

That while the defendants have not in fact any claim upon, or right in the property mentioned in said contract, the existence of said contract so recorded constitutes, and is such a cloud upon the Plaintiff's title to said lands, that the same are practically useless to him for marketable purposes.

And that the said plaintiff has been unable to procure from the Defendants a voluntary relinquishment of the rights as they appear upon the face of said record, but which do not exist in fact, because said Defendants are non-residents and their whereabouts are unknown. The bill further prays that the aforesaid contract and agreement by and between the said Will F. Clabaugh and the defendants be revoked, cancelled, and set aside, and the record thereof vacated, and the plaintiff be decreed to hold and enjoy his property unaffected thereby. The bill further prays for general relief and for process.

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It is thereupon this 10th day of December, 1940, ordered by the Circuit Court for Frederick County, in Equity, that the Plaintiff, by causing a copy of this order to be inserted in some newspaper published in said Frederick County, one in each of four successive weeks, before the 9th day of January, 1941, giving notice to the said absent defendants and their heirs, of the object and substance of this bill, warning them to appear in this court in person or by solicitor, on or before the 25th day of January ¹⁹⁴¹ ~~next~~, to show cause, if any they have, why a decree ought not to be passed as prayed.

Ellis C. Wachtel
 Clerk, Circuit Court for Frederick County

Filed December 10, 1940