

(4) A son, Robert J. Donelle, whose wife is Celeste Estella Donelle, two of the complainants in said Bill, who reside in Woodboro, Frederick County, Maryland;

(5) A son, Maurice Donelle, whose wife is Blanche Donelle, who reside in Woodboro, Frederick County, Maryland;

(6) A son, Clarence Donelle, whose wife is Pearl Donelle, who reside in Woodboro, Frederick County, Maryland;

(7) A daughter, Catherine Donelle Kenney, whose husband is Thomas Kenney, who reside in the City of Richmond, State of Virginia;

(8) A daughter, Charlotte Donelle Houch, whose husband is Raymond Houch, who reside in Woodboro, Frederick County, Maryland; and

(9) A grandson, Albert Eichberger, a son of Jennie Donelle Eichberger, a deceased daughter of the said Mary S. Donelle, who died before her mother, and whose wife's name is Josephine Eichberger, who reside in Woodboro, Frederick County, State of Maryland.

That the said parties are all adults over the age of twenty-one years and all of the parties in interest in and to the aforesaid real estate of which the said Mary S. Donelle died seized and possessed.

Fourth: That the real estate aforesaid consists of a lot and dwelling in the town of Woodboro, Frederick County, State of Maryland, and can not be divided without loss and injury to the parties interested, and that it is to the benefit and advantage of all the parties in interest for your Honorable Court to decree a sale thereof and to divide the money arising from such sale among the said parties in interest according to their respective rights.

The Bill then prays for a sale of the real estate of which Mary S. Donelle died seized and possessed under the direction of the Court of Equity and the proceeds therefrom distributed among the parties in interest according to their respective rights.

And for such further or other relief as the nature and equity of their case may require.

And also prays for writs of subpoena against the said Emma Gertrude Donelle Davison, and James G. Davison, her husband; Maurice Donelle and Blanche Donelle, his wife; Clarence Donelle and Pearl Donelle, his wife; Charlotte Donelle Houch and Raymond Houch, her husband; and Albert Eichberger and Josephine Eichberger, his wife; Emma Donelle, widow; William Luther Donelle, Jr., divorced; Evelyn N. Donelle, unmarried; Ruth D. Hall and Gilbert Hall, her husband, alleged resident defendants; and for an order of publication against the said Catherine Donelle Kenney and Thomas Kenney, her husband, who are alleged to be non residents of the State of Maryland and residents of the State of Virginia.

It is thereupon this 30th day of August, in the year Nineteen Hundred and Thirty-eight, by the Circuit Court for Frederick County, sitting as a Court of Equity, ordered that the plaintiffs give notice to the said non-resident defendants of the object and substance of the Bill by causing a copy of the same to be published in some newspaper published in Frederick County, once a week for four successive weeks prior to the 1st day of October, 1938, commanding them and each of them to be and appear in this Court or by solicitor on or before the 17th day of October, 1938, and show cause, if any they have, why a decree ought not be passed as prayed.

Filed August 30, 1938.

ELLIS C. WACHTER, Clerk.

True Copy Test:

ELLIS C. WACHTER, Clerk.

Sept. 2-4.

(Other Legal Ads on Page 12)

## ORDER OF PUBLICATION

PARSONS NEWMAN and  
JOHN S. NEWMAN, Solicitors

No. 13,427 EQUITY

In The Circuit Court For Frederick County,

vs.

Emma Gertrude Donelle Davison, et al.

Complainants

vs.

Robert J. Donelle and Celeste Estella Donelle, et al.

Defendants

The Bill of Complaint filed in this cause by Robert J. Donelle and Celeste Estella Donelle, his wife, and Anna Matilda Donelle Aumen, widow, against Catherine Donelle Kenney and Thomas Kenney, her husband, Emma Gertrude Donelle Davison and James G. Davison, her husband, Maurice Donelle and Blanche Donelle, his wife, Clarence Donelle and Pearl Donelle, his wife, Charlotte Donelle Houch and Raymond Houch, her husband, Emma Donelle, widow, William Luther Donelle, Jr., divorced, Evelyn N. Donelle, unmarried, Ruth D. Hall and Gilbert Hall, her husband, Albert Eichberger and Josephine Eichberger, his wife, alleges:

First: That Mary S. Donelle, late of Frederick County, Maryland, deceased, departed this life sometime in or about the month of August, 1932, seized and possessed of certain real estate, consisting of a lot or parcel of ground improved with a dwelling house, in the town of Woodboro, Frederick County, State of Maryland, being one-half of Lot No. 54, and a small portion, being eight feet front by eighteen feet deep, of Lot No. 55, as shown and designated on the plat of said town of Woodboro; that the said two parcels of land were heretofore conveyed unto Henry C. Donelle by two deeds, the deed for Lot No. 54 from Nancy Smith, bearing date on August 14, 1854, and recorded in Liber E. S. No. 18, Folio 88, one of the Land Records of Frederick County; and the deed for the small portion of Lot No. 55 from Charles W. Drubbing, bearing date on the twenty-eighth day of February, 1855, and recorded in Liber E. S. No. 19, Folio 88, one of the Land Records of Frederick County; which said real estate was sold by Otto J. Donelle, Administrator d.h.n.c.f.a. of the last will and testament of Henry C. Donelle, which is duly probated, admitted to record and recorded in Liber T. L. Map No. 1, Folio 612, one of the Record Books for Wills in the Office of the Register of Wills of Frederick County, a certified copy of which was filed with the Bill and marked "Exhibit Will", to George H. Shank, and by George H. Shank and Ann M. Shank, his wife, was conveyed unto the said Mary S. Donelle, by deed bearing date on the twelfth day of July, 1888, and recorded in Liber W. I. F. No. 9, Folio 541, one of the Land Records of Frederick County; that although the report of sale of the said Administrator and his deeds made in pursuance thereof, relate only to Lot No. 54, that the purchaser under the said sale, the said Mary S. Donelle, entered into possession of that small portion of Lot No. 55, conveyed to the said Henry C. Donelle as aforesaid, and of which he died seized and possessed, as well as Lot No. 54, and that the said Mary S. Donelle died seized and possessed as aforesaid of one-half of Lot No. 54 and a small portion of Lot No. 55; that the complainants filed with said Bill certified copies of the two deeds aforesaid to Henry C. Donelle, marked "Exhibit Deed No. 1", "Exhibit Deed No. 2" and a certified copy of the deed from Otto J. Donelle, Administrator d.h.n.c.f.a. of Henry C. Donelle to George H. Shank above referred to, marked